

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, December 17, 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: Kathy Parsons; Tim Fuller; Rudy Tober of Pulse Broadband; Mitchell Boatman 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

There was no public comment.

Under City Manager Report, City Manager Gorman stated that the Pulse Broadband Feasibility Study was included in the packet. He further stated that with the extra conduit that has been laid underground and shared fiber under the Board of Light & Power provides the possibility for the expansion of the fiber network. An expanded fiber optic network may allow the City to offer internet services to City residents and to expand the way it offers its services to the community.

City Manager Gorman noted that Fleis & VandenBrink has conducted a feasibility study for the Police Department for the possible construction of a new building. Conceptual designs have been provided in the packet for both the property donated to the City at the corner of Grand River Ave. and Divine Hwy. and the parking lot at the corner of Maple St. and Grand River Ave.

The Planning Commission met on Wednesday, December 12, 2018. They took public comment on Ordinance 175MM, which covers the zoning aspect of prohibiting marijuana establishments in the City of Portland. After discussion, they recommended the approval of Ordinance 175MM to the City Council.

The Planning Commission also discussed the potential Phase II development of Rindlehaven by Mayberry Homes. Mayberry Homes would like to deviate from the original TND PUD.

Discussions included the possible rezoning of the property to residential and if the developer would be responsible to add parks/rivertrail as included in the original TND PUD.

Under Presentations, Rudy Tober of Pulse Broadband presented the Communications and Broadband Infrastructure Feasibility Report for the City of Portland to bring fiber to the residents along with advanced broadband capabilities.

There was discussion.

City Manager Gorman explained the next step will be to conduct a survey to determine an estimated "take rate" or the percentage of customers in the City of Portland willing to connect to fiber.

Under Old 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.

Tim Fuller, city resident, father, and downtown business owner, voiced his support to pass Ordinance 198.

Mayor Barnes stated that at this point, the consideration of Ordinance 198 is precautionary to preserve the decision that may need to be made in the future.

Mayor Barnes also thanked Mr. Fuller for his efforts in lighting the west side of the 100 block of Kent St. The lights added to the windows and along the tops of the buildings has been transformational.

Mayor Pro-Tem VanSlambrouck noted that Ordinance 198 would not prohibit the use of medical marijuana.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Ordinance 198 to amend the Code of Ordinances by adding a new article and section that shall be designated as Article V, Section 2490 of Chapter 24 of said Code and by adding a new section that shall be designated as Section 340 of Chapter 34 of said Code.

Yeas: VanSlambrouck, Fitzsimmons, Baldyga, Johnston, Barnes

Nays: None

Adopted

Under New Business, Mayor Barnes held the First Reading of Ordinance 175MM which covers the zoning aspect of prohibiting marijuana establishments in the City of Portland.

The Council considered Resolution 18-88 to approve Change Order No. 1 in the amount of

\$45,689.88 to the contract with CL Trucking, Inc. for the Hyland Dr. Development & Utility Project. The engineer on the project has prepared and is recommending approval of the change order.

Motion by Baldyga, supported by Johnston, to approve Resolution 18-88 approving Change Order No. 1 to the contract with CL Trucking, Inc. for the Hyland Dr. Development & Utility Extension Project.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 18-89 to approve Pay Request No. 3 to CL Trucking, Inc. for work done on the Hyland Dr. Development & Utility Extension Project through November 16, 2018 in the amount of \$60,192.06. The engineer on the project has reviewed the pay request and recommends its approval.

Motion by Johnston, supported by Fitzsimmons, to approve Resolution 18-89 approving Pay Request No. 3 to CL Trucking, Inc. for work done on the Hyland Dr. Development & Utility Extension Project.

Yeas: Johnston, Fitzsimmons, VanSlambrouck, Baldyga, Barnes

Nays: None

Adopted

The Council considered Resolution 18-90 to approve a METRO Act Right-of-Way Permit Extension for AT&T. The City participates in the METRO Act permit process and receives a share of the payment the State of Michigan collects for the use of municipal rights-of-way. AT&T is proposing to extend all METRO Act Permits with municipalities by a term of five years.

Motion by Fitzsimmons, supported by Baldyga, to approve Resolution 18-90 approving a METRO Act Right-of-Way Permit extension for AT&T.

Yeas: Fitzsimmons, Baldyga, VanSlambrouck, Johnston, Barnes

Nays: None

Adopted

Motion by Baldyga, supported by Johnston, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on December 3, 2018, payment of invoices in the amount of \$591,243.84 and payroll in the amount of \$102,844.81 for a total of \$694,088.65. There were no purchase orders over \$5,000.00.

Yeas: Baldyga, Johnston, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

Under City Manager Comments, 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.

City Manager Gorman thanked City Council and City staff for all of their efforts throughout the year.

City Manager Gorman welcomed Angela Baum, the City's new Income Tax Clerk, she will begin work on January 8, 2019.

Under Council Comments, Mayor Barnes stated that the lighting downtown is gorgeous and thanked everyone who came to Holidayfest.

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

Yeas: Fitzsimmons, VanSlambrouck, Baldyga, Johnston, Barnes

Nays: None

Adopted

Meeting adjourned at 8: 18 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk