

# City of Portland

Portland, Michigan

## Minutes of the City Council Meeting

Held on Monday, November 4, 2013

In Council Chambers at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Calley, Fabiano and Krause; City Manager Dempsey; City Clerk Miller; Police Chief Knobelsdorf, DDA/Main Street Director Reagan; Wastewater Superintendent Doug Sherman

Guests: Kathy Parsons; Boy Scout Troop 129 and Troop Leader Pam Nicholson; Nicole Sunstrum, Candidate for City Council; Paul Galdes of Fleis & VandenBrink Engineering; Sean McHugh of Granger Container; Representative Mike Callton; 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 Boy Scout Troop 129.

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

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes

Nays: None

Adopted

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

City Manager Dempsey stated that Consumers Energy has completed the gas line replacement on Smith St. and is now working on the restoration of those areas where work was done. Consumers Energy is also planning to complete work in the 100 block of Kent St. This work will likely take place over this upcoming weekend.

The Portland Area Fire Authority has requested permission to hold aerial ladder truck training in the Downtown on Sunday morning in coordination with Delta Township.

An Open House was held Wednesday, October 30<sup>th</sup> for residents affected by the planned street reconstruction project on Storz St., Knox and Barley Aves. Five residents attended the meeting and two others contacted City Manager Dempsey prior to the meeting. The Engineers and the City have worked to address the concerns of the residents in the final plans.

City Manager Dempsey reminded everyone that the City Council Election will be held tomorrow, Tuesday, November 5<sup>th</sup> on the 2<sup>nd</sup> Floor of City Hall. Polls will be open from 7:00 A.M. to 8:00 P.M.

Under Presentations, DDA/Main Street Director Reagan gave a report on Downtown activities.

Director Reagan thanked the 52 participants, the sponsors, and the community volunteers of the Big Beer 5K Run for taking part in the event.

The Organization and Finance Committee is hosting a trip raffle as a fundraiser in place of Oktoberfest. The raffle is for \$4,000 in travel vouchers from Stiffler Travel and Tours in Mulliken. Only 100 tickets will be sold; each ticket will cost \$100. The drawing for these tickets will be held in conjunction with the annual Holidayfest on Saturday, November 23<sup>rd</sup> immediately following the Holidayfest parade, in Scout Park.

The 2013 Holidayfest on the Grand will be held on Friday, November 22<sup>nd</sup> and Saturday, November 23<sup>rd</sup>. Portland Main Street and the Portland Community Arts Council will be hosting activities such as horse carriage rides, a snowball drop, a downtown Window Decorating Contest, and the annual “Light Parade”. New this year, Portland Main Street will be partnering with the Portland Area Service Group (PASG) to host a “pancake brunch” at the Portland Area Service Group.

Director Reagan also welcomed two new businesses to the downtown. “Unique Streak” which is located in the Kramer Building at 212 Kent Street is a web and design firm specializing in brand development and social media strategy. “Laura Huggler and Associates” is also located in the Kramer Building at 212 Kent Street. It provides organizational consulting for working professionals to help them reach both short and long-term strategic goals.

The First Congregational Church had to remove their historic steeple and bell due to deterioration earlier this year. In order to help finance the restoration of the steeple and bell, the church is hosting a fundraiser called “How Much Does the Bell Weigh?” For \$5, participants can make a “guesstimate” as to how much the bell weighs. The winner will be announced on Wednesday, November 13<sup>th</sup> at the Congregational Church at 7:00 P.M.

Mayor Pro-Tem VanSlambrouck commented that the Main Street Board Retreat to set goals for the next year was held over the weekend. It was a great workshop.

Paul Galdes of Fleis & VandenBrink presented information and details on the Storm Water, Asset Management, and Wastewater (SAW) Grant opportunity offered by MDEQ for stormwater and wastewater asset management. The State is planning to release \$97 million in funding for SAW Grants.

Council Member Krause asked if the fact that Portland has two rivers plays into the decision of whether or not Portland will receive funding.

Mr. Galdes stated this granting process is setup has a “lottery” system so the rivers will not be a consideration.

Council Member Krause asked what asset would be gained through the receipt of this grant.

Mr. Galdes stated the planned asset management plan is a very valuable asset and would allow the City to be prepared for any eventual problems by allowing for the evaluation of the storm water and wastewater systems based on a spreadsheet format much the same as the City’s street system is evaluated.

Under New Business, the Council considered Resolution 13-85 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 Krause, supported by VanSlambrouck, to approve Resolution 13-85 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: Krause, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 13-86 to amend the Budget for Fiscal Year 2013-2014 to transfer funds from the Ambulance Fund to the Motor Pool Fund in anticipation of paying off the lease purchase of the ambulance purchased in 2008.

Motion by Fabiano, supported by VanSlambrouck, to approve Resolution 13-86 to amend the Budget for Fiscal Year 2013-2014.

Yeas: Fabiano, VanSlambrouck, Calley, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 13-87 to approve the payoff of the Ambulance Lease Purchase Agreement for the ambulance purchased in 2008. This early payoff will save the City \$478.06 in interest costs.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 13-87 approving payoff of an Ambulance Lease Purchase Agreement.

Yeas: VanSlambrouck, Fabiano, Calley, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 13-88 to approve a schedule of fines for traffic and parking violations in the City of Portland.

Mrs. Nicholson inquired as to where the parking violations would apply and what happens if a person can't afford to pay the parking violation.

Mayor Barnes stated these fines would apply to all parking violations in the City of Portland. City Manager Dempsey stated there is no poverty exemption. The Police Department incurs costs associated with issuing parking tickets and collecting the fines.

Council Member Calley stated his belief that it is a reasonable fee for administration costs but cautioned the City not to use parking violations as a revenue source.

City Manager Dempsey stated the goal of the City is to get compliance from City residents during the winter parking ban to get cars off the streets for snow removal. The first two weeks the ban is in place the Police Department issues warnings to violators. There is not strict enforcement in order to boost revenues.

Council Member Krause stated there are safety concerns with ensuring cars are removed from streets in the winter.

Motion by Krause, supported by VanSlambrouck, to approve Resolution 13-88 approving a schedule of fines for traffic and parking violations.

Yeas: Krause, VanSlambrouck, Calley, Barnes

Nays: Fabiano

Adopted

The Council considered Resolution 13-90 to ratify the submission of a grant application that was due October 31<sup>st</sup> for radar speed signs through State Farm Insurance.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-90 ratifying submission of a grant application for radar speed signs.

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 13-89 to authorize the Mayor and Clerk to sign Amendment No. 3 to the Refuse Collection Agreement. This amendment would extend the term of the contract until January 31, 2017, include rates paid for dumpster service at City buildings, allow an increase in rates of 3% or CPI, whichever is less, for each year of the contract, keep existing container rates in place for the recycling station and spring clean-up through January 31, 2017, provide for an option to extend the agreement an additional 2 years through January 31, 2019, and add a 90-day notification of intent to not renew to provide the parties with the opportunity to make alternate arrangements.

Council Member Krause inquired what possible solutions for waste disposal in Downtown Portland were discussed.

City Manager Dempsey noted the option of an 8-yard container that would be collected several times per week in the Downtown was discussed but would cost \$175 per month. It is less expensive for residents to have a cart at their door. Other options are still being considered but remain very expensive at this time.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-89 authorizing the Mayor and Clerk to sign Amendment No. 3 to the Refuse Collection Agreement.

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 13-91 to approve extending the time for City Council Members to take the Oath of Office until the City Council meeting following the City Council Election to avoid qualification issues on City Boards and Commissions.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 13-91 approving extending the time for City Council members to take the Oath of Office until the City Council meeting following the election.

Yeas: VanSlambrouck, Fabiano, Calley, Krause, Barnes

Nays: None

Adopted

Motion by Krause, supported by VanSlambrouck, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council meeting held on October 21, 2013, payment of invoices in the amount of \$46,831.53 and payroll in the amount of \$112,809.90 for a total of \$159,641.43. There were no purchase orders over \$5,000.

Yeas: Krause, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

Under Public Comment, Representative Mike Callton gave a synopsis of bills he has been involved with. He has been working on greater penalties for criminals using card scanners, protecting minors from identity theft, no-fault reforms, bridge cards reforms to restrict use at strip clubs and liquor stores, bed bug problems with the purchase of used mattresses, foreclosure issues, and liquor licensing specifically addressing the needs of the microbrewing industry.

Mayor Pro-Tem VanSlambrouck congratulated Representative Callton on being a panelist with Mr. Tim Skubick and handling the questioning very well.

Council Member Calley congratulated Representative Callton on being named Chiropractor of the Year.

Mayor Barnes inquired if Representative Callton had been involved with changes to the marijuana laws.

Representative Callton stated they are trying to create a situation where a dispensary has further controls over it in order to keep felons out.

Under Council Comment, Mayor Pro-Tem VanSlambrouck and Mayor Barnes thanked Council Members Calley and Fabiano for serving the past 4 years on the City Council. Their insight has been helpful.

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

Yeas: Fabiano, VanSlambrouck, Calley, Krause, Barnes

Nays: None

Adopted

Meeting adjourned at 8:13 P.M.

Respectfully submitted,

---

James E. Barnes, Mayor

---

Monique I. Miller, City Clerk