

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Tuesday, February 20, 2018

In Council Chambers at City Hall

Present: Mayor Barnes; Mayor Pro-Tem VanSlambrouck, Council Members Fitzsimmons, Baldyga and Johnston; City Manager Gorman; City Clerk Miller; Parks, Recreation & Cemetery Director Brown; Police Chief Thomas

Guests: Ken Lane of Clark Hill PLC; Jon Moxey, Brian Rice, Rick Stout and Tony Finch of Fleis & VandenBrink

The meeting was called to order at 7:00 P.M. by Mayor Barnes with the Pledge of Allegiance.

Motion by VanSlambrouck, supported by Baldyga, to approve the Proposed Agenda as presented.

Yeas: VanSlambrouck, Baldyga, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

There was no Public Comment.

Under City Manager Report, City Manager Gorman stated that the closing for the purchase of property along Cutler Rd. by Sparrow has been scheduled for Friday, February 23, 2018.

City Manager Gorman provided a conceptual design of the development of a splash pad and improvements to Toan Park.

City Manager Gorman noted that one of the City's ambulances was in an accident last week while on route to the hospital with a patient when a driver failed to yield to the emergency lights. No one was injured but the ambulance was not drivable. The damage to the ambulance is covered by insurance.

City Manager Gorman explained recent decisions by the Planning Commission and Zoning Board of Appeals on the request made by Terry Frewen to consider a request for a Special Land Use Permit for the property at 1323 E. Bridge St. (34-300-110-000-045-00), to rent the property as a single-family residence with a cell phone repair business to operate in the front room of the house.

Representatives for Muffler Man will seek reapproval of the expired Special Land Use for the property at 738 E. Grand River Ave. to construct a 1,198 square foot addition to the existing 1,804 square foot motor vehicle repair garage from the Planning Commission on March 14, 2018.

City Manager Gorman noted due to the substantial rainfall he has been in contact with the County's Emergency Manager. The river levels are expected to crest on Friday and are being monitored.

Motion by Fitzsimmons, supported by Johnston to adjourn to Closed Session as permitted under Section 8(h) of the Michigan Open Meetings Act to discuss the proposed ADM Donation Agreement.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Baldyga, Barnes
Nays: None
Adopted

The Council adjourned to Closed Session at 7:13 P.M.

The Council returned from Closed Session at 7:51 P.M.

Mayor Barnes opened the Public Hearing on the 5-Year Parks & Recreation Plan at 7:51 P.M.

Jon Moxey of Fleis & VandenBrink provided an overview of the 5-Year Parks & Recreation Plan.

There was no public comment.

Mayor Barnes closed the Public Hearing at 8:05 P.M.

Under New Business, the Council considered Resolution 18-08 to approve the Donation Agreement between Archer Daniels Midland (ADM) and the City of Portland for the property at 401 East Grand River Ave. The recent award of the Redevelopment Brownfield Grant has helped to make this possible. There will still be an environmental inspection period. City staff has determined that it would be advantageous to the City to accept the property for potential development in the DDA and future replacement of the Divine Hwy. Bridge. City Manager Gorman and Legal Counsel have reviewed the Donation Agreement and recommend its approval.

Motion by Baldyga, supported by Johnston, to approve Resolution 18-08 approving a Donation Agreement between Archer Daniels Midland (ADM) and the City of Portland.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes
Nays: None
Adopted

The Council considered Resolution 18-09 to approve the City of Portland's 5-Year Parks & Recreation Plan 2018-2022 to be used as a guideline for improving recreation and enhancing natural resource conservation.

City Manager Gorman expressed his appreciation to City staff and engineers for work on this project.

Council Member Baldyga thanked the public for their input on the document.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Resolution 18-09 approving the City of Portland's 5-Year Parks & Recreation Plan 2018-2022.

Yeas: VanSlambrouck, Fitzsimmons, Baldyga, Johnston, Barnes
Nays: None
Adopted

The Council considered Resolution 18-10 to approve the purchase of a new copy machine/printer for City Hall and maintenance plans for the new machine at City Hall as well as for a new copy machine/printer for the Electric Department and a shared copy machine/printer for the Ambulance and Police Departments.

Motion by Fitzsimmons, supported by Johnston, to approve Resolution 18-10 approving purchase and maintenance plans for new printer/copy machines.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

The Council considered Resolution 18-11 to approve a utility easement along the Sparrow property on Cutler Rd. for watermain in order to provide flexibility and development of the City owned property at the corner of Grand River Ave. and Cutler Rd.

Jon Moxey of Fleis & VandenBrink provided information and a diagram of the easement.

Motion by VanSlambrouck, supported by Baldyga, to approve Resolution 18-11 approving, authorizing, and directing the Mayor to sign a Utility Easement for the City of Portland.

Yeas: VanSlambrouck, Baldyga, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 18-12 to amend Resolution 17-30 for the Sparrow land purchase transaction. The title company has requested the City amend Resolution 17-30 to require only the Mayor to sign the stated documents which would cure any potential defect in the transaction.

Motion by Fitzsimmons, supported by VanSlambrouck, to approve Resolution 18-12 amending Resolution 17-30 for the Sparrow Land Purchase Transaction.

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

Motion by Baldyga, supported by Fitzsimmons, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on February 5, 2018, payment of invoices in the amount of \$90,486.40 and payroll in the amount of \$114,701.75 for a total of \$205,188.15. There were no purchase orders over \$5,000.00.

Yeas: Baldyga, Fitzsimmons, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Under City Manager Comments, City Manager Gorman reminded residents that the Annual Daddy Daughter Dance will be held Wednesday, February 21st and Thursday, February 22nd.

Under Council Comments, Mayor Barnes noted the relevance of the ADM Donation Agreement. He thanked ADM for their donation to the City and the Council for their wisdom and environmental stewardship to clean up any potential contamination on the property. He further noted the significant benefit of the City owning this property for future development of the Divine Hwy. Bridge.

Motion by Fitzsimmons, supported by Baldyga, to adjourn the regular meeting.

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Meeting adjourned at 8:19 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk