

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, August 18, 2014

In Council Chambers at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Smith, and Sunstrum; City Manager Gorman; Interim Assistant City Manager and DDA Director Reagan; City Clerk Miller; Police Chief Knobelsdorf; Interim Main Street Manager Perry; Electric Superintendent Hyland

Absent: Council Member Fitzsimmons

Guests: Paul Galdes of Fleis & VandenBrink; and Tom Thelen of the Review & Observer

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

Motion by VanSlambrouck, supported by Smith, to approve the Proposed Agenda.

Yeas: VanSlambrouck, Smith, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Motion by Smith, supported by Sunstrum, to excuse the absence of Council Member Fitzsimmons.

Yeas: Smith, Sunstrum, VanSlambrouck, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Under the City Manager Report, City Manager Gorman gave an update on the Cutler Road Improvement Project. The project is currently in the bid letting process with MDOT. The project is expected to be split into two segments. Water main and sanitary sewer to be completed between October 6th and November 15th and storm sewer and roadway to be completed between April 3rd and May 29th.

City Manager Gorman presented before and after photos of the Knox, Barley and Storz Improvement Project, displaying the drastic improvement. The final walk through was done along with the contractors, engineers, and City staff. Mr. Gorman thanked the residents for their patience during the project.

City Manager Gorman reported that ADM Alliance Nutrition is proposing to remove their silos and buildings on the northwest corner of Divine Highway and Grand River Ave. (adjacent to the Portland Café parking lot) and donate the property to the City. The City is grateful for the proposal but must assess the property. The City has met with engineers from Fleis & VandenBrink and representatives of ADM regarding concerns with structural liabilities. A Phase I Environment Site Assessment will

be done as a first step in the analysis of this proposal. The demolition of these structures would require the possible closure of Divine Highway which would result in lengthy detours.

Mayor Barnes inquired if the necessary repairs to the Divine Highway Bridge could be completed at the same time.

City Manager Gorman that funding for repairs to the Divine Highway Bridge would be an issue.

City Manager Gorman further stated before accepting the proposal the City needs to assess the potential risk involved. Mike Russman, of ADM Alliance Nutrition, has been very helpful. They have agreed to split the cost of the environmental study.

Fleis & VandenBrink will inspect the Bridge Street Bridge on Thursday, August 21st from 9:00 A.M. as required by MDOT. The bridge is expected to be reopened by 1:00 P.M.

City Manager Gorman reported the City Hall phones are expected to be in full operation yet this evening. The phone system is shared with Portland Public Schools. Historically, this partnership has been successful and reliable. The recent issues have been caused by a significant software upgrade the school is implementing.

Consumers Energy will be making repairs to its substation. It will necessary for a scheduled power outage to complete the repairs. The power outage is scheduled for Sunday, September 7th from Midnight to 4:00 A.M. If it is necessary to delay the repairs due to weather the power outage will be held the following week, on Sunday, September 14th from Midnight to 4:00 A.M. The Board of Light & Power will also take this opportunity to do maintenance on its system.

City Manager Gorman extended congratulations to Portland Police Officer Tim Groenoff on being awarded an “Outstanding Officer Enforcement” award at a luncheon in Troy, Michigan last week from Mothers Against Drunk Drivers.

City Manager Gorman also reported on some fun-filled events that happened in Portland over the weekend. The Wine the Walk event held on the Boardwalk and the equestrian show at Bogue Flats.

Under Presentations, Paul Galdes of Fleis & VandenBrink reported that MDOT is accepting bids on the Cutler Road Improvement Project in September. Construction is anticipated to begin in October with an estimated completion date of May 2015. Underground work and the first coat of asphalt would be completed this Fall with the finish work to be done in the Spring. The timeline of the project is weather dependent.

Mayor Barnes inquired about accessibility to the Portland Nazarene Church during construction.

Mr. Galdes stated Cutler Road will be closed to thru traffic during construction, and will likely be open to traffic over the weekends. Some driveway work will be required at the Portland Nazarene Church; likely in the Spring.

Mr. Galdes reported that due to unexpected storm sewer issues on the Barley, Knox, and Storz Street Improvement Project there are additional costs on the project of over \$22,000.

Mr. Galdes presented information on the proposal from ADM Alliance Nutrition to donate the property on the northwest corner of Divine Highway and Grand River Avenue. There are potential liabilities that need to be assessed before accepting the property. A Phase I Environmental Site Assessment is recommended to do a preliminary study of the former uses and condition of the property. This is a cursory review and would determine if further investigation is needed. ADM Alliance Nutrition is proposing to remove all structures from the ground up; nothing underground is planned to be removed.

Mr. Galdes presented photos of the property and concrete structures that are in the Looking Glass River adjacent to the property. The concrete structures are remnants from the mill that was formerly located on the property. By accepting this property, the City would be taking on a significant amount of work down the road that would require the removal of the concrete structures in the river. This would potentially affect the flow of the river and would require review by MDEQ.

Mr. Galdes further stated that the Divine Highway Bridge will need to be replaced; or at a minimum repaired. It may be appropriate to make the necessary repairs or replacement to the Divine Highway Bridge when work is done in the river.

City Manager Gorman further stated that ADM Alliance Nutrition proposed 3-weeks for the removal of the structures and would require the closing of Divine Highway. It may be possible to open the road on the weekends. This proposal would have a substantial impact on traffic causing detours of several miles on County roads; which would require approval by the County. The City may suggest that ADM Alliance Nutrition look more closely at keeping at least one lane open during demolition.

Council Member Smith stated the intersection at Grand River Avenue and Divine Highway is very significant. She inquired if the City can make ADM Alliance Nutrition keep a portion of the road open, especially during the school season.

Mr. Galdes stated the onus should be on ADM Alliance Nutrition to investigate further alternatives; the decision will like come down to cost.

There was further discussion.

Council Member Sunstrum suggested negotiating the City would be taking on with the concrete work, the underground foundations, etc.

City Manager Gorman stated negotiations are a possibility; the City needs to consider the long-term possibilities.

There was further discussion.

Interim Main Street Manager Perry gave a report on the Downtown. The Wine the Walk event was very well attended, there were between 500 and 600 people enjoying the Boardwalk over the course

of the event. The deadline for turning in receipts for Portland Pay Day is Friday, August 22nd. The prize drawing will be held Thursday, August 28th at 7:00 P.M. at the Band Shell in conjunction with Thursdays on the Grand. A business startup seminar will be held Wednesday, August 20th on the 2nd Floor of City Hall. The seminar is open to anyone and will provide information on how to get a business started.

Under New Business, the Council considered Resolution 14-70 to appoint Parks, Recreation and Cemetery Director Mary Scheurer as the Officer Delegate to represent the City at the 2014 MERS Conference at the Renaissance Center in Detroit.

Motion by Smith, supported by VanSlambrouck, to approve Resolution 14-70 appointing an Officer Delegate to represent the City at the 2014 MERS Conference.

Yeas: Smith, VanSlambrouck, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-71 to authorize the Mayor and Clerk to sign the MDOT Contract No. 14-5475 providing \$375,000 in Federal Surface Transportation Funds for the Cutler Road Improvement Project. Improvements will be made to the section of Cutler Road between Charlotte Highway and Grand River Avenue.

Motion by Sunstrum, supported by Smith, to approve Resolution 14-71 approving, authorizing, and directing the Mayor and Clerk to sign MDOT Contract No. 14-5475 to provide \$375,000 in Federal Surface Transportation Funds for the Cutler Road Improvement Project.

Yeas: Sunstrum, Smith, VanSlambrouck, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-72 to approve Fleis & VandenBrink's proposal to provide construction engineering services for the Cutler Road Improvement Project for an amount not to exceed \$91,000.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 14-72 approving Fleis & VandenBrink's proposal to provide construction engineering services for the Cutler Road Improvement Project.

Yeas: VanSlambrouck, Sunstrum, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-73 to approve a three-year contract with Hydro Designs to continue to provide a cross connection program at a three-year cost of \$13,680, which is \$3,060 less than the current three-year agreement.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 14-73 approving Hydro Designs proposal to provide a Cross Connection Control Program for the City of Portland.

Yeas: VanSlambrouck, Sunstrum, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-74 to approve an Environmental Site Assessment proposal from Fleis & VandenBrink Engineering for the property at 401 E. Grand River Ave., proposed by ADM Alliance Nutrition to donate to the City of Portland after removal of the existing structures. City staff has consulted with the engineers from Fleis & VandenBrink and determined that prior to further consideration of accepting this property, an environmental study must be conducted to accurately assess the condition of the property at a cost of \$2,000.

City Manager Gorman stated that nothing is binding based on this agreement and is only a preliminary investigation into the condition of the property. The study will take approximately two to three weeks. Mike Russman, of ADM Alliance Nutrition, has verbally stated they would share the cost of this study.

Motion by Smith, supported by VanSlambrouck, to approve Resolution 14-74 approving an Environmental Site Assessment proposal from Fleis & VandenBrink Engineering.

Yeas: Smith, VanSlambrouck, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

City Manager Gorman stated that the DPW fleet is aging; with the substantial majority of vehicles having been purchase in the 1990s. In working with Director of Public Services, Mike Hyland, and DPW Foreman, Ken Gensterblum, the replacement of the most critical equipment has been prioritized and a purchase plan has been developed. Resolutions 14-75 through 14-80 are part of the determined purchase plan. A loan will be made from the Water Department Fund to the Motor Pool Fund for these purchases and repairs.

The Council considered Resolution 14-75 to approve Michigan CAT's proposal, in the amount of \$10,960.54, for repairs to the front-end loader which has been owned and maintained for 19 years. This piece of equipment is used for a multitude of tasks, including snow removal throughout the City. DPW has recommended repairs and maintenance be made to his equipment including repair to the loader frame and couple and the replacement of bearings and seals on the loader bucket.

Motion by Sunstrum, supported by VanSlambrouck, to approve Resolution 14-75 approving Michigan CAT's proposal for repairs to the front-end loader.

Yeas: Sunstrum, VanSlambrouck, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-76 to approve the purchase of a new John Deere 5100M utility tractor for the DPW. The City owns and maintains a 1991 Ford 3130 tractor for mowing, leaf pickup, and other essential City services. In July, this tractor experience a failure of its power take off (PTO) which has rendered this tractor inoperable during basic functions. Due to the age of the tractor, it is recommended the Council approve replacing this tractor utilizing the MiDeal program at a cost of \$86,162.98.

Council Member Smith asked what will be done with the old tractor.

Director of Public Services, Mike Hyland, commented the tractor can either be traded in or can be sold at auction where they are told they will likely get more money for it.

Motion by Sunstrum, supported by VanSlambrouck, to approve Resolution 14-76 approving the purchase of a new John Deere 5100M utility tractor for the Department of Public Works.

Yeas: Sunstrum, VanSlambrouck, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-77 to approve the purchase of a ¾ ton GMC pickup truck to replace a 1994 Ford Ranger the City has owned and maintained. The vehicle has been used for multiple purposes providing City services and has outlived its expected life and purpose. The 2015 GMC Sierra ¾ ton pickup truck will be obtained through the MiDeal program from Red Holman Buick GMC for the price of \$25,696.80.

Mayor Barnes inquired about the reason for switching form a Ford to a GMC.

Director of Public Services, Mike Hyland, commented there was no debate about the merits of either. The GMC is a better price and is a heavier duty model.

Motion by Sunstrum, supported by VanSlambrouck, to approve Resolution 14-77 approving the purchase of a ¾ ton GMC pickup truck.

Yeas: Sunstrum, VanSlambrouck, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-78 to approve Capital City International Truck's quote, in the amount of \$6,465.55, for transmission repairs on the International snow plow to keep it in operating condition for the upcoming winter.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 14-78 approving Capital City International Truck's quote for transmission repairs on the International snow plow.

Yeas: VanSlambrouck, Sunstrum, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-79 to approve Frederickson Supply, LLS's quote, in the amount of \$5,789.03, for a debris tank door assembly for the Vac-Con Vector Truck which is used to clean sanitary and storm sewer lines, hydro-excavating, and during routine wastewater plant maintenance. City Staff has found that the debris tank door assembly, leading to the fluid holding tank, is failing and needs to be repaired. DPW Staff has recommended they will be able to replace this assembly and repaint if necessary.

Mayor Pro-Tem VanSlambrouck commented that very recently the Council Members had an opportunity to tour the DPW and view its equipment. The purchase of this equipment does not come as a surprise after seeing the condition of equipment the DPW has been using. The road salt is very hard on the equipment, and it is very necessary to keep the City running effectively.

City Manager Gorman stated City Staff has done an excellent job maintaining the equipment and keeping it in good working order as long as it has.

Motion by VanSlambrouck, supported by Smith, to approve Resolution 14-79 approving Frederickson Supply, LLC's quote for a debris tank door assembly for the Vac-Con Vector Truck.

Yeas: VanSlambrouck, Smith, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Mayor Barnes stated that once the issues with the Wastewater Treatment Plant capital expenses are taken care of, the City needs to focus on a new building for the DPW as it is need of replacement.

The Council considered Resolution 14-80 to amend the Budget for Fiscal Year 2014-2015 by transferring funds from the Water Department Fund to the Motor Pool Fund.

Motion by Smith, supported by VanSlambrouck, to approve Resolution 14-80 to amend the Budget for Fiscal Year 2014-2015.

Yeas: Smith, VanSlambrouck, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

The Council considered Resolution 14-81 to approve Pay Request No. 3 to CL Trucking, Inc. for work done on the Knox, Barley, and Storz Improvement Project in the amount of \$337,531.56. The City Engineer on the project has reviewed the pay request and is recommending its approval.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 14-81 approving Pay Request No. 3 to CL Trucking, Inc. for work done on the Knox, Barley, and Storz Improvement Project.

Yeas: VanSlambrouck, Sunstrum, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Mayor Barnes thanked City Manager Gorman and Interim Assistant City Manager Reagan for their work on all of the resolutions and Agenda for tonight's meeting.

Motion by Smith, supported by VanSlambrouck, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council held on August 4, 2014, payment of invoices in the amount of \$571,557.99 and payroll in the amount of \$97,326.75 for a total of \$668,884.74. There were no purchase orders over \$5,000.00.

Yeas: Smith, VanSlambrouck, Sunstrum, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Under City Manager Comments, City Manager Gorman noted that the Chamber of Commerce Golf Outing will be held on Thursday, August 21st at Willow Wood Golf Course.

He also reminded residents that the Bridge Street Bridge will be closed Thursday, August 21st from 9:00 A.M. to 1:00 P.M. for a MDOT required inspection and that due to required maintenance work to Consumers Energy's substation a scheduled power outage will take on place on Sunday, September 7th from Midnight to 4:00 A.M.

Under Council Comments, Council Member Sunstrum thanked the members of the Portland Main Street Promotions and Marketing Committee for the great events they bring to Portland like Wine the Walk and Portland Pay Day. She further reminded residents that the committee is always looking for volunteers.

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

Yeas: VanSlambrouck, Sunstrum, Smith, Barnes

Nays: None

Absent: Fitzsimmons

Adopted

Meeting adjourned at 8:04 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk