

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, March 21, 2011

In Council Chambers at City Hall

Present: Mayor Barnes; Mayor Pro-Tem Clement; Council Members VanSlambrouck, Calley and Fabiano; City Manager Dempsey; City Clerk Miller; DDA/Main Street Director Reagan; Police Chief Bauer, Fire Chief/Ambulance Director Brown and Camera Operator Cummins

Guests: Pastor Dan Stemen of the Portland Church of the Nazarene; Tom Thelen of the Review & Observer; Jon Szerlag of the Sentinel Standard

The meeting was called to order at 7:00 P.M. by Mayor Barnes with the Pledge of Allegiance led by Pastor Stemen.

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

Yeas: Clement, 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 gave a summary of Governor Snyder's special message to the Legislature on community development and local government reforms given earlier in the day.

City Manager Dempsey stated that the WWTP Contracts have gone to USDA RD for their execution. The engineers are reviewing the permitted design to address comments from MDEQ and propose more efficient modifications. In order to preserve contingency funds to deal with changes to the project, the City has proposed issuing an attachment to the Notice to Proceed which excepts work on the Alternates from the Notice to Proceed, with the intent that a separate Notice to Proceed will follow in 4 to 6 months for the alternate work, or a change order would be processed to remove them from the project if needed.

City Manager Dempsey reported that there had been a slip and fall on the sidewalk in front of the cemetery a week and a half ago. The patient was complaining of low back and hip pain and was transported to Sparrow in Lansing. The patient appears to be okay now and the matter has been turned over to the City's insurance carrier.

The Board of Directors of the Michigan Municipal League Liability & Property Pool voted to return \$3 million in member equity to current members of the program who renewed coverage. Members who have participated continuously for at least the past five years will share in the distribution in accordance with the percentage that their annual premium equates to the Pool's total written premium during the preceding year.

The Board of Review completed hearing appeals last week and is expected to finalize its decisions next Monday. This year the number of appeals was relatively light. The Board heard 15 appeals of proposed assessments from 12 different property owners.

City Manager Dempsey reminded residents about the Community Clean-Up scheduled for April 20th and 30th. The City makes an extra effort to address code enforcement at this time and remind residents to take advantage of the clean-up.

City Manager Dempsey acknowledged the passing of Don VanAmburg yesterday, March 20th. He was a member of the Portland Fire Department for nearly 50 years.

City Manager Dempsey updated residents of the Extreme Weather Warning predicting rain, freezing rain and sleet for the area from March 22nd into March 23rd. He reminded residents to take caution.

Under Presentations, DDA/Main Street Director Reagan presented his monthly report to the Council. The Downtown Rummage Sale will be held Friday, April 15th and Saturday, April 16th on the 2nd Floor of City Hall. The Organization and Finance Committee holds this near the same weekend as the Community Clean-Up in an effort to help people get rid of their stored items in a way other than putting them in a landfill.

DDA/Main Street Director Reagan stated that the 2011 Downtown Block Party will be held Saturday, May 21st in Downtown Portland. The Block Party will once again feature a classic car “cruise in” by the Portland Cruisers, live entertainment all day, a party pavilion, great local food, a mechanical bull, kids’ activities and a men’s softball tournament. There are a great set of sponsors for 2011 including Portland Federal Credit Union, Tri County Electric, and TRW.

Under New Business, the Council considered Resolution 11-24 to approve an Electronics Recycling Agreement with Vintage Tech Recyclers, Inc. which is in the business of recycling electronics. They have capitalized on e-waste legislation that requires electronic manufacturers to recycle a portion of the products that they introduce into the system of commerce. The manufacturers pay Vintage Tech for their recycling efforts so they can make recycling profitable. Vintage Tech would participate in the City’s Community Clean-Up.

Mayor Pro-Tem Clement stated that she would like to coordinate this effort with the Main Street program where smaller electronics such as cell phones are accepted and are turned in raising money for the program.

City Manager Dempsey stated that these efforts could be coordinated.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 11-24 approving an Electronics Recycling Agreement with Vintage Tech Recyclers, Inc.

Yeas: VanSlambrouck, Fabiano, Clement, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 11-25 to approve, authorize, and direct the Mayor and Clerk to sign Ambulance Services Agreements with Danby Township, Portland Township, Westphalia Township, Orange Township, Lyons Township, the Village of Westphalia, the Village of Pewamo, and Sebewa Township and approving the Care Plan Membership Agreement Form. The contract is basically the same as previous years except the costs and therefore the charges have increased. In

addition to the \$2.00 per capita charge, which remained the same, communities that have opted to pay bills and accept insurance reimbursement, if any, will see the ambulance run charge to from \$670 to \$675. Communities that opted to pay a flat charge will see the cost go from \$11.25 to \$11.40. The City has paid the flat charge and would see its contribution to the ambulance increase \$567. The membership care plan is also being offered at its original subscription price of \$60 rather than last year's \$156 in an effort to increase participation and revenue.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 11-25 approving, authorizing, and directing the Mayor and Clerk to sign Ambulance Services Agreements with Danby Township, Portland Township, Westphalia Township, Orange Township, Lyons Township, the Village of Westphalia, the Village of Pewamo, and Sebewa Township and approving the Care Plan Membership Agreement Form.

Yeas: VanSlambrouck, Fabiano, Clement, Calley, Barnes

Nays: None

Adopted

The Council held a discussion on the proposed box culvert or possible trail relocation associated with the MDOT Bridge Removal Project.

City Manager Dempsey explained that MDOT has indicated they do not have funds available to do both a box culvert and an alternate pedestrian path, not even just the section beneath the expressway over Grand River Ave. They have offered to re-route the trail in lieu of the box culvert, which would be 14' tall by 22' wide. The Parks and Recreation Board met last Thursday and discussed the options. They recommend that if only one route is available the Council should accept the box culvert and request an easement for the alternate route beneath I-96 so that it could be installed at a later date if grant funds become available.

Mayor Barnes stated he agrees with the Parks and Recreation Board's decisions to retain the trail system in lieu of the alternate route along Grand River Ave.

City Manager Dempsey stated that types of lighting will have to be considered. MDOT will install lighting but wants the City to pay for the electricity.

There was further discussion of the issue.

The Council concurred with the decision by the Parks and Recreation Board.

City Manager Dempsey stated that the City will proceed with this option with MDOT.

The Council held a discussion of the Draft Fire Authority Agreement.

Mayor Barnes thanked Council Member Fabiano and City Manager Dempsey for their efforts and involvement in creating this agreement. He stated his goal is to consider what is best for the City of Portland and its residents.

Council Member VanSlambrouck asked if Emergency Medical Support would include ambulance services.

Council Member Fabiano stated there was much discussion of this during the process of developing the agreement. It was determined that this would only include support for manpower etc. not for the actual ambulance service.

City Manager Dempsey stated the agreement doesn't include ambulance service at this time but could be added at some time in the future.

Council Fabiano stated this is not a change from current operations.

Council Member VanSlambrouck commented that the Ambulance Department is a "crown jewel" to the City and whatever is needed should be done to protect it.

City Manager Dempsey gave a brief history as to why the authority agreement is being considered. The townships are tired of "leasing" their fire service. They have no complaint with the actual service but want to have a part in the decision making, and have some ownership in the department.

Mayor Barnes stated that he doesn't want to the quality of service to be diluted. He stated his concern with the statement under Section 1.3 (c) that "The authority may delegate the authority to employ, discipline, terminate, and set and adjust compensation for its personnel." He further stated that this typically is not a Board function. Responsibility generally goes to one person who answers to the Board.

Mayor Pro-Tem Clement inquired if the transfer of equipment would result in any loss of equipment or other amenities by the Ambulance Department.

City Manager Dempsey stated that it is possible, not so much as an equipment issue but more of a manpower issue. An example would be an extrication, which falls to the Fire Department, with patient care provided by the Ambulance Department. The system currently in place works well. There is a good working relationship between the Fire Department and Ambulance Department. If this relationship becomes fractured this could become an issue.

Mayor Pro-Tem Clement inquired if this agreement doesn't work out, would it affect the townships negatively as it would the City in terms of Governor Snyder's plans for regionalism.

City Manager Dempsey stated it could be potentially worse for the townships. If they leave the PAMA agreement the City would have to pay back their original investment. The townships would have to contract with another department or invest in the establishment of their own department. The departments would be drawing from the same pool of people for man power. There would be additional detrimental effects.

Mayor Pro-Tem Clement stated that it seems the City is coming to the table with capital, the equipment, but doesn't see the townships coming with any capital.

City Manager Dempsey stated this is true. As another way to look at it, there will be a need in the near future for significant investment in new equipment. With the formation of the authority the entire burden of this investment would not be on the City.

Council Member Calley inquired if the Fire Department could serve the southern portion of Danby Township.

City Manager Dempsey and Fire Chief Brown stated that the City has not served the southern portion of Danby Township because the Grand River serves as a natural border. There are not enough access points for emergency vehicles to serve that portion of the township.

Mayor Pro-Tem Clement stated that with the Governor's goals in mind, the City is ahead of the curve in combining services with the townships. She suggested the possibility of including more municipalities in the discussion of forming the authority.

City Manager Dempsey stated there has already been some exploratory discussion of this issue with other municipalities. At this time there is not a more efficient way to provide service to these regions.

Council Member VanSlambrouck inquired about administration levels.

City Manager Dempsey stated that administration of the authority will become more complex. All employees of the current fire department will be transferred at the same pay, levels, etc. The authority will then be able to make changes in the future.

Council Member VanSlambrouck inquired about the funding formula.

City Manager Dempsey explained the components of the funding formula. It is based on the idea that a fire department cannot be funded by charging for runs. The cost comes from being prepared to respond.

Mayor Barnes stated the possibility of opening up the idea of an authority, as long as it is a win-win situation, to other areas like the Ambulance Department and Parks and Recreation.

Mayor Pro-Tem Clement reminded residents to contact any of the Council Members with their comments, questions, and thoughts.

Motion by Clement, supported by Calley, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on March 7, 2011, payment of invoices in the amount of \$276,789.63 and payroll in the amount of \$100,198.64 for a total of \$376,988.27. There were no purchase orders over \$5,000.00.

Yeas: Clement, Calley, VanSlambrouck, Fabiano, Barnes

Nays: None

Adopted

Under Public Comment, Pastor Stemen of the Portland Church of the Nazarene stated that the Portland Area Ministerial Association (PAMA) brought a free counseling service to Portland out of Holland. They are in Portland every Tuesday. They are State certified, Master level counselors. The response has been that they've been very helpful to those who have used the service. Contact one of the local churches for more information.

Pastor Stemen also addressed the issue of Cutler Rd. and its desperate need for paving. He stated that it is the worst road in the City. The Federal Funds have not been coming, and it may still be a long wait. He asked that the Council start setting aside funds each year to complete the paving of the road.

Pastor Stemen presented a loose petition, signed by over 200 members of his congregation asking the City to take action on improving the road. The church is open 7 days a week; it is used by the community and is a day care center as well.

Mayor Barnes stated that funding is something that has been wrestled with, as time passes the issue becomes more and more urgent.

City Manager Dempsey gave a brief synopsis of the federal funding process. The City is currently waiting on 2010 Census data which is a determining factor in funding. He further stated that it is a good idea to set aside funding for what would not be covered with federal funding.

Under Council Comments, Mayor Pro-Tem Clement stated that the Downtown Rummage Sale would be held on April 15th and 16th. She further stated the many ways to participate in the event.

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

Yeas: Clement, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

Meeting adjourned at 8:40 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk