

# City of Portland

Portland, Michigan

## Minutes of the City Council Meeting

Held on Monday, November 3, 2014

In Council Chambers at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Smith, Fitzsimmons, and Butler; City Manager Gorman; City Clerk Miller; Police Chief Knobelsdorf

Guests: Nicole Sunstrum; Jon Moxey and Paul Galdes of Fleis & VandenBrink; Paul Lippens of McKenna Associates; Kathy Parsons; Karen Bota of the Sentinel Standard; 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 Nicole Sunstrum.

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

Yeas: VanSlambrouck, Fitzsimmons, Smith, Butler, Barnes

Nays: None

Adopted

Under the City Manager Report, City Manager Gorman reported the preconstruction meeting with E.T MacKenzie was held on October 15<sup>th</sup> for the Cutler Road Project. The project was originally planned to begin with the water main and sanitary sewer in late October and the substantial majority of the construction to be done in the spring with a completion date of May 29<sup>th</sup>. The contractor requested to start the project in the spring to avoid separate construction periods, with the completion date remaining May 29<sup>th</sup>.

City Manager Gorman reported that he spoke with Craig Patterson of the WODA Group. They have consulted with their architects and have decided not to change the density of the proposed development of Old School Manor from 29 to 36 units as the market analysis does not support 36 units. The goal is still to submit an application to MSHDA by April 1<sup>st</sup>, however, they should have strong indicators by December or January if MSHDA will approve the application.

In regard to the demolition of the structures at 874 Lyons Road and 628 Canal Street the City will move forward with demolition at 874 Lyons Road and will continue to explore alternatives for 628 Canal Street. The property at 874 Lyons Road was acquired from the County after it had been forfeited for non-payment of taxes. After the State of Michigan waived its right of first refusal to the property, the City was able to purchase it before the tax sale because it will be used for a public purpose. In this situation, the local government is eligible to buy the property for the amount of back taxes and fees along with a charge for any expenditure by the County to make the property secure, maintain the lawn, etc. The purchase price for this property was \$10,350. Because this method was used to acquire the property, should the City decide to sell the property instead of using it for a public purpose, any

profit from the sale would have to be turned back to the County. The property at 628 Canal St. reverted from the County after it failed to sell at auction because none of the Land Bank wanted it.

Under Presentations, Mayor Barnes presented former Council Member and DDA/Main Street Member Nicole Sunstrum with a plaque recognizing her service to the City of Portland.

Paul Lippens of McKenna Associates presented the draft of the 2015 Master Plan.

Jon Moxey of Fleis & VandenBrink presented photos and reported on the most recent bridge inspections completed for the City of Portland. Federal regulations required any bridge with a span longer than 20 feet be inspected every two years.

The Bridge Street Bridge is a valuable, historic part of Portland. There is some structural corrosion starting to occur but the main problem is paint that is flaking off. This will be a fairly expensive project when the time comes to repaint the bridge.

The Divine Highway Bridge was built in 1979 and while it does pass load rating tests, it is close to the point of needing to be load restricted. The sidewalk across the bridge is chipping on the edges. Water standing on the bridge, rather than flowing off, is causing spalling and in some places that is 12” deep. The reinforcing beams are starting to show in some areas.

The East Grand River Bridge was built in 1994, both approaches to the bridge are in rough shape. The bridge is still safe but will require repairs to a catch basin, expansion joints, structural cracking, and a surface sealer to keep water out of the concrete elements.

Mr. Moxey further reported that federal funding matched with state and local funds is available for bridges through the Local Bridge Program. Funds are allocated through the State of Michigan by region subjectively based on need; funding can take several years. Applications are due May 1<sup>st</sup> and would require a resolution of support from the Council. If funding is approved, there is a three-year wait list during which time the application could be approved.

The recommended priority list for bridges in the City would be the replacement of the Divine Highway Bridge at an estimated cost of over \$1 million, followed by the painting and preventative maintenance of the Bridge Street Bridge at a cost of approximately \$1/2 million. The last priority would be the preventative maintenance to the East Grand River Bridge estimated to be six figures but less than \$1/2 million.

Mayor Barnes asked if funding could be sought for the railroad bridge on the River Trail as the paint is flaking off from it as well.

Mr. Moxey stated there would likely be funds that could be sought as it is a historic bridge and serves a non-motorized function which would be looked upon favorably. Fleis & VandenBrink could assist the City in seeking this funding.

Paul Galdes of Fleis & VandenBrink explained that special assessment values for the Cutler Road Project are based on the base and physical structure of the road. The funding from MDOT was

subtracted from the amount used to calculate the assessment and then 50% is paid by the City. The other 50% is assessed to the property owners based on their road frontage. The assessments are based on estimated quantities and will be adjusted to reflect actual costs at the completion of the project.

Mr. Galdes explained that because the City participates in the National Flood Insurance Program (NFIP) the City must formally adopt the preliminary Flood Insurance Rate Maps (FIRMs) as determined by the Federal Emergency Management Agency (FEMA). Fleis & VandenBrink reached out to the MDEQ to ensure the previous Ordinance presented to Council to adopt the FIRMs was acceptable but they did not reply until after the first Ordinance was already presented. When they replied the Attorney General and MDEQ recommended different language which is reflected in Ordinance 152A.

Mr. Galdes commented there were no answers on the Kent Street Improvement Project at this time. A mill and fill was planned but City Staff showed some concern with sanitary sewers. When they are finished investigating the situation Mr. Galdes will meet with them to review and will present a recommendation. Any repairs needed should be done at the same time as the project to prevent cutting the road after it is completed. As this project will be funded as part of the 2015 Small Urban Project it needs to be bid by September 30, 2015 although they would prefer to bid it in June or July to ensure funds are allocated.

Mayor Barnes stated he is proud of how City Staff is proactive in looking ahead at situations to have Fleis & VandenBrink evaluate and assess situations. He further stated his appreciation for Fleis & VandenBrink's time and expertise.

Under New Business, the First Reading of Ordinance 152A to amend Section 8-47 of the City Code of Ordinances to adopt the revised Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) as determined by the Federal Emergency Management Agency (FEMA). In order to participate in the National Flood Insurance Program (NFIP), the City must formally adopt the preliminary maps.

The Council considered Resolution 14-95 to manage floodplain development for the National Flood Insurance Program (NFIP) for the City of Portland.

Motion by Smith, supported by VanSlambrouck, to approve Resolution 14-95 to manage floodplain development for the National Flood Insurance Program (NFIP) for the City of Portland.

Yeas: Smith, VanSlambrouck, Fitzsimmons, Butler, Barnes

Nays: None

Adopted

The Council considered Resolution 14-96 to approve the Planning Commission's recommendation to authorize the distribution of the draft City of Portland's 2015 Master Plan. The Planning Commission has determined that the draft 2015 Master Plan represents the long-range vision of the City of Portland.

Motion by Fitzsimmons, approved by VanSlambrouck, to approve Resolution 14-96 approving the Planning Commission's recommendation to authorize the distribution of the draft City of Portland 2015 Master Plan, as per the requirements of the Municipal Planning Enabling Act, PA 33 of 2008.

Yeas: Fitzsimmons, VanSlambrouck, Smith, Butler, Barnes

Nays: None

Adopted

The Council considered Resolution 14-97, Special Assessment Resolution #2 for Special Assessment District No. 2014-A for construction of curb and gutter, road work, road paving and all appurtenant work on Cutler Road, from East Grand River Avenue to Charlotte Highway.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Resolution 14-97 City of Portland Special Assessment Resolution #2 as required by Sections 32-6 and 32-7 of the City of Portland Special Assessment Ordinance Special Assessment District No. 2014-A.

Yeas: VanSlambrouck, Fitzsimmons, Smith, Butler, Barnes

Nays: None

Adopted

The Council considered Resolution 14-98 electing to comply with the provisions of Public Act 152 of 2011 by exercising the City's right to exempt itself from the requirements of the Act for the next succeeding year. The City Council previously approved a plan by Resolution 12-73 that increases employee premium sharing for health insurance coverage from 14% to 17% for health insurance coverage after June 30, 2014, and from 17% to 20% for health insurance coverage after June 30, 2015. Until the employees' contributions are at 20% the Council will need to pass a resolution exempting it from the requirements of PA 152 so the City will continue to qualify for 1/3 of the EVIP funds available to it.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve Resolution 14-98 electing to comply with the provisions of Public Act 152 of 2011 by exercising the City's right to exempt itself from the requirements of the Act for the next succeeding year.

Yeas: VanSlambrouck, Fitzsimmons, Smith, Butler, Barnes

Nays: None

Adopted

Motion by Smith, supported by Butler, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on October 20, 2014, payment of invoices in the amount of \$85,031.21 and payroll in the amount of \$101,046.02 for a total of \$186,077.23. Also included were purchase orders to Frederickson Supply LLC in the amount of \$7,044.32 to repair the main hydraulic pump on the vac truck, to Resco in the amount of \$7,935.50 for Kerite wire, and to Michigan Electric Cooperative Association in the amount of \$12,110.00 for 2015 safety dues.

Yeas: Smith, Butler, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

Under City Manager Comments, City Manager Gorman reminded residents that Election Day is tomorrow, Tuesday, November 4<sup>th</sup>. Polls will be open from 7:00 A.M. to 8:00 P.M.

The winter parking ban went into effect on November 1<sup>st</sup> and will be in place through April 1<sup>st</sup> in order for City crews to safely clear City streets during the winter months and to allow for easy passage of emergency vehicles. Per City Ordinance, no parking is allowed on any City street between the hours of 2:00 – 6:00 A.M.

The Portland Area Chamber of Commerce will hold a ribbon cutting ceremony for the new Goodwill store on Saturday, November 15<sup>th</sup>.

The 2014 HolidayFest celebration, hosted by Portland Main Street and the Portland Community Arts Council, will be held November 21<sup>st</sup> and 22<sup>nd</sup>.

A bike fix-it station was installed at Will Toan Park courtesy of Mike Keusch and the Greater Lansing Realtors Association.

Under Council Comments, Mayor Barnes noted all of the leaves that have been coming down and thanked City Staff for their efforts in keeping the City streets clean. He also thanked City staff for the informational memos included in the Council packet.

Mayor Barnes also thanked the Planning Commission for all of the effort they put into the Master Plan.

Mayor Pro-Tem VanSlambrouck reminded residents to vote in the election tomorrow and noted the importance of the Master Plan document.

Mayor Pro-Tem VanSlambrouck also commented that the VFW will hold a luncheon on November 11<sup>th</sup> for Veterans Day and the Men's Auxiliary will hold a free Thanksgiving meal for anyone at the VFW on Thanksgiving Day.

Council Member Fitzsimmons commented that the implementation section of the Master Plan is wonderful and is very proactive.

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

Yeas: Fitzsimmons, Butler, VanSlambrouck, Smith, Barnes

Nays: None

Adopted

Meeting adjourned at 8:19 P.M.

Respectfully submitted,

---

James E. Barnes, Mayor

---

Monique I. Miller, City Clerk