

# City of Portland

Portland, Michigan

## Minutes of the City Council Meeting

Held on Monday, November 18, 2013

In Council Chambers at City Hall

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

Guests: Jackie & Chase Fitzsimmons; Steve Calley, Former Council Member; Paul Galdes of Fleis & VandenBrink Engineering; William Tucker of Abraham & Gaffney

The meeting was called to order at 7:00 P.M. by City Clerk Miller with the Pledge of Allegiance led by Chase Fitzsimmons.

City Clerk Miller held the swearing in for newly elected Council Members Fitzsimmons and Sunstrum.

City Clerk Miller opened the floor for nominations for Mayor.

Motion by VanSlambrouck, supported by Krause, to nominate Barnes as Mayor.

There were no other nominations.

City Clerk Miller closed nominations for Mayor and held the vote for the election of Barnes as Mayor.

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

City Clerk Miller turned the meeting over to Mayor Barnes.

Mayor Barnes opened the floor for nominations for Mayor Pro-Tem.

Motion by Barnes, supported by Krause, to nominate VanSlambrouck as Mayor Pro-Tem.

There were no other nominations.

Nominations were closed and City Clerk Miller held the vote for VanSlambrouck as Mayor Pro-Tem.

Yeas: Barnes, Krause, VanSlambrouck, Fitzsimmons, Sunstrum

Nays: None

Adopted

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

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, 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 noted a few of the items under Communications. The City received a notification from the IRS that it lost an interest rebate on Build America Bonds. The City is reinstating Merit Awards for City employees due to its good economic status; they were suspended the past couple of years due to very tight budgets. The MML published an article on The Sycamore House in Durand in its publication, “The Review”. The same developer that is looking to rehabilitate Old School Manor into affordable housing developed The Sycamore House property.

City Hall will be closed for the Thanksgiving Holiday on Thursday, November 28<sup>th</sup> and Friday, November 29<sup>th</sup>.

Under Presentations, Mayor Barnes presented a proclamation and plaque to outgoing Council Member Calley for his service to the City of Portland.

A proclamation and plaque were also prepared for outgoing Council Member Fabiano who was unable to attend due to a family emergency.

William Tucker, CPA with Abraham & Gaffney, presented the Fiscal Year 2012/2013 Audit. He thanked Finance Officer Schrauben and staff for their hard work and preparation for the audit process.

Paul Galdes, of Fleis & VandenBrink, presented the street designs for the Knox, Storz & Barley reconstruction project. It is expected the project will be let for bids this winter with construction to begin next spring.

Paul Galdes, of Fleis & VandenBrink, also presented the SAW Grant Application in the amount of \$766,299 for both wastewater and storm water asset management plans. The City’s potential match is approximately \$25,000. There is \$97 million available statewide for SAW Grants. Awards will be made through a lottery type system. The City of Portland may not be awarded a grant this first year, but will likely receive one in year two or three.

DDA/Main Street Director Reagan presented information on Holidayfest, which will be held Friday, November 22<sup>nd</sup> and Saturday, November 23<sup>rd</sup>. The Organization and Finance Committee is hosting a trip raffle as a fundraiser for \$4,000 in travel vouchers from Stiffler Travel and Tours in Mulliken. The drawing will be held immediately following the Holidayfest parade, in Scout Park. Portland Main Street will be hosting horse carriage rides as well as the annual snowball drop. Portland Main Street will also be hosting a “pancake brunch” at the Portland Area Service Group. The Portland Community Arts Council will also be hosting a juried art show, a wreath making workshop, the annual “Luminary Lane”, a “Small Works of Art Sale”, and a graham cracker house building workshop.

Under New Business, the Council considered a motion to accept the FY 2012/2013 Audit.

Motion by VanSlambrouck, supported by Krause, to accept the Fiscal Year 2012/2013 Audit as presented by the auditing firm of Abraham & Gaffney, P.C.

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered a motion to approve the preliminary designs of Knox, Storz, and Barley Streets.

Motion by Krause, supported by Sunstrum, to approve the engineer's preliminary design of Knox, Storz, and Barley Streets.

Yeas: Krause, Sunstrum, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 13-92 to approve the concept of making an additional payment to the Municipal Employees' Retirement System to reduce the City's unfunded actuarial accrued liability; according to the FY 2012-2013 Audit the funded ratio dipped from 65% to 64%. The proposed additional payment of \$396,000, proposed by City Manager Dempsey, would be split among the funds the same as last year, to increase the funded ratio of its pension.

Motion by Krause, supported by VanSlambrouck, to approve Resolution 13-92 approving the concept of making an additional payment to the Municipal Employees' Retirement System to reduce the City's unfunded actuarial accrued liability.

Yeas: Krause, VanSlambrouck, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 13-93 to accept a grant of right-of-way for roadway and utility purposes from Portland Public Schools. The City's Engineers have prepared a preliminary design for reconstruction of Knox, Storz, and Barley Streets that proposes to reconstruct Storz Street at the existing location, but the right-of-way is only 33' feet wide and a portion of the travelled roadway is outside the right-of-way and is located on property owned by Portland Public Schools. On November 11<sup>th</sup> the Portland School Board met and approved and authorized Superintendent Dumas to sign a proposed grant of right-of-way granting the City an additional 12' of right-of-way to permit Storz Street to be reconstructed in its existing location.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-93 accepting a grant of right-of-way for roadway and utility purposes.

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 13-94 to approve a license agreement for use of a portion of the 33' wide Storz Street right-of-way owned by the City of Portland. Portland Public Schools desires to use the paved portion of the Storz Street right-of-way that is located south of the south line of the Barley Street right-of-way for ingress and egress to a parking area for the Portland Middle School.

Motion by Sunstrum, supported by Krause, to approve Resolution 13-94 approving a license agreement for use of a portion of the Storz Street right-of-way.

Yeas: Sunstrum, Krause, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 13-95 to approve a SAW Grant application and authorize the City Manager to sign the application and the Clerk to complete the required form resolution as presented by Paul Galdes of Fleis & VandenBrink.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-95 approving a SAW Grant application and authorizing the City Manager to sign the application and the Clerk to complete the required form resolution.

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 13-96 to approve Farabee Mechanical Inc.'s 1<sup>st</sup> and Final Pay Request for repairs to the 820kw Cooper Bessemer generator that broke down on June 18<sup>th</sup> when the City was testing the emissions reduction on the catalytic convertors. A cam follower broke and was forced out of the side of the engine, cracking part of the engine block and ruining a fuel plate with injectors. Electric Superintendent advises that all repair work has been satisfactorily completed on the project and recommends approval of the payment to Farabee Mechanical Inc. in the amount of \$88,290.

Mayor Pro-Tem VanSlambrouck asked if the repairs done to the generator included a warranty.

City Manager Dempsey stated a warranty is typically from the manufacturer; there is no warranty on this repair.

Motion by Krause, supported by Fitzsimmons, to approve Resolution 13-96 approving Farabee Mechanical Inc.'s 1<sup>st</sup> and Final Pay Request for repairs to the 820kw Cooper Bessemer generator.

Yeas: Krause, Fitzsimmons, VanSlambrouck, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 13-97 to approve Cook Brothers Excavating, Inc.'s 1<sup>st</sup> and Final Pay Request for electric undergrounding work completed along Barnes Road, Maynard Road, and Friend Road. Electric Superintendent Hyland advised that all work has been satisfactorily completed and recommends approval of the payment in the amount of \$55,167.60.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 13-97 approving Cook Brothers Excavating, Inc.'s 1<sup>st</sup> and Final Pay Request for electric undergrounding work completed along Barnes Road, Maynard Road, and Friend Road.

Yeas: VanSlambrouck, Sunstrum, Krause, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 13-98 to approve Municipal Code Corporations's proposal to supplement the City Code of Ordinances to keep it up-to-date. In 2008 the City approved codifying its local ordinances and contracted with Municipal Code Corporation to prepare and publish the codification. City Staff requested and received a quote, in the amount of \$7,231, from Municipal Code to update the City Code to include the 32 ordinances that have been adopted since it was published in 2008. The estimate includes the updates of the printed City Code and a PDF copy for publication on the City's website.

Council Member Sunstrum asked if comparative quotes had been received and if the PDF document supplied would be searchable.

City Manager Dempsey stated that no other quotes had been requested for the update. In 2008, when the codification was done, comparative quotes were received. The cost to change to a different company would be far greater as they would have to recodify all City ordinances instead of just supplying an update. The PDF that is posted on the City's website, which will be updated, has limited search capabilities.

Motion by Krause, supported by VanSlambrouck, to approve Resolution 13-98 approving Municipal Code Corporation's proposal to supplement the City Code to keep it up-to-date.

Yeas: Krause, VanSlambrouck, Fitzsimmons, Sunstrum, Barnes

Nays: None

Adopted

The Council considered Resolution 13-99 to approve the Ambulance Department offering a CPR/AED training program to local businesses. Approximately 890 people die from coronary heart disease without making it to a hospital or emergency room. Most of these deaths occur from a heart attack due to sudden loss of heart function or cardiac arrest. OSHA statistics show that in 2001 and 2002 there were 6,628 workplace fatalities, 1,216 of those were from heart attaches, 354 from electric shock, and 267 from asphyxia. Up to 60% of these victims may have been saved if an AED were immediately available.

Council Member Sunstrum asked if any revenue would be gained from this training.

City Manager Dempsey stated the goal of this training is not to raise revenue; the Ambulance Department is looking at the most affordable costs possible. The AED's would match those in use by ambulance personnel for compatibility issues.

Motion by Sunstrum, supported by Krause, to approve Resolution 13-99 approving the Ambulance Department offering a CPR/AED training program.

Yeas: Sunstrum, Krause, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 13-100 to recognize the Portland Area Service Group as a nonprofit organization for the purpose of obtaining a Charitable Gaming License. The Portland Area Service Group is a human services organization that operates as a nonprofit organization with the community.

Motion by VanSlambrouck, supported by Sunstrum, to approve Resolution 13-100 recognizing the Portland Area Service Group as a nonprofit organization for the purpose of obtaining a Charitable Gaming License.

Yeas: VanSlambrouck, Sunstrum, Krause, Fitzsimmons, Barnes

Nays: None

Adopted

Motion by Krause, supported by Fitzsimmons, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council meeting held on November 4, 2013, payment of invoices in the amount of \$268,860.24 and payroll in the amount of \$124,937.21 for a total of \$393,797.45. There were no purchase orders over \$5,000.

Yeas: Krause, Fitzsimmons, VanSlambrouck, Sunstrum, Barnes

Nays: None

Adopted

Under Council Comments, Mayor Barnes noted several applications from City residents for boards and commissions included with the Communications. These will be presented to the Council for appointment at the next City Council meeting.

Mayor Barnes also noted that with the recent City Council election a quorum of the Council will be present on the DDA Board as he, Mayor Pro-Tem VanSlambrouck, and Council Member Sunstrum are all members.

Mayor Pro-Tem VanSlambrouck stated he has been asked by Mayor Barnes to serve on the Portland Area Fire Authority to replace outgoing Council Member Fabiano, he is stepping down from the DDA.

Motion by Krause, supported by Fitzsimmons, to appoint Mayor Pro-Tem VanSlambrouck to the Portland Area Fire Authority board.

Yeas: Krause, Fitzsimmons, VanSlambrouck, Sunstrum, Barnes

Nays: None

Adopted

Council Member Sunstrum stated that she will be stepping down from her position on the Planning Commission in order to retain her other duties.

Mayor Barnes asked Council Member Fitzsimmons if he would be willing to serve as the Council Liaison on the Planning Commission.

Council Member Fitzsimmons stated that he would be willing to do so.

Motion by Krause, supported by Sunstrum, to appoint Council Member Fitzsimmons to the Planning Commission as the Council Liaison.

Yeas: Krause, Sunstrum, VanSlambrouck, Fitzsimmons, Barnes  
Nays: None  
Adopted

Council Member Krause also resigned from the Planning Commission due to time restrictions.

Mayor Pro-Tem VanSlambrouck stated the VFW will hold its annual free Thanksgiving Dinner on Thanksgiving Day from Noon to 3:00 P.M.; everyone is welcome.

Council Member Sunstrum reminded everyone that Holidayfest will be held Friday, November 22<sup>nd</sup> and Saturday, November 23<sup>rd</sup>; the weather should be good.

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

Yeas: VanSlambrouck, Krause, Fitzsimmons, Sunstrum, Barnes  
Nays: None  
Adopted

Meeting adjourned at 8:23 P.M.

Respectfully submitted,

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James E. Barnes, Mayor

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Monique I. Miller, City Clerk