

City Council Meeting Summary

June 25, 2013

SPECIAL AWARD

- ◆ Mayor Strazdas issued special recognition to Samantha O'Brien, Portage Northern High School student, for receiving the designer award for the City of Portage 50th Anniversary Banner Competition from the City Council School Committee. State Representative Margaret O'Brien read a Tribute to Samantha O'Brien issued by Governor Rick Snyder, State Representative Tonya Schuitmaker and herself. She also recognized the contributions of the youth in our community, especially her daughter this night for this accomplishment.

ACCOUNTS PAYABLE REGISTER

- ◆ Approved the Accounts Payable Register of June 25, 2013, as presented.

PETITIONS AND STATEMENTS OF CITIZENS

- ◆ State Representative Margaret O'Brien, 1625 Bellaire Avenue, provided an update from the State of Michigan and indicated that there is more money for Revenue Sharing back to the communities; that there was some unanticipated one-time funds for roads that are now likely to be ear-marked for still unknown non-freeway related projects; that there was an increase in the amount of funding for debt; that there was an increase in the rainy day savings account; and that the State House of Representatives passed the budget during the last week of May for the third year in a row. Discussion followed regarding her service on the Transportation Committee, her work with the Fireworks issue, State Pension funding and the rainy Day Fund.
- ◆ Board of Review Members Richard Ford, Michael Quinn and Wes Mazurek read from prepared statements that outlined concerns with bias and conflicts in the training received, the bias of the City Assessor, possible Open Meetings Act violations, denials of decades of depreciation, upward changes of class of construction that inflate assessments and prior Board of Review decisions nullified by the Assessor for subsequent years, improper alterations of property cards by the City Assessor, the need for earlier notice of tax assessment changes to the citizens, a perception of being publicly criticized in City Council Chambers and their appreciation for the assistance from the Administration. They provided a letter of concerns signed by the Board of Review Members that was shown to Mayor Strazdas, although admittedly not in full agreement by all of the Members who signed it, yet was never revised to reflect a consensus of the Board as requested by Mayor Strazdas. Mr. Ford offered some solutions: the City of Portage could exercise the right to appeal the Board of Review decisions if they disagree with them, and noted that none have been appealed; could reduce the nonconformity as a result of the sales study because some citizens knew about it and how it works and others did not which would result in a more meaningful appeal; could use Board of Review input and modify the client's checklist to accommodate hardship cases and commercial appeals; and could allow Board of Review input to assist in determining the type of training to be conducted. Mr. Ford read a statement from Board of Review Member Bill Fries, who concurred with the concerns expressed previously and added a concern that false building permits are being used by the Assessor that do not add value to the home. Mr. Fries asked City Council to investigate the discrepancies found by the Board of Review and offered the following solutions: to revert all properties back to original class of construction; to have an external assessment to earn back the trust of the citizens; to establish guidelines for property owners seeking permits for improvements; to have transparency of all records and changes; to mail out tax notifications early as mentioned by Mr. Mazurek; and to insert an information page in the *Portager* about taxation and taxes. At the request of Mr. Fries, Mr. Ford provided pages from the Assessor's Manual to City Council for their review. Discussion followed.
- ◆ Marilyn Longjohn, 4011 Burkwood Drive, indicated that she moved into Portage in 1969 and in 2011, she went to the City Assessor to have her Assessor Record Card corrected as the City Assessor had her property as being 18 years old, yet her neighbors' houses were 32 years old, according to the records. She also indicated that the classification was in the C+ range, but was now in the B range. She was told to go to the Board of Review. She said she did not wish to contest her taxes, but she just wanted the record on her house to be accurate. When the Assessor indicated that he would put an extra year on the age of her property, she became suspicious. When she went before the Board of Review and asked about the disparity in the ages of the properties on her street, the Assessor representative indicated that they had to justify the taxes that the property owner pays. Discussion followed.
- ◆ Ted Varas, 6645 Oleander Lane, former Board of Review Member, confirmed that the MTA Training taught unequivocally that the Class of Construction of a building does not change, and noted his observation of changes in the Class of Construction on the Assessor Cards when he served on the Board of Review, even with no change or addition to the structure.

REPORTS FROM THE ADMINISTRATION

- ◆ Adopted as an emergency ordinance Article 7, Consumer Fireworks, of Chapter 34 Fire Prevention and Protection and repeal Section 50-82, Fireworks, of Article 3 of the Portage Code modified to read that a person shall not ignite, discharge or use consumer fireworks from June 26, 2013, to September 10, 2013, between the hours of 1 a.m. and 8 a.m.; that consumer fireworks shall not be sold to a minor; and that the penalty for a violation is a civil infraction punishable by a civil fine of not more than \$100 for each violation. Laura Tupper, 9516 East Shore Drive, spoke in opposition to fireworks as she witnesses them every single weekend all summer long at all hours of the evening and indicated she did not wish to wait until September.
- ◆ Accepted for first reading an ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by adding Article 7, Consumer Fireworks, of Chapter 34, Fire Prevention and Protection, by repealing Section 50-82, Fireworks, of Article 3, Offenses Against Public Safety, of Chapter 50, as contained in Attachment B as presented in Materials Transmitted of June 25, 2013, and to set July 9, 2013, for second reading.
- ◆ Approved the recommended budget amendments for the FY 2013-14 Annual Action Plan for the CDBG Program and FY 2013-14 Human/public service funding from the General Fund.

- ◆ Approved a contract extension for maintenance of the city traffic signal system from July 1, 2013 to June 30, 2016 with Windemuller Electric, Incorporated, in the total amount not to exceed \$133,800 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Authorized the City Manager to proceed with negotiation of a purchase agreement for 1614 West Osterhout Avenue in an amount not to exceed \$163,000.
- ◆ Approved the requested 60-day extension to start construction and 90-day extension to complete construction of the Repertoire restaurant/blues-jazz club, which received Conditional Approval for the 2010 Census Liquor License on January 8, 2013.
- ◆ Approved a permit for a fireworks display on July 4, 2013, sponsored by the Portage Rotary Club.
- ◆ Accepted the Federal Emergency Management Agency (FEMA) Regional Fire Act Grant in the amount of \$893,491 and serve as the sponsoring agency for five other local fire departments participating in this grant.
- ◆ Supported the request to transfer ownership of an escrowed 2012 Class C licensed business with Sunday Sales Permit (pm) & Specific Purpose Permit (Food) from River City Food Co. (Finley's Restaurant) to Woodbridge Office Building, LLC.
- ◆ Supported the request from Centre Street Tap House to transfer ownership of an escrowed 2013 Class C License with Sunday Sales Permit (pm) and Dance-Entertainment Permit, from Skybar, Inc. (139 Edwards Street, Kalamazoo) and to transfer location (Governmental Unit) (MCL 436.1531(1)) to 3251 West Centre Avenue (Centre Street Tap House), in the City of Portage.
- ◆ Received the communication from the City Manager regarding the May 2013 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports.

UNFINISHED BUSINESS

- ◆ Scheduled the regular meeting of August 13, 2013 as the date for discussion of questions pertaining to the Board of Review.

COMMITTEE REPORT

- ◆ Received a report from Councilmember Urban as the Portage Representative on the Kalamazoo County Transit Authority and discussed a plan to consolidate transportation in the County and the process going forward for final approval.

NEW BUSINESS

- ◆ Mayor Pro Tem Reid discussed a request from David Ostrem, 1515 Dogwood, regarding the possibility of private options for replacing events of the Summer Entertainment Program and for the Administration to provide the policy parameters for a private approach to the Program.

BID TABULATION

- ◆ Approved the purchase of the Rotary Portable Column Lift System for a cost of \$56,033.09, and authorized the City Manager to execute all documents related to this action on behalf of the city.

STATEMENTS OF CITY COUNCIL

- ◆ Councilmembers Randall, Pearson, Mayor Pro Tem Reid and Mayor Strazdas thanked Board of Review Members Richard Ford, Michael Quinn and Wes Mazurek and former Board of Review member Ted Varas for coming before City Council and presenting their concerns and the fine job they have been doing.
- ◆ City Manager Evans indicated that the Budget Process never ends and that the Administration is already looking at next year and many years ahead.
- ◆ Mayor Pro Tem Reid and Mayor Strazdas reflected on the success of the Taste of Portage and Mayor Strazdas noted that there are six new Eagle Scouts, all from Troop 244.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.