

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, July 16, 2012

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 Bauer

Guests: Joe Fedewa of Cherry Hill Condominium Association; 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 Joe Fedewa.

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

Yeas: Krause, Fabiano, VanSlambrouck, Calley, 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 reported the DEQ issued the Permit for the Hill Street Water Tower work on July 6th and Utility Services Company started work on July 9th. They completed the wet interior blasting of the lower half of the bowl on Wednesday and there was an inspector from Dixon Engineering out to check their work. They also began rehabilitating the Hill Street Water Tower this week. The scope of work includes wet interior blast cleaning and repainting, dry interior abrasive blast cleaning and repainting and exterior water cleaning, spot power tool cleaning, spot priming, and over coating the exterior of the tank. Because this is the first time we are working with Utility Services we have asked them to defer the start date on the South tank and are looking into using a third party for some inspection work.

The Kent Street reconstruction project will begin on Wednesday, July 18th with the milling of the pavement. The millings will be placed on Clark, B and H Streets. They will then proceed with the water main portion of the project. Traffic will be open during construction.

The new playground equipment purchased with insurance proceeds after another piece of equipment was destroyed by an automobile has been installed.

The generous gift of playground equipment has been received for Toan Park and is in the process of being installed. It should be available to be played on later this week.

The Michigan Public Service Commission provided an alert concerning a Utility Bill Payment Scam involving claims that your utility bills will be paid through a new federal program. Consumers are contacted door-to-door, via text messages, and through fliers with claims that a special federal government assistance program authorized by the President is applying payments to utility bills. Victims are asked to provide their social security numbers or other personal identifying information in

exchange for a bank routing number that will allegedly pay their utility bills. In reality, there is no money, and consumers believe they have paid their bills when in fact they have not. Consumers should never give out personal information, including financial account numbers or social security numbers, over the phone or internet or to someone you do not know. If you receive a call from someone claiming to be your utility company and feel pressured for immediate payment or personal information, hang up the phone and call the customer service number on your utility bill.

Mayor Barnes suggested replacing the double yellow lines on the two downtown blocks of Kent Street with passing lines so people will go around delivery trucks that are in the street for deliveries.

City Manager Dempsey stated he would talk with City Engineers and Police Chief Bauer about the proposed change.

Chief Bauer stated the double yellow line is not enforced in this area due to the delivery trucks. He further stated he had no problem with changing the double yellow line to passing lines.

Joe Fedewa inquired about how payment and the contract would work if Council approves Cherry Hill Condominium Association piggybacking on the chip seal and fog seal bid.

City Manager Dempsey stated the contract would come to the City and it would oversee the work and then bill the Association.

Mr. Fedewa stated the funds for payment are held in escrow. He further stated he checked other roads that have had this procedure done and they look very good.

Council Member Fabiano asked if there would be enough millings for Clark, B and H Streets, or if there would be extra.

City Manager Dempsey stated there should be just enough millings to do Clark, B and H Streets. Millings will be placed at approximately a 4" depth. They may go deeper if there are extra millings.

Council Member Krause asked if work had ever been done before on the roads at Cherry Hill Condominium Association or on any other association roads. She also inquired if any public funds would be used on these roads.

City Manager Dempsey stated the City has never work done any road work for Cherry Hill Condominium Association or any other association in the City. The City will pick up leaves, brush, etc but does not accept responsibility for the road as it is not built to City specifications. The City does try to work cooperatively with association and this is an opportunity to do so. There will be no public funds used on these streets.

Mayor Barnes stated that as the residents of Cherry Hill Condominium Association also pay income tax he has no problem extending this special pricing to them.

Under Presentations, DDA/Main Street Director Reagan gave his report on the Downtown. He reported that letters and emails have been sent to all affected buildings, businesses, and loft apartment residents of the impending work on Kent Street to begin Wednesday, July 18th. The DDA will have ads running on WION radio beginning Wednesday, July 18th, reminding folks that the downtown is open for business and the repairs are necessary to ensure we continue to provide a great environment for downtown shoppers, residents, visitors and business owners.

The Sixth Annual Portland Pay Day event is underway through August 24th with 15 businesses participating. The prize drawing will be held on August 30th. Last year over \$77,000 was kept in Portland; over the last three years over \$183,000 has been kept in Portland.

Riverfest will be held August 17th – 20th with over 25 different events taking place. The “Wine the Walk” event will be held Saturday, August 18th from 4:00 – 10:00 P.M. The Kelly Miller Circus will be held on August 20th at Bogue Flats.

Director Reagan thanked Kathy Parsons and the other volunteers for their efforts with flower baskets downtown. Due to the recent heat wave, the volunteers were unable to keep up with the watering as needed. The reservoirs in the bottom of the baskets couldn’t hold enough water to keep up with the extreme heat. New plants are being planted in the pots on Maple Street, and after the Kent Street project is completed, those pots will be replanted as well.

The Volunteer Recognition Party will be held on Thursday, July 19th at 7:30 P.M. in conjunction with Thursdays on the Grand.

Under New Business, City Manager Dempsey presented the Second Reading of Ordinance 166A to amend Section 38-28 of the City of Portland Code of Ordinances. The proposed Ordinance corrects a typo in the Ordinance adopted in 1987 that would permit the Police Department to enforce a parking ban in the downtown from 2:00 A.M. to 6:00 P.M. The correction will limit the ban to 2:00 A.M. to 6:00 A.M.

Motion by VanSlambrouck, supported by Calley, to approve Ordinance 166A to amend Section 38-28 of the City of Portland Code of Ordinances.

Yeas: VanSlambrouck, Calley, Fabiano, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 12-63 to establish an Electronic Poll Book Receiving Board pursuant to Public Act 116 of 1954, as amended, being the Michigan Election Law. If the City Council approves the creation of a receiving board, the City’s Board of Election Commissioners will appoint the receiving board which will consist of two or more election inspectors with an equal amount from each major political party. The purpose of the receiving board is to determine if the ballot container is properly sealed and the seal number is properly recorded in the poll book and the statement of returns, and to determine that the number of individuals voting recorded in the poll book equals the number of ballots issued to electors, as shown by the statement of returns. If a discrepancy is found, to open the ballot container and remove the poll book or statement of returns, note the corrective action and notify the clerk of the Board of Canvassers responsible for canvassing the election of the corrective action taken. The City and County Clerks are both recommending the creation of a receiving board.

Motion by Krause, supported by Fabiano, to approve Resolution 12-63 establishing an Electronic Poll Book Receiving Board pursuant to Public Act 116 of 1954, as amended, being the Michigan Election Law.

Yeas: Krause, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 12-64 to amend the Budget for Fiscal Year 2012-2013 to revise several line items to allow for the purchase of computers at City Hall and to restore the administrative service charge that was left off of the approved budget.

Motion by VanSlambrouck, supported by Calley, to approve Resolution 12-64 to amend the Budget for Fiscal Year 2012-2013.

Yeas: VanSlambrouck, Calley, Fabiano, Krause, Barnes

Nays: None

Adopted

The Council considered Resolution 12-65 to award the bid for repairs to the Hydro Dam to the low bidder, Anlaan Corporation. The City received four bids in response to its request for sealed bids for the 2012 Dam Repair Project that includes approximately 180 square yards of articulated block mat, 60 cubic yards of grout bags, 100 cubic yards of grout void filling, and 384 square feet of pier wall repair. The low bid had more than 5% of the total project cost allocated to General Conditions, Bonds and Insurances. The Engineer examined the bids and still recommends the award of the project to the low bidder, Anlaan Corporation, in the amount of \$262,610.00.

Motion by Krause, supported by Fabiano, to approve Resolution 12-65 approving award of the 2012 Dam Repair Project to the low bidder, Anlaan Corporation.

Yeas: Krause, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 12-66 to authorize the City Manager to approve the award of a Chip Seal/Fog Seal Contract. The City Council has previously approved street improvement projects where asphalt milling from a street that was being resurfaced were spread on a gravel street to eliminate dust, reduce maintenance costs, and improve the ride quality of the street. The Kent Street Project will place millings on Clark, B and H Streets. City Manager Dempsey recommended doing a chip seal and fog seal improvement on Market, Clark, B and H Streets, to improve surface uniformity and seal the millings that have been placed from water and extend the life of the street surface. Joe Fedewa, President of Cherry Hill Condominium Association, requested the City include Blossom Drive, Cherry Hill Circle, and Harwood Drive in any chip seal and fog seal bid with the Condominium Association being responsible for the costs associated with those streets. The Ionia County Road Commission (ICRC) included these streets listed in their 2012 RFP for Chip Seal Improvements. The ICRC bid opening is set for July 23rd and is expected to be awarded at the ICRC meeting on July 26th. City Manager Dempsey requested the Council authorize him to approve piggybacking on the ICRC chip seal bid for the City streets for an amount not to exceed \$23,000 and up to an additional \$11,400 for the Cherry Hill Condominium Association streets and to prepare a budget amendment based upon the actual bid costs for the next meeting.

Motion by Calley, supported by Krause, to approve Resolution 12-66 authorizing the City Manager to approve award of a Chip Seal/Fog Seal Contract.

Yeas: Calley, Krause, VanSlambrouck, Fabiano, 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 July 2, 2012, payment of

invoices in the amount of \$85,516.24 and payroll in the amount of \$121,665.69 for a total of \$207,181.93. There were no purchase orders over \$5,000.00.

Yeas: Krause, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

Under Council Comments, Council Member VanSlambrouck suggested that residents bypass Kent St. if possible on Wednesday morning due to the milling of the street.

Mayor Barnes stated he had an inquiry from a resident wondering if the repaired sidewalk along Kent St. would have patchwork appearance when completed.

City Manager Dempsey stated it would have a patchwork type appearance when finished. The goal is to improve the safety of the sidewalks and to make it more appealing.

Mayor Barnes reminded residents that bicycling downtown should be done on the streets as opposed to the sidewalk.

City Manager Dempsey agreed with Mayor Barnes and further stated that also includes those on roller-blades or skateboards for the safety of pedestrians.

Mayor Barnes stated that new Portland resident Mary Stucko has applied for the vacancy on the Economic Development Corporation. Bob Jones and Dick Manning have applied for reappointment to the Building Board of Appeals. He further expressed his appreciation to those who volunteer to serve the community.

Mayor Barnes commented that he was honored to drive the Grand Marshals Ivan Wilcox and Esther Schrauben in the 4th of July Parade.

Mayor Barnes also commented on upcoming events. The Volunteer Recognition Party will be held on Thursday, July 19th in conjunction with Thursdays on the Grand. A ribbon cutting will be held at 2:00 P.M. on Saturday, July 21st at Endless Etching at 1126 E. Grand River Ave.

Mayor Barnes also extended his appreciation to the Garden Club and Kathy Parsons for their efforts in keeping the plants and flowers in the downtown watered.

Motion by Fabiano, supported by Krause, to adjourn the 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