

City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, November 7, 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 Officer Thomas

Guests: Ernie West of C2AE; Attorney Scott Smith; Jordan Goodman; Kathy Parsons; 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.

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

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.

Under Presentations, DDA/Main Street Director Reagan presented his monthly report. Another successful Oktoberfest was held on Saturday, October 29th bringing hundreds of people to Downtown Portland. Holidayfest will be held Friday and Saturday, November 18th and 19th. This downtown event allows businesses to show off their products, good and services. Carriage rides will be hosted by the Promotions and Marketing Committee on Friday night and Saturday afternoon and a parade through the downtown will take place Saturday evening ending with the lighting of the City Christmas Tree in Scout Park. The Portland Community Arts Council will also be hosting events downtown during Holidayfest.

The Economic Revitalization Committee will host a free Michigan Small Business and Technology Development seminar on Tuesday, November 8th at Portland High School. The seminar is entitled "Internet Marketing & Social Media: A Toolbox for Small Business" and will be led by Promotions and Marketing Committee Chair Nicole Sunstrum. Nicole currently works for Governor Snyder's office in the field of social media outreach.

The Portland Main Street was awarded branding services through the Michigan Main Street Center. Portland was the only City extended this honor this year. This service is valued at \$5,000 to \$10,000 and will provide a new website and promotional videos along other branding services.

Ernie West, of C2AE, presented photos of the Wastewater Treatment Plant Improvement Project and gave an update on the progress of the project. February 24th is the substantial completion per the contract. Per the last progress meeting it appears that substantial completion will take place much sooner, possibly as soon as early January.

Mayor Barnes commended Mr. West on the excellent job he and C2AE are doing for the City of Portland.

City Manager Dempsey pointed out the efforts that C2AE has taken to save the City money. They have gone above and beyond to ensure that Portland has a quality plant.

Mayor Barnes presented Mayor Pro-Tem Clement with a plaque in recognition of her time served on the City Council and acknowledging all of the efforts she has put forth for the City of Portland.

Under New Business, Council considered Resolution 11-102 to amend the Budget for Fiscal Year 2011-2012. The DDA voted to amend their budget to add \$4,000 for advertising expenditures to promote cooperative radio advertising by businesses in the DDA District. The Finance Director has reviewed current fund balances and expenditures for Fiscal Year 2011-2012 and recommends Council approve the proposed amendment.

Motion by Fabiano, supported by VanSlambrouck, to approve Resolution 11-102 to amend the Budget for Fiscal Year 2011-2012.

Yeas: Fabiano, VanSlambrouck, Clement, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 11-103 for Pay Request No. 4 to Davis Construction for work done on the Wastewater Treatment Plant Improvement Project through September 30th in the amount of \$389,629.86. The City Engineers on the project have reviewed the pay request and are recommending its approval.

Motion by VanSlambrouck, supported by Clement, to approve Resolution 11-103 approving Pay Request No. 4 to Davis Construction for work done on the Wastewater Treatment Plant Improvement Project.

Yeas: VanSlambrouck, Clement, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-104 to approve engineering invoices for payment on the Wastewater Treatment Plant Improvement Project for September.

Motion by Clement, supported by Fabiano, to approve Resolution 11-104 approving engineering invoices for payment for the Wastewater Treatment Plant Improvement Project.

Yeas: Clement, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 11-105 for Pay Request No. 5 to Davis Construction for work done on the Wastewater Treatment Plant Improvement Project through October 31st in the amount of \$416,356.51. The City Engineers on the project have reviewed the pay request and are recommending its approval.

Motion by VanSlambrouck, supported by Clement, to approve Resolution 11-105 approving Pay Request No. 5 to Davis Construction for work done on the Wastewater Treatment Plant Improvement Project.

Yeas: VanSlambrouck, Clement, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-106 to approve engineering invoices for payment on the Wastewater Treatment Plant Improvement Project through October 23rd.

Motion by Calley, supported by VanSlambrouck, to approve Resolution 11-106 approving engineering invoices for payment for the Wastewater Treatment Plant Improvement Project.

Yeas: Calley, VanSlambrouck, Clement, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-107 for Change Order No. 6 to the WWTP Contract with Davis Construction. This change order deletes painting, revises screen requirements to save money, revises process air piping to save money, reduces actual cost from a previous change order replacing natural gas piping based on actual time and materials, deletes installation of yard hydrants and the reroofing of the Treatment Plant and Riverside Lift Station. The change order also increases costs by extending a wall of the de-chlorination tank and eliminating void space below existing primary with concrete, adding concrete in the secondary clarifiers to eliminate elevation conflicts between crossing pipes, revise pre-cast concrete plank layout to accommodate an access hatch on the activated sludge storage tank, and changes to raw sewage piping were added to allow raw sewage to be piped into the anoxic tanks prior to aeration, and several other adjustments and revisions which have a cumulative impact of increasing the contract price by \$18,556.57. This change order addresses the last of the Engineer's Quality Control Review recommendations with \$1,397.48 of the \$94,793 budgeted contingency fund remaining.

Motion by Clement, supported by Fabiano, to approve Resolution 11-107 approving Change Order No. 6 to the WWTP Contract with Davis Construction.

Yeas: Clement, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 11-108 to approve proposals from J Weller Construction, LLC to re-roof the lab, digester, and service buildings at the WWTP and the Riverside Lift Station Building Roof Project. This work was pulled out of the contract with Davis Construction because this local contractor is able to do the work for \$4,084 less.

Motion by Clement, supported by VanSlambrouck, to approve Resolution 11-108 approving J Weller Construction, LLC's proposals to re-roof the Lab, Digester, and service buildings at the WWTP and the Riverside Lift Station Building Roof Project.

Yeas: Clement, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-109 to approve the AFEC Project Power Sales Contract and Project Support Contract. The Board of Light and Power has reviewed the contracts and is recommending their approval. This resolution will authorize Electric Superintendent Mike Hyland and City Manager Dempsey to sign the necessary contracts, when finalized, to implement the purchase of a

5% undivided ownership interest in a combined cycle natural gas fired electric generating plant in Sandusky, Ohio to be owned by American Municipal Power, Inc.

Motion by Calley, supported by VanSlambrouck, to approve Resolution 11-109 approving AFEC Project Power Sales Contract and Project Support Contract.

Yeas: Calley, VanSlambrouck, Clement, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-110 to approve the Board of Light and Power's recommendation to approve the Michigan Electric Cooperative Association Safety Program Agreement. The Board of Light and Power met on October 25th and reviewed the MECA Safety Program Agreement. The City's Electric Department personnel previously participated in the MECA Safety Program at Homeworks Tri-County. MECA's safety instructor retired and MECA reorganized their safety program, advertised for a new instructor, and developed a new agreement to support the program.

Motion by VanSlambrouck, supported by Clement, to approve Resolution 11-110 approving the Board of Light and Power's recommendation to approve the Michigan Electric Cooperative Association Safety Program Agreement.

Yeas: VanSlambrouck, Clement, Calley, Fabiano, Barnes

Nays: None

Adopted

The Council considered Resolution 11-111 to approve Hydro Designs Proposal to provide a Cross Connection Control Program for the City of Portland. Hydro Designs, Inc. was retained by the City to implement a municipal cross connection control program and has administered the program for the past six years. This resolution approves a proposed three-year agreement to continue to provide a cross connection control program at a cost that is \$1,260 less than the current 3-year agreement.

Motion by Clement, supported by Fabiano, to approve Resolution 11-111 approving Hydro Designs proposal to provide a Cross Connection Control Program for the City of Portland.

Yeas: Clement, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

The Council considered Resolution 11-112 to approve using unexpended HRA reimbursement monies to cover gaps between the higher HSA deductible and prorated HSA funding for employees that did not fully expend RHA reimbursements for health insurance claims. There are several employees that are being caught by the transitions from an HRA to the HSA because the City only deposited a prorated amount, for the last quarter of the year, into the HSA account. Effective January 1st the City will deposit the full amount for the 2012 year, so this problem should not reoccur. This resolution would approve using budgeted but not expended HRA funds to cover shortfalls between the higher deductible under the new plan and the prorated 2011 amounts deposited into employees' HSA accounts.

Motion by VanSlambrouck, supported by Fabiano, to approve Resolution 11-112 approving using unexpended HRA reimbursement monies to cover gaps between the higher HSA deductible and prorated HSA funding for employees that did not fully expend HRA reimbursements for health insurance claims.

Yeas: VanSlambrouck, Fabiano, Clement, Calley, Barnes

Nays: None

Adopted

Motion by Clement, supported by Fabiano, to go into Closed Session after Council Member Comments to review an attorney opinion.

Yeas: Clement, Fabiano, VanSlambrouck, Calley, Barnes

Nays: None

Adopted

Motion by VanSlambrouck, supported by Calley, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting and the Closed Session held on October 17, 2011, payment of invoices in the amount of \$226,542.08 and payroll in the amount of \$89,556.07 for a total of \$316,098.15. There were no purchase orders over \$5,000.00.

Yeas: VanSlambrouck, Calley, Clement, Fabiano, Barnes

Nays: None

Adopted

Under Public Comment, Candidate for Council Jordan Goodman introduced himself and stated that the platform he is running on for City Council is City Income Tax.

Mr. Goodman asked City Manager Dempsey if the City does not have enough revenues to maintain City streets without the income tax how it plans to maintain projects like the Boardwalk.

City Manager Dempsey explained the difference in funds and how projects have been completed with grant monies in order to build projects like the Boardwalk.

There was continued discussion of future projects and potential funding sources.

Mr. Goodman stated that he is not 100% against the income tax, but feels the issue should be decided by the residents. He suggested the Council repeal the income tax and put it on a future ballot for the residents to have their say on the issue.

City Resident Kathy Parsons commended the members of the City Council for their time served and their tireless actions behind the scenes. She stated that she has been to several other cities that do not have an income tax and don't have nearly the quality of roads that the Portland has. This is part of what makes Portland the quality community it is.

Under Council Comments, Mayor Barnes commended the Portland High School Varsity Football Team on making it to the 2nd round of the regional championships.

Council Member VanSlambrouck thanked Mayor Pro-Tem Clement for her time. He stated that it has been a joy to serve with her. He also encouraged City residents to get out and vote in the City Council election tomorrow, November 8th.

Mayor Pro-Tem Clement, after serving 4 ½ years on the City Council, read a statement she had prepared thanking the community, City employees, and City Manager Dempsey for all they've done to support her and the entire community.

Council adjourned to Closed Session at 8:08 P.M.

Council returned from Closed Session at 9:10 P.M.

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

Yeas: Clement, VanSlambrouck, Calley, Fabiano, Barnes

Nays: None

Adopted

Meeting adjourned at 9:11 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk