

# City of Portland

Portland, Michigan

## Minutes of the City Council Meeting

Held on Monday, June 2, 2014

In Council Chambers at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Krause, Fitzsimmons, and Sunstrum; Interim City Manager and DDA Director Reagan; City Clerk Miller; Police Chief Knobelsdorf

Guests: Kathy Parsons; Keith Treman, Leo & Loraine Brown, Dorothy Pohl of the Ionia County Road Commission; 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 Dorothy Pohl.

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

Yeas: Smith, VanSlambrouck, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

Under the City Manager Report, Interim City Manager Reagan presented information on the action items for consideration on the Agenda.

Interim City Manager Reagan also reported the Ambulance Department will be offering free “Community CPR Classes” on the 2<sup>nd</sup> floor of City Hall on Saturday, June 28<sup>th</sup> and Saturday, August 16<sup>th</sup> to give a brief introduction and instruction on performing CPR.

“A Grand Adventure” will be coming through Portland on June 23<sup>rd</sup> (or day 5) of a twelve-day paddling event from Eaton Rapids to Grand Haven. The goal of the event is to provide equal paddle sports river access to all that desire it, regardless of ability or cognitive challenges, and to promote health and healing through paddle sports.

Under Presentations, Dorothy Pohl of the Ionia County Road Commission presented information on the millage increase request that will be on the August 5, 2014 Primary Ballot to fund the improvement of roads in Ionia County.

Under Old Business, Motion by Smith, supported by Sunstrum, to remove the consideration of Ordinance 175HH, to rezone the property at 223 Charlotte Hwy. from C-2 to R-2, from the table.

Yeas: Smith, Sunstrum, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

This ordinance was re-tabled at the last Council meeting at the request of Terry Frewen, realtor for the property at 223 Charlotte Hwy. Mr. Frewen stated the loan application for this property is still under review and requested the Council table this second reading.

Mayor Barnes stated his desire to give all parties involved ample time to resolve any issues.

Motion by VanSlambrouck, supported by Fitzsimmons, to table Ordinance 175HH to amend the City Zoning Map.

Yeas: VanSlambrouck, Fitzsimmons, Smith, Sunstrum, Barnes

Nays: None

Adopted

Under New Business, the Second Reading and Consideration of Ordinance 167E was held. Mayor Barnes explained this ordinance would extend the life of the DDA from its current end date of 2018 to 2038. At their January 16, 2014 regular meeting, the DDA approved this plan and requested the City Council set a Public Hearing date of March 3, 2014.

Interim City Manager Reagan stated that all notices were published and mailed per PA 197 of 1975. City Staff has received no formal comment, either before the hearing, at the hearing, or during the required 60-day period between the Public Hearing and the First Reading.

Motion by VanSlambrouck, supported by Sunstrum, to approve Ordinance 167E to approve the Year 2014 Amendment to the Development Plan and Tax Increment Financing Plan Proposed by the Downtown Development Authority of the City of Portland and to provide for the Collection of Tax Increment Revenues.

Yeas: VanSlambrouck, Sunstrum, Smith, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 14-44 to approve Pay Request No. 1 to CL Trucking, Inc. for work completed on the Knox, Barley, and Storz Improvement Project. According to the onsite engineer with Fleis & VandenBrink, the Knox Avenue portion of this project is on schedule. CL Trucking has excavated the area, removed old water main and sewer lines, and has laid and connected new water main, sanitary sewer, and is in the process of laying and connecting storm sewer. They plan to begin pouring curb and gutter portions this week. This portion of the project should be near completion on the original scheduled date of June 14<sup>th</sup>. Fleis and VandenBrink has reviewed the work and pay request and recommends the Council approve Pay Request No. 1 in the amount of \$139,618.57.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Resolution 14-44 approving Pay Request No. 1 to CL Trucking, Inc. for work done on the Knox, Barley, and Storz Improvement Project.

Yeas: VanSlambrouck, Fitzsimmons, Smith, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 14-45 to reject the purchase of tax reverted property at 874 Lyons Rd. According to the Ionia County Treasurer the property is due to be auctioned off for non-payment of taxes on August 1, 2014. Under PA 123 of 1999, local units have a right of refusal to “purchase for a public purpose” any property located in their municipality. After discussing this property with City Treasurer and Finance Officer Schrauben a proper “public purpose” could not be determined for the property. If the

property does not sell at auction, the county will offer the property to the City of Portland in exchange for the back taxes and interest due. If the City again refuses the property, it will enter the Ionia County Land Bank.

Motion by Smith, supported by VanSlambrouck, to approve Resolution 14-45 rejecting the purchase of the tax reverted property located at 874 Lyons Road.

Yeas: Smith, VanSlambrouck, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 14-46 to approve the Board of Light & Power's recommendation to opt out of the Low Income Energy Assistance Fund created by Public Act 95 of 2013. At their regular meeting on Tuesday, May 24<sup>th</sup> the Board of Light & Power passed a recommendation that the City Council once again opt out of PA 95 as it would add approximately \$0.99 per month to all City of Portland electric customers' monthly utility bills. The City has already passed shut off rules that protect low income and senior citizens from electric shutoffs from November 1<sup>st</sup> to April 15<sup>th</sup>. Per Mike Hyland, Electric Department Superintendent, there is no guarantee that any of the funds paid by electric customers would go back to City customers, were the City not to opt out. There are three state programs that currently offer assistance to low income households and senior citizens.

Motion by Fitzsimmons, supported by VanSlambrouck, to approve Resolution 14-46 approving the Board of Light & Power's recommendation to opt out of the Low-Income Energy Assistance Fund created by Public Act 95 of 2013.

Yeas: Fitzsimmons, VanSlambrouck, Smith, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 14-47 to authorize and direct the Mayor and Clerk to sign a utility easement for the 52.9 acres of property owned by the City of Portland for any future sales of the property. Having the easement in place on City owned property will save work for City staff after the property is sold as the utility easement will already be in place.

Motion by Sunstrum, supported by Smith, to approve Resolution 14-47 approving, authorizing, and directing the Mayor and City Clerk to sign a utility easement for the City of Portland.

Yeas: Sunstrum, Smith, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 14-48 to approve a capital improvement project request from the Portland Area Municipal Authority (PAMA) for concrete replacement work behind the emergency services building on Grand River Avenue. Doug Logel, the representative from PAMA, contacted Interim City Manager Reagan and stated PAMA would like to replace 4,152 square feet of existing concrete behind the west end of the building that is in rough condition. Per the agreement with PAMA, and the Portland Fire Authority, capital improvements to the PAMA assets must be approved by the City Council and the Danby and Portland Township Boards. The City of Portland would pay 40% of the costs, Portland

Township would pay 40%, and Danby Township would pay 20%. The total cost for the removal and replacement of the concrete is quoted to be \$18,884, with the City's portion to be \$7,553.60.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 14-48 approving a Capital Improvement Project request from the Portland Area Municipal Authority for concrete replacement behind the Emergency Services Building.

Yeas: VanSlambrouck, Sunstrum, Smith, Fitzsimmons, Barnes

Nays: None

Adopted

Motion by VanSlambrouck, supported by Sunstrum, to go into Closed Session at the end of the meeting to discuss City Manager resumes.

Yeas: VanSlambrouck, Sunstrum, Smith, Fitzsimmons, Barnes

Nays: None

Adopted

Motion by Smith, supported by VanSlambrouck, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council meeting held on May 19, 2014, payment of invoices in the amount of \$224,290.52 and payroll in the amount of \$96,485.41 for a total of \$320,775.93. Purchase orders to Resco in the amount of \$25,987.50 for wire and \$6,102 for primary junction cabinets with ground sleeves, and to Kendall Electric in the amount of \$27,637.38 for conduit and fittings were included.

Yeas: Smith, VanSlambrouck, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

Under Public Comment, Keith Treman expressed his opinion and presented information in opposition to alcohol being allowed in the parks as approved July 1, 2013. He also presented signatures of those also opposed to alcohol being allowed in the parks.

Mayor Barnes thanked Mr. Treman for sharing the information presented and suggested that in the future the City should contact the Portland Area Ministerial Association with issues that might be of particular interest to them. Mayor Barnes noted that the Council represents the City residents. The Parks and Recreation Board was approached by individuals in the City requesting that alcohol be allowed in the parks, the Parks and Recreation Board made the recommendation to the Council. The Council tries to accommodate the desires of all residents and hopes that the consumption of alcohol in the parks would be mature and responsible. There have also been residents that have been thankful for allowing alcohol in the parks, as they are now able to enjoy a glass of wine at the Thursdays on the Grand concerts.

Leo Brown stated his concern for the impetus in the change to allow alcohol in the parks. Who is benefiting from this change? He also stated his concern for enforcement and that Portland is very family-friendly community and is concerned for safety.

Mayor Barnes also stated one of the reasons for the change was that individuals renting pavilions didn't realize alcohol wasn't allowed in the parks and were innocently consuming alcohol in the parks before it was permitted. The softball games where alcohol is consumed is the most visible occurrence.

Council Member Smith stated that socially responsible adults benefit from this change, although not all adults are responsible.

Mayor Pro-Tem VanSlambrouck stated this decision went through a public process. He hasn't heard of any abuse of the change taking place.

Under Council Comments, Council Member Fitzsimmons commented that his son graduated from the DARE program and further stated Officer Tietsma does an amazing job with the DARE program. The program was great, and a great experience for his son.

Council Member Smith extended congratulations to the Portland High School Baseball and Softball teams for both winning the District title over the weekend.

Mayor Pro-Tem VanSlambrouck congratulated the Ambulance Department employees that graduated from the EMT program, which leads to becoming a paramedic.

Mayor Barnes commented that the Council visited the various City departments which was impressive to see everything the City employees accomplish. He further stated his wish that the Council could do more to improve the conditions for City employees who are working hard for the City. City employees are doing a great job. He further thanked Interim City Manager Reagan, City Clerk Miller, and Income Tax Administrator/Deputy Treasurer Tolan for their efforts in organizing the Council tour.

The Council adjourned to Closed Session at 8:05 P.M.

The Council returned from Closed Session at 10:01 P.M.

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

Yeas: Sunstrum, Smith, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

Meeting adjourned at 10:02 P.M.

Respectfully submitted,

---

James E. Barnes, Mayor

---

Monique I. Miller, City Clerk