

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Tuesday, September 3, 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; DDA/Main Street Director Reagan; Police Chief Knobelsdorf

Guests: Nicole Sunstrum, Candidate for City Council; 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.

Motion by VanSlambrouck, supported by Krause, to approve the Proposed Revised 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 also reported that he, Fire Chief John Baker, and Water Superintendent Ken Gensterblum had met with John Schipper of ISO to go over the City's water system to update the City's ISO rating which is currently a 5 on a scale of 1 to 10. This is a good rating for a community the size of Portland. City Manager Dempsey is hopeful the City's rating will move up to a 4 with the improvements made to the water system since the last rating update. The City has constructed a new 400,000 gallon water tower, added Well #7 near Portland High School, added new water mains, and increased the size of some water lines from 4" to 8". The City will publish the new ratings when they are received so City residents can possibly get improved insurance rates.

City Manager Dempsey had a successful meeting with representatives of Consumers Energy to discuss updating the Franchise Ordinance. Past discussions have not been successful as Consumers Energy did not want to keep language that would require them to replace lines older than 1960 and that would require them to work towards moving lines from under City streets. An agreement on language that keeps these requirements was made. The proposed Ordinance will be presented to the City Council for a 1st Reading at its September 16th meeting.

The 1st day of school for Portland Public Schools was today. Watch out for children walking to and from school.

The Parks and Recreation Department held a very successful Labor Day Bridge Walk yesterday with approximately 90 people participating.

Under Presentations, DDA/Main Street Director Reagan gave a report on Downtown activities. Portland Pay Day was once again a success in downtown Portland with 18 businesses participating this year and 9,294 entries. At \$10 per entry, Portland Pay Day helped to keep \$92,940 in the Portland Community. Over the past five years, this shop local campaign has helped to keep \$339,940 in participating businesses. Special thanks to Cathy McCann, one of the owners of Around the Block Quilt Shop for soliciting the businesses to participate, planning the prize party, and working hard to make this a successful event.

“Wine the Walk” was held Saturday, August 17th from 4:00 – 11:00 P.M. on the Boardwalk and brought in over 500 people to downtown Portland. This fun-filled event featured craft beer and Michigan made wines.

Simon Insurance received a Sign Incentive Grant awarded by the Portland Main Street Design Committee based on creative signage.

Holidayfest will be held November 22nd and 23rd this year. Events include the snowball drop, carriage rides and other fun events including the Holidayfest parade.

The Main Street Organization and Finance Committee will not be holding Oktoberfest this year but plans to host the 5K Big Beer Run on Saturday, October 19th.

Under New Business, was the Second Reading and consideration of Ordinance 171B to amend Chapter 16, Article 1, Section 16-1 of the City Code of Ordinances regulating the division of land in the City and to add Sections 16-2, 16-3, 16-4 and 16-5 to the City Code of Ordinances to provide application standards, procedure, approval standards, and consequences for noncompliance with land division approval requirements. The ordinance was prepared after City Manager Dempsey provided the Council with a memo at the July 15th meeting stating that County Treasurer July Clark had requested the City amend its lot split approval process to include checking with the County Treasurer’s office to verify there are no outstanding taxes before approving an application in order to eliminate “stand alone” years on delinquent taxes. When a parcel is split or combined and there are delinquent taxes on the prior years, the new parcel number will not show the delinquent taxes. This is a problem for new owners who are not aware of the delinquent taxes and makes collecting delinquent taxes more difficult for the County. As part of the memo City Manager Dempsey recommended revising the ordinance to include sections that would detail application standards, procedure, approval standards, and consequences for noncompliance that could be processed administratively rather than presenting the application to the Planning Commission for a recommendation to the City Council.

Motion by VanSlambrouck, supported by Calley, to approve Ordinance 171B to amend Chapter 16, Article 1, Section 16-1 of the City Code of Ordinances regulating the division of land in the City and to add Sections 16-2, 16-3, 16-4 and 16-5 to the City Code of Ordinances to provide application standards, procedure, approval standards, and consequences for noncompliance with land division approval requirements.

Yeas: VanSlambrouck, Calley, Krause, Barnes

Nays: Fabiano

Adopted

The Council considered Resolution 13-69 to amend the Budget for Fiscal Year 2013-2014.

Motion by Krause, supported by VanSlambrouck, to approve Resolution 13-69 to amend the Budget for Fiscal Year 2013-2014.

Yeas: Krause, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 13-70 to approve the Planning Commission's recommendation to approve a Parcel Division Application for the property at 246 Quarterline St. The house at 246 Quarterline St. was destroyed by fire and the vacant lot was purchased by the neighbor to the south, Inez Leik. On August 2nd Ms. Leik filed a Parcel Division Application to split the property at 246 Quarterline St. adding the south half to her parcel at 238 Quarterline St. and the north half to her neighbor's property at 300 Quarterline St. On August 26th, the Planning Commission held a Special Meeting at which it reviewed and recommended approval of Ms. Leik's application.

Motion by Fabiano, supported by VanSlambrouck, to approve Resolution 13-70 approving the Planning Commission's recommendation to approve a Parcel Division Application for the property at 246 Quarterline St.

Yeas: Fabiano, VanSlambrouck, Calley, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 13-71 to approve the purchase of a used street sweeper and to scrap the two existing units, one of which is obsolete and the other which is not functioning and has been used for parts. City Staff has been looking to purchase a used street sweeper to replace the existing units because the cost of new street sweeper exceeds \$200,000. Frederickson Supply out of Grand Rapids has rebuilt a 1999 Tymco street sweeper that was traded in on a new unit by the Village of Manchester. The City has demonstrated the 1999 Tymco and negotiated a sale price of \$47,000. City Staff recommends Council approve the purchase of the used street sweeper and the scrapping of the existing units.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 13-71 approving the purchase of a used street sweeper and scrapping the existing units.

Yeas: VanSlambrouck, Fabiano, Calley, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 13-72 to approve a Forbearance Agreement for the installation of a 22 year-old mobile home at Sunset View Mobile Home Park in the City of Portland by Lansing Mobile Homes LP. The City has requested that three dilapidated mobile homes be removed from Sunset View Mobile Home Park. City Staff has negotiated an agreement to permit the installation of the 22-year old mobile home in exchange for an agreement to maintain it and remove the three dilapidated mobile homes.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-72 approving a Forbearance Agreement for mobile home installation and removal at 926 Hill St.

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes
Nays: None
Adopted

The Council considered Resolution 13-73 to approve Fleis & VandenBrink's (F&V) proposal for engineering services associated with the preparation of a Stormwater Asset Management and Wastewater (SAW) grant application through the Michigan Department of Environmental Quality that is due out in October of this year. F&V has provided a proposal to assist the City in preparing the SAW grant application that would cover 90% of the costs of developing a storm water and wastewater asset management plan, including the cost of the grant application. Under the terms of the proposal F&V would only invoice the City if the application resulted in the City receiving the SAW grant an amount not to exceed \$1,500.

Motion by Krause, supported by Calley, to approve Resolution 13-73 approving Fleis & VandenBrink's proposal for engineering services associated with the preparation of a Stormwater Asset Management and Wastewater (SAW) grant application through the Michigan Department of Environmental Quality.

Yeas: Krause, Calley, VanSlambrouck, Fabiano, Barnes
Nays: None
Adopted

The Council considered Resolution 13-74 to approve the Joint Funding Agreement for the operation of the Streamgaging Station at the hydroelectric plant licensed by the Federal Energy Regulatory Commission (FERC). The City's FERC license requires it to jointly fund the operation of a Streamgaging station on the Grand River at Portland with the U.S. Geological Survey, U.S. Department of the Interior. The Center Director of the U.S. Geological Survey, U.S. Department of the Interior, has sent a new joint funding agreement for the period of October 1, 2013 through September 30, 2014. The City paid \$7,750 to maintain the Streamgaging station from October 1, 2009 until September 30, 2010 and \$7,850 per year to maintain the Streamgaging station from October 1, 2010 until September 30, 2013. The new agreement provides the City will be billed the same \$7,850 for the period of October 1, 2013 through September 30, 2014.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-74 approving, authorizing, and directing the Mayor and City Clerk to sign the Joint Funding Agreement for the operation of a Streamgaging Station.

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes
Nays: None
Adopted

The Council considered Resolution 13-75 to approve the Board of Light & Power's recommendation to purchase switchgear for a cost not to exceed \$7,196 to connect the Divine Highway and Maynard Rd. circuits. Electric Superintendent Hyland has obtained the first of three quotes for the needed switchgear and is asking for authorization to make the purchase from the low bidder after obtaining two additional quotes. The first quote is from Federal Pacific in the amount of \$7,196. The Board of Light & Power met on August 27th and approved a recommendation that Council approve the purchase of the needed switchgear from the low bidder at a cost not to exceed Federal Pacific's quote of \$7,196.

Motion by Krause, supported by Fabiano, to approve Resolution 13-75 approving the Board of Light & Power's recommendation to purchase switchgear for a cost not to exceed \$7,196.

Yeas: Krause, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 13-76 to approve the Board of Light & Power's recommendation to direct the City's Electric Superintendent to sign an Energy Services Project Transaction Authorization to purchase a .5 MW of peak energy. As a member of the Michigan Public Power Agency's (MPPA) Energy Services Project Committee the City of Portland has an opportunity to enter into a transaction to meet a portion of its load requirement for .5 MW of Peak Energy in 2017 that MPPA will transact in the market in the latter half of September 2013 to help the City electric utility maintain compliance with its Risk Management Hedge Policy. The Board of Light & Power held a meeting on August 27th to review the MPPA recommendation that the City purchase .5 MW of Peak Energy for 2017 and terms of the proposed purchases and recommends the City Council approve, authorize, and direct the City's Electric Superintendent to sign an Energy Services Project Transaction Authorization to purchase .5 MW of Peak Energy for 2017, in accordance with the recommendation.

Motion by VanSlambrouck, supported by Krause, to approve Resolution 13-76 approving the Board of Light & Power's recommendation to approve, authorize, and direct the City's Electric Superintendent to sign an Energy Services Project Transaction Authorization to purchase a .5 MW of Peak Energy.

Yeas: VanSlambrouck, Krause, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 13-77 to appoint an officer delegate to represent the City at the 2013 MERS Conference, October 1-3, 2013, at the Grand Traverse Resort in Acme, Michigan. Each participating municipality may send an employee delegate and an officer delegate to the annual Michigan Employee Retirement System (MERS) Conference. The employee delegate is selected by ballots cast by employees and the officer delegate is appointed by the governing body. City Manager Dempsey recommended the Council appoint Wastewater Superintendent Doug Sherman as the City's officer delegate.

Motion by Calley, supported by VanSlambrouck, to approve Resolution 13-77 appointing Doug Sherman as officer delegate to represent the City at the 2013 MERS Conference.

Yeas: Calley, VanSlambrouck, Fabiano, Krause, Barnes

Nays: None

Adopted

City Manager Dempsey noted that the Consent Agenda includes a purchase order to Municipal Supply in the amount of \$25,498 for the purchase of Orion Endpoint Readers. The City was informed that Badger Meter will be changing distributors in Michigan from Municipal Supply who the City has been working with. Brian Wohlscheid, owner of Municipal Supply, is giving the City a significant discount to order endpoint readers at this time. The City will pay \$127 per reader at this time instead of \$141; the original purchase price per reader.

Motion by Krause, supported by Fabiano, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council meeting held on August 19, 2013, payment of invoices in the amount of \$93,702.00 and payroll in the amount of \$131,177.33 for a total of \$224,879.33. A purchase order to Municipal Supply in the amount of \$25,498.00 for the purchase of Orion Endpoint Readers and to Resco in the amount of \$39,823.20 for the purchase of Kerite wire and high voltage connectors were also included.

Yeas: Krause, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

Under Council Comment, Mayor Pro-Tem VanSlambrouck thanked all the volunteers that have helped make the Main Street programs successful.

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

Yeas: Fabiano, Krause, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

Meeting adjourned at 7:42 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk