

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, November 19, 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; Police Chief Thomas

Guests: Patrick Barrett; Nick Herblet; Dawn Pugh; Julia & Brandon Norton; Patrick Barrett; Paul Galdes and Blair Selover of Fleis & VandenBrink; Evan Sasiela of the Sentinel Standard

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

Under Public Comment, Dawn Pugh voiced her concern that recent news reports have claimed that the City of Portland is intending to ban cannabis consumption.

Mayor Barnes clarified that there would not be a ban on personal use of marijuana, the consideration is to ban the sale of marijuana in Portland.

City Manager Gorman encourage the public to look at the proposed ordinance being considered.

Nick Herblet asked if the proposed ordinance would go into effect immediately.

City Manager Gorman explained that it would not go into effect immediately due to the State of Michigan canvas of the November 6, 2018 election and further explained the process for adoption of City ordinances. The City Council will likely table the proposed ordinance until the law actually goes into effect.

Mr. Herblet asked if the City has done research in terms of the new law and stated his feeling that medical and recreational marijuana sales should be allowed.

Mayor Barnes explained the City of Portland would like to wait and see what all of the State regulations are before allowing the sale of marijuana in the City.

Mr. Herblet stated the City should consider the benefits of selling marijuana in the City in terms of revenue.

Julia Norton referenced the ballot language for Proposal 18-1 where it states that jurisdictions would receive a 15% excise tax and stated that allowing the sale of marijuana in the City of Portland would promote business.

Mr. Herblet stated that if dispensaries are banned it may encourage residents to grow their own marijuana which may cause other problems.

Patrick Barrett stated that he wanted to clarify the proposed ordinance as he had heard the City of Portland was going to ban the use of marijuana. He now understands the City is considering a ban on the sale of marijuana.

Mayor Barnes clarified the City is only considering a ban on the sale of marijuana and public consumption.

City Manager Gorman read proposed Ordinance 198 concerning medical marijuana establishment and public use.

Under City Manager Report, City Manager Gorman reported that the Planning Commission met last Wednesday, November 14, 2018. The zoning audit is underway, the Planning Commission went over proposed changes. They also reviewed the proposed deviations by Mayberry Homes to the Rindlehaven Phase II development. They also discussed the zoning component of the marijuana issue.

City Manager Gorman further explained that extensive “homework” has been done on the marijuana issue. The State of Michigan has not developed the framework for this new law, it is all speculative at this point. The City of Portland is erring on the side of caution in an area that is unchartered territory.

The City is hoping to have the results of a feasibility study conducted by Pulse Broadband for implementation of fiber/broadband very soon.

The DPW project is wrapping up. City employees are working on moving the road salt from the old salt barn to the new.

City Manager Gorman stated that he has learned the MEDC has funds available for business parks. He has met with representatives to show them the proposed Sparrow development and Cutler Rd. property; they are going to further review the information provided.

The City received the preliminary scoring on the collaborative DNR Grant Application between the DDA and Parks and Recreation Department for the Toan Park Improvement Project. The feedback received from the DNR allowed an opportunity to provide supplemental information to improve the scoring. Many organizations throughout the community provided letters of support for the proposed project. The City is hoping to hear in regard to possible funding within the next few weeks.

Fleis & VandenBrink will be conducting a feasibility study for a new Police Department building on either the property at Grand River Ave. and Divine Hwy. acquired from ADM or on the parking lot at Grand River Ave. and Maple St.

There were no presentations.

Under New Business, the Council considered the 2nd Reading of Ordinance 198 to amend the Code of Ordinances by adding a new article and section that shall be designated as Article V, Section 24-90 of Chapter 24 of said Code and by adding a new section that shall be designated as Section 34-2 of Chapter 34 of said Code.

City Manager Gorman stated that the goal of the proposed ordinance is to maintain the status quo in the City of Portland regarding marihuana establishments. Marihuana use would still be legal for personal use as permitted by law. This proposed ordinance would address the “licensing arm” of the regulation. The zoning aspects will be addressed by the Planning Commission and then referred to City Council for approval.

Motion by Baldyga, supported by Fitzsimmons, to table the 2nd Reading and consideration of Ordinance 198.

Yeas: Baldyga, Fitzsimmons, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 18-82 to award the Wastewater Treatment Plant Managerial Operations Contract to F&V Operations and Resource Management, Inc. for an annual fee of \$113,680.00.

City Manager Gorman provided an overview of the process in determining the award of this contract.

Mr. Galdes provided a history of how Fleis & VandenBrink got into the operations business.

Mr. Selover provided additional history and information on F&V Operations. He explained the initial approach of the new operation. The Council will receive a preliminary report very soon after they begin operations.

Motion by Fitzsimmons, supported by VanSlambrouck, to approve Resolution 18-82 to award the Wastewater Treatment Plant Managerial Operations Contract to F&V Operations and Resource Management Inc., the low bidder.

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 18-83 to approve a License Agreement to permit the Portland Area Historical Society to have a museum exhibit at the Red Mill from May 4, 2019 to September 22, 2019. The Parks & Recreation Board recommends the approval.

Motion by Baldyga, supported by Johnston, to approve Resolution 18-83 approving, authorizing, and directing the Mayor and City Clerk to sign a License Agreement to permit the Portland Area Historical Society to have a museum exhibit at the Red Mill.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

Motion by Johnston, supported by Fitzsimmons, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on November 5, 2018, payment of invoices in the amount of \$159,522.65 and payroll in the amount of \$144,374.33 for a total of \$303,896.98. There were no purchase orders over \$5,000.00.

Yeas: Johnston, Fitzsimmons, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

Under City Manager Comments, City Manager Gorman congratulated the Portland High School Football Team on their semi-finals win against Marine City and wished them good luck at the State Championship game at Ford Field on Saturday, November 24, 2018.

City Manager Gorman reminded residents that City Hall hours will be changing from 8:00 A.M. – 5:00 P.M. to 8:00 A.M. – 4:30 P.M., Monday through Friday, effective Monday, November 26, 2018.

City Manager Gorman noted that the winter parking ban went into effect on November 1, 2018 and will be in place through April 1, 2019. No parking is allowed on City streets between 2:00 A.M. and 6:00 A.M.

Under Council Comments, Council Member Johnston encouraged residents to vote for Coach Novara, PHS Football Coach, as the Detroit Lions Coach of the Year.

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

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

Meeting adjourned at 7:58 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk