

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, August 15, 2011

In Council Chambers at City Hall

Present: Mayor Barnes; Mayor Pro-Tem Clement; Council Members VanSlambrouck, and Calley; City Manager Dempsey; City Clerk Miller; DDA/Main Street Director Reagan; Police Officer Thomas; and Camera Operator Cummins

Absent: Council Member Fabiano

Guests: Kathy Parsons; Sharon Lutz-Krebill of the Montcalm Ionia College Access Network (MICAN); Ernie West of C2AE; Jon Szerlag 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 Sharon Lutz-Krebill.

Motion by VanSlambrouck, supported by Calley, to approve the Agenda with an amendment to excuse Council Member Fabiano.

Yeas: VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano, Clement

Adopted

Motion by Calley, supported by VanSlambrouck to excuse Council Member Fabiano from the meeting.

Yeas: Calley, VanSlambrouck, Barnes

Nays: None

Absent: Fabiano, Clement

Adopted

Mayor Pro-Tem Clement joined the meeting at 7:06 P.M.

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

City Manager Dempsey also gave a report on other City Business. At 6:49 P.M., Thursday, August 11th the Portland Fire Department was dispatched to a fire at Edgemont Apartments. Upon arrival they found heavy smoke coming from the attic along the front portion of the building. Most residents were evacuated upon arrival of the Fire Department. A secondary search of all apartments was performed to confirm all residents were evacuated. The fire was located above the front entrance area and one apartment. The cause of the fire appears to be electrical with damage to the structure at about \$50,000. The building is a 24-unit complex with 22 apartments rented. All residents were assisted to a safe location. There were no injuries to any residents or any fire personnel. Two of the apartments have been isolated and sealed off for repairs. The residents are now back although two have been relocated into the formerly vacant apartments while repairs continue. The Portland Fire Department was assisted

by Lyons/Muir Fire, Berlin/Orange Fire, and Grand Ledge Fire. Fire Chief Brown advises that all personnel did a great job in locating and containing this fire.

City Manager Dempsey reported that MDOT has agreed to encase the City utilities as part of the bridge removal project and place LED lighting in the box culvert beneath the I-96 Bridge to preserve the River Trail on the old railroad right-of-way. A public meeting will be held on the MDOT Bridge Removal Project from 4:00 – 6:00 P.M. on Monday, August 29th. City Manager Dempsey also presented the proposed wing wall treatments and pedestrian detour to the Council.

City Manager Dempsey presented the Riverfest street closures for August 19th – 21st. He stated that all downtown parking lots, including the City Hall lot, will remain open the entire weekend. This year's Riverfest event is a joint effort of many local non-profit organizations coming together to hold events. He further commended Dan Smith and his group for their efforts in completing the landscaping at the Verlen Kreuger Memorial. He also commended Mayor Pro-Tem Clement and Council Member VanSlambrouck for their efforts in organizing the event.

Under Presentations, Sharon Lutz-Krebill of the Montcalm Ionia College Access Network (MICAN) explained the organization and how to get involved. MICAN advocates that people do something educational after high school; anything from a trade school to college. They are trying to create a college-going culture in Ionia and Montcalm Counties.

DDA/Main Street Director Reagan gave his monthly report. The Economic Revitalization Committee will host a seminar entitled the "Fundamentals of Business Legal Issues" on Tuesday, August 16th. This workshop will be led by local attorney Pat Duff and will cover tax and liability issues, basic elements of contract, collections, licenses, and registrations, employment and property issues, as well as leasing and insurance issues.

DDA/Main Street Director Reagan also stated that the Portland Pay Day promotion is ongoing through August 31st. The prize drawing will be held on September 8th at 7:00 P.M. at City Hall. The "Wine the Walk" event will be held on Saturday, August 20th from 4:00 P.M. – 10:00 P.M. as part of the Riverfest celebration. The event will feature craft beer and wine tasting along with live music on the Boardwalk. He also commended Mayor Pro-Tem Clement and Council Member VanSlambrouck for their efforts in organizing the event.

Under New Business, the Council considered Resolution 11-72 to confirm the Mayor's appointment of Eric Frederick to the EDC.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-72 confirming the Mayor's appointment of Eric Frederick to the Economic Development Corporation.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-73 to approve Pay Request No. 2 to Cook Brothers Excavating, Inc. for work completed on the 2011 Street and Water Main Improvement Project through August 5th in the amount of \$147,576.76. The City's Engineer on the Project has reviewed the request and is recommending that Council approve the payment.

City Manager Dempsey noted that work is a little behind on the project due to the recent substantial rains.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-73 approving Pay Request No. 2 to Cook Brothers Excavating, Inc. for work done on the 2011 Street and Water Main Improvement Project.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-74 to approve Pay Request No. 2 to Davis Construction for work completed on the Wastewater Treatment Plant Improvement Project through July 31st in the amount of \$349,409.86.

City Manager Dempsey noted that Davis Construction has handled the construction project very well.

Ernie West of C2AE stated that most of the ground work on the project was completed before the recent rains. Pay Request No. 2 includes concrete work, earthwork, underground piping & valves. At this point the project is approximately 27% complete. He further stated that he is comfortable recommending approval of this payment by the City Council.

Motion by VanSlambrouck, supported by Calley, to approve Resolution 11-74 approving Pay Request No. 2 to Davis Construction for work done on the Wastewater Treatment Plant Improvement Project.

Yeas: VanSlambrouck, Calley, Clement, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-75 to approve engineering invoices for payment for the Wastewater Treatment Plant Improvement Project provided in May, June and July of 2011 in the amount of \$64,588.61. The fees are in line with the contract previously approved by the Council.

City Manager Dempsey stated that C2AE is doing a good job with engineering this project. They have been working to close the gap in funding. There will likely be change orders on the project at the next Council meeting.

Motion by Clement, supported by Calley, to approve Resolution 11-75 approving engineering invoices for payment for the Wastewater Treatment Plant Improvement Project.

Yeas: Clement, Calley, VanSlambrouck, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-76 to amend the Budget for Fiscal Year 2011-2012 which will add a Fire Department Budget for the first half of the year and includes a projected Authority payment for the second half of the year. It also corrects some Motor Pool expenses so they match up with the budgeted revenues for the Motor Pool Department.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-76 to amend the Budget for Fiscal Year 2011-2012.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-77 to revise Council Policy 94-4 concerning sidewalk repair, replacement and installation. It provides that the City will maintain its sidewalks in reasonable repair and will repair or replace any sidewalk within 30 days (weather permitting) of discovering or being put on notice of any of the following defects; a vertical discontinuity defect of two inches or more; a horizontal crack more than one inch in width and depth; or if a slab rocks or moves under the weight of a pedestrian. It also provides that the City will install new 5' wide sidewalk one foot off of the right-of-way on both sides of the street when a street is reconstructed, unless the Council determines that the cost of installing sidewalk is unduly burdensome because of exceptional topographic or environmental conditions. The City Manager may approve relocating sidewalk further from the right-of-way line because of topographic or environmental conditions, avoid conflicts with utilities, and preserve specimen quality trees. The dollar amount of sidewalk that shall be replaced each year shall be determined by the City Council as part of the annual budget process. And that so long as the City levies an Income Tax, sidewalk installation and replacement costs will be borne by the City at 100% except sidewalk required to be installed with new construction.

Motion by VanSlambrouck, supported by Calley, to approve Resolution 11-77 to revise Council Policy 94-4 concerning sidewalk repair, replacement, and installation.

Yeas: VanSlambrouck, Calley, Clement, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-78 to approve the submittal of a credit card application and to approve a City Credit Card Policy. This resolution would provide that the City Finance Director would be authorized and directed to submit a credit card application to Huntington Bank in the name of the City of Portland for up to 3 City credit cards with a credit line not to exceed \$10,000 in the aggregate for all cards issued. The proposed policy requires that the credit cards be kept in the custody of the Finance Director and may be checked out by authorized users. Only those who are authorized by the City Manager or Finance Director and who have signed the Credit Card User Agreement may use the City credit cards. Credit cards must only be used to purchase goods or services for the official business of the City of Portland, including official business of the Downtown Development Authority and Main Street Program. All authorized users of City credit cards must return the credit card to the Finance Director with documentation detailing the goods or services purchased, the cost of goods or services, the date of the purchase, and the official business for which it was purchased. Employees issued City credit cards shall return the credit card immediately after the purchase or trip for which the card was checked out is completed. Use of the card must always be consistent with the City's purchasing policy.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-78 authorizing and directing the City Finance Director to sign and submit a credit card application and approving a City Credit Card Policy.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-79 to approve the Board of Light and Power's recommendation to approve, authorize, and direct the City's Electric Superintendent to sign an Energy Services Project Transaction Confirmation. The Council has already approved participating in the combined cycle natural gas energy project and now has the opportunity to consider purchasing non-carbon power by entering a counterparty transaction to purchase .3 MW of its load requirements for 10 years by purchasing power that MPPA will purchase from Exelon Corporation's Clinton Power Station, a single unit boiling water nuclear power reactor located in DeWitt County, Illinois. This proposal offers power at competitive market prices with a 3% increase each year for the next 10 years. The Board of Light and Power held a special meeting on August 11th to review the terms of the proposed purchase and recommends the City Council approve, authorize, and direct the City's Electric Superintendent to sign the Energy Services Project Transaction Confirmation.

Motion by VanSlambrouck, supported by Clement, to approve Resolution 11-79 approving the Board of Light and Power's recommendation to approve, authorize, and direct the City's Electric Superintendent to sign an Energy Services Project Transaction Confirmation.

Yeas: VanSlambrouck, Clement, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

The Council considered Resolution 11-80 to approve additional repairs to Well No. 4. The Engineer at Layne Christensen and City Staff are recommending the Council approve replacing the existing pump with a new pump bowl assembly. Cost comparisons for both scenarios based on 2011 costs and conditions, not taking into consideration costs of money or inflationary adjustments, shows that replacing the pump bowl for \$5,828 now is more cost effective in the long run. In addition, replacing the pump bowl also saves on operating costs as it will improve pumping efficiency so the pumps need not run as long to pump the same volume of water.

Mayor Pro-Tem Clement confirmed with City Manager Dempsey that there are adequate funds in the budget for this expense.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-80 approving additional repairs to Well No. 4.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

Motion by Clement, supported by VanSlambrouck, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on August 1, 2011, payment of invoices in the amount of \$907,386.60 and payroll in the amount of \$138,213.96 for a total of \$1,045,600.56. A purchase order to Resco in the amount of \$19,717.50 for Kerite Wire is also included.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

Under Council Comments, both Council Member VanSlambrouck and Mayor Pro-Tem Clement reminded residents that Riverfest will be held this weekend, August 19th – 21st. They noted many of the included events.

Mayor Pro-Tem Clement noted that this year's Riverfest is a joint effort of many local organizations coming together to plan the event. They are coming together as equal partners.

Mayor Barnes that there will be ribbon cuttings for new businesses on August 27th and September 3rd. He stated that he would leave the announcement of what the new businesses are to the Chamber of Commerce.

Mayor Pro-Tem Clement stated how remarkable it is that with the current economic times Portland is still welcoming new businesses to the community.

Motion by Clement, supported by VanSlambrouck, to adjourn the meeting.

Yeas: Clement, VanSlambrouck, Calley, Barnes

Nays: None

Absent: Fabiano

Adopted

Meeting adjourned at 7:59 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk