CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 25, 2018

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. Prior to calling the roll the City Clerk announced that Councilmember Knapp would be participating in the meeting remotely via telephone and that the provisions of the City Council Remote Attendance Policy had been met. The following members present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

At the request of Mayor Randall, the audience observed a moment of silence in recognition of the elderly who call Portage home. Following the moment of silence, City Council and the audience recited the Pledge of Allegiance.

PROCLAMATIONS: Mayor Randall issued a proclamation making September PACE Month in recognition of the Program of All Inclusive Care for the Elderly (PACE). Ms. Laura Ferrara of Centra Care received the proclamation and shared information about PACE, their model of integrated care and related benefits. Mayor Randall next issued a proclamation recognizing October as National Community Planning Month in the City of Portage. The following members of the Planning Commission read and received the proclamation: Wayne Stoffer, Sarah Joshi, Betty Schimmel and Meredith Place. Following the proclamation, the Planning Commission Chairperson Wayne Stoffer, recognized Chris Forth, Mike West and Vicki Georgeau of the Department of Community Development for their work and shared some of the work performed by the Planning Commission over the year. Director of Community Development Vicki Georgeau thanked the Zoning Board of Appeals, Planning Commission and City Council for their efforts in support of community planning. Mayor Pro Tem Pearson thanked and recognized each of the members of the Planning Commission that were present for their work and dedication to the community.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Reid removed Items A.3 and A.4.

Motion by Pearson, seconded by Reid, to approve the Consent Agenda, with the exception of Items A.3 and A.4., as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Pearson, seconded by Reid, to approve the Regular Meeting Minutes of September 11, Special Meeting Minutes of September 17 and Pre-Council Meeting Minutes of September 24, 2018. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 25, 2018: Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of September 25, 2018. Upon a roll call vote, motion carried 7 to 0.

ACQUISITION OF 117 EAST CENTRE AVENUE: Motion by Pearson, seconded by Reid, to authorize the city acquisition of 117 East Centre Avenue, owned by Ronald Saline, for the amount of $50,000, subject to satisfactory title and environmental assessment and authorize the Mayor to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

WINTER FOREST DRAINAGE IMPROVEMENT PROJECT: Motion by Pearson, seconded by Reid, to award a contract to Hoffman Bros., Incorporated of Battle Creek, Michigan for the Winter Forest Drainage Improvements Project in an amount not to exceed $290,776.95 and authorize the

City Manager to execute all documents related to this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

ICE CONTROL SALT: Motion by Pearson, seconded by Reid, to award contracts to Detroit Salt Company in the amount of $63.91 per ton for 1,800 tons of ice control salt at a total cost of $115,038 for early delivery and Compass Minerals America, Inc., in the amount of $76.61 per ton for 1,500 tons of ice control salt at a total cost of $114,915 for seasonal back-up on an as-needed basis and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

MDOT CONTRACT FOR INTERSECTION OF PORTAGE ROAD AND LAKEVIEW DRIVE: Motion by Pearson, seconded by Reid, to approve contract #18-5304 between the Michigan Department of Transportation and the City of Portage for the realignment of the intersection at Portage Road and Lakeview Drive; adopt a resolution authorizing the City Manager to sign all documents related to the project on behalf of the city; and award a contract amendment with Abonmarche Consultants, Incorporated, for project engineering services in the not-to-exceed amount of $46,500. Upon a roll call vote, motion carried 7 to 0.

STORM DRAINAGE IMPROVEMENT ON SOUTH WESTNEDGE AT J.L. HUDSON DRIVE: Motion by Pearson, seconded by Reid, to adopt a resolution approving the necessity to improve the storm drainage on South Westnedge Avenue at J.L. Hudson Drive; authorize the City Manager to obtain certain easement interests to accomplish this project in accordance with City Council policy; award a contract to Peters Construction Company of Kalamazoo, Michigan, in the amount not to exceed $365,333.83, and authorize the City Manager to execute all documents related to this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PAVING SERVICES BY NIBLOCK EXCAVATING: Motion by Pearson, seconded by Reid, to award a paving contract to Niblock Excavating, Incorporated, of Bristol, Indiana, for miscellaneous paving at various locations in an amount not to exceed $385,952.50 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

REZONING APPLICATION FOR 4211 (EAST HALF) AND 4525 LONG LAKE DRIVE: Motion by Pearson, seconded by Reid, to accept Rezoning Application #18/19-2, 4211 (east half) and 4525 Long Lake Drive, for first reading and set a public hearing for October 23, 2018. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Pearson, seconded by Reid, to receive the Human Services Board of May 3, Historic District Commission of August 1, Zoning Board of Appeals of August 13 and Planning Commission of August 16, 2018. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Mr. Alan Loveridge, 23965 88th Avenue, Marcellus, spoke and shared an idea by which he believes homeowners and property tax payers could save money by allowing them to pay taxes on a monthly basis.

COMMUNICATIONS:

CALENDAR OF MEETINGS: At the request of Mayor Randall, City Clerk Herringa read the meeting schedule for the record. Motion by Reid, seconded by Ford, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

ANNUAL SPRING CLEANUP CONTRACT: Mayor Randall invited Councilmember Reid to begin discussion on the item. Councilmember Reid shared that City Council had been made aware that there is a 7% increase between the proposed contract and current contract. She continued by stating that it is her understanding that there is enough funding available for the first two years but there may need to be an increase in the millage to cover the last of the three-year contract. She questioned the 7% increase and when and how the city would increase the millage.

City Manager Shaffer stated that many factors will impact the revenue stream that supports the spring cleanup program which includes increases in the property tax base. He stated that the revenue fund will be evaluated over time to determine its ability to cover the cleanup program. Mr. Shaffer invited Director of Public Services, Rod Russell, to respond to Councilmember Reid's inquiries. Mr. Russell stated that the 7% increase is likely due to an increase in fuel and equipment costs. He also shared that the project was put out for bid and two bids were received. The low bidder, he stated, was Waste Management which also happens to be the current vendor. He then pointed out that Waste Management was substantially less than the next bidder. Councilmember Reid stated that the proposed bid has an approximately 5% cost increase built into each year of the contract. Mr. Russell stated that the contract and related costs would be monitored to determine if a millage increase would be necessary.

Mayor Pro Tem Jim Pearson inquired if the contract was a renewal with Waste Management and Mr. Russell responded in the negative stating that it would be a brand new contract and pointed out that the current contract also included annual cost increases over the course of the contract. Mayor Randall summarized that it appears the city can cover the cost of the contract for the first two years but may need to evaluate options in the third year. Councilmember Reid expressed concern about embarking on a three-year contract if funding is only guaranteed for the first two years. Councilmember Urban stated that the millage which funds spring cleanup and fall leaf pickup was approved for up to 0.5 mills and the city is currently levying .33 mills meaning there is room for an increase if needed. Mr. Urban also pointed out that development projects by Stryker and Pfizer would be providing additional tax revenue to support this fund. Councilmember Reid thanked Mr. Urban for the information and stated that this provided the assurance she was seeking. Mayor Randall pointed out that commercial and industrial entities pay this tax despite the fact they do not receive the service.

Motion by Reid, seconded by Pearson, to award a three-year contract in the amount of $515,796.29, with the option for three one-year renewals, to Waste Management of Michigan to perform the Annual Spring Cleanup Program and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

BROADCAST, LIVE-STREAM CABLECASTING AND OPERATIONS: Mayor Randall invited Councilmember Reid to begin discussion on the item. Councilmember Reid shared that she removed this item from the Consent Agenda to help educate and remind the public that the City of Portage is transitioning away from the cable access services provided by Public Media Network (PMN). She continued by explaining that the city would be purchasing broadcasting equipment and working with a vendor to provide video services. She asked City Administration to explain the differences in current and proposed services and share what citizens can expect by way of cable access in the future.

City Manager Shaffer explained that City Council authorized the City Manager to terminate the relationship with PMN earlier in the year. He explained that under the current relationship the city turns over franchise fees paid by cable television subscribers to PMN. In turn, PMN provides Public, Education and Governmental (PEG) programming channels and content. With regard to franchise fees, Mr. Shaffer shared that the city collected approximately $386,000 in the last year. He continued by stating his belief that the city can provide quality cable access service for less and that some of the services offered by PMN do not fit the current mission and values of the City of Portage. Mr. Shaffer stated that the proposed contract includes personnel to handle broadcasting services over the next three years and that the contract represents a savings of $722,000 over the life of the contract. The savings, he stated, would be used to develop content, livestreaming, podcasts and other communicative tools.

City Manager Shaffer introduced Director of Information Technology Devin Mackinder to share additional information. Mr. Mackinder stated that the city is not interested in creating a competitor to PMN or duplicating the services PMN offers. He shared that the contract provides for the production of City Council, Planning Commission and Zoning Board of Appeals meetings along with miscellaneous meetings that may occur. In addition, he continued, the contract provides for a number of other video productions along with rates should the number of productions exceed what is currently anticipated. Mr. Mackinder pointed out that the contract supports a single government-focused cable access channel instead of the three PEG channels currently offered by PMN. With regard to a channel devoted to education programming, Mr. Mackinder stated that the system could accommodate it if the Portage Public Schools were interested. A channel for broadcasts developed by the public, he stated, was not envisioned and explained that offering such a channel would present legal obstacles.

Mr. Mackinder closed his comments by expressing confidence in the opportunities afforded by the new cable access contract and that the government channel will offer enhanced programming, videos and content.

Councilmember Reid shared her belief that citizens should understand that the traditional PEG model is being replaced and services such as production services and equipment for the public along with educational programming would be going away. Mr. Mackinder explained that the city would be utilizing a variety of resources to educate the public in this regard. He also shared that, for a fee, Portage residents would still be able to avail themselves to the offerings of PMN.

Councilmember Ford thanked Mr. Mackinder for the cost projections and stated that he was pleased to see such dramatic savings. He expressed hope that the city will be able to provide quality services and outreach to the community. Mayor Randall commented on the cost savings and thanked Mr. Mackinder for his efforts in this regard.

Councilmember Urban commented that the public aspect of cable access television services has been a part of the program from the very beginning and that he regrets that this will be going away. He continued by stating that some individuals have found the performance of PMN to be lacking but that he viewed any such problems as solvable. Mr. Urban continued by stating that PMN affords youth and other residents that may not have access to a “Go-Pro” camera or other production level equipment the opportunity to create quality video productions. Mr. Urban stated that he was sorry to see this equipment availability go away. Mr. Urban commented that the federal law regarding cable access franchise fees does not mandate that the funds be used in support of cable access services. He expressed his continued opposition to the action of severing the relationship with PMN and stated that he would be voting on the matter this evening as he felt most appropriate.

Motion by Reid, seconded by Ford, to approve the purchase of a new broadcast and live-stream cablecasting system from AVI Systems, Incorporated, along with a three-year professional services contract for training and support maintenance, in the total amount of $143,855.63; and approve a two-year professional services contract with Image Stream in the amount of $180,568 for the provisioning of professional cablecast operations. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Mayor Pro Tem Pearson noted that he and Councilmember Burns had attended a meeting of the Central County Transit Authority (CCTA) and Kalamazoo County Transit Authority (KCTA). At the meeting, he stated, a report from a recent planning retreat was discussed. He shared that county residents seem happy with expanded services and that time was spent discussing upcoming millage renewals and whether they should be increased. He stated that the report provided a good summary and invited Councilmembers and residents to visit the following website and select the agenda packet for the September 24, 2018, meeting to review the report: http://www.kmetro.com/our-team/central-county-transportation-authority/ccta-meetings.

Councilmember Burns shared that the CCTA received good news in the form of a $2.8 million federal grant for infrastructure upgrades and replacement buses. He invited Councilmembers to learn more about public transit infrastructure assets by visiting: http://www.kmetro.com/download/944/349/transitassetmanagementplan.pdf. Mr. Burns invited City Council to an upcoming facility tour and shared that Portage City Council would be having discussions about the CCTA/KCTA millage renewal in the next calendar year.

Councilmember Ford shared that he attended a meeting of the Discover Kalamazoo Advisory Council at which Downtown Kalamazoo Incorporated gave a presentation on the status of the Downtown Development Authority (DDA), financial situation of the DDA and plans for DDA expansion to help remedy the financial hardship. Mayor Randall inquired as to the advantage of being a member of the DDA and Mr. Ford explained the process of tax recapture and how the funding can be used to enhance, for example, the infrastructure in the DDA. Councilmember Reid inquired as to the proposed expanded boundaries and Mr. Ford provided a rough description.

Motion by Pearson, seconded by Reid, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid shared that she attended the "Marihuana Town Hall Meeting" sponsored by the Kalamazoo County Substance Abuse Task Force. She reviewed the background of the panelists, shared some facts that she learned about youth use of marihuana and shared that Kalamazoo County Sheriff Richard Fuller along with other public safety officials recently visited Colorado to learn first-hand about the impact marihuana legalization had on communities. Councilmember Reid commented that the marihuana legalization ballot initiative, if approved, would have a significant impact on youth and communities around the state. Next, Councilmember Reid shared that the total dollar amount of items approved at tonight's City Council Meeting was $2,208,730.10. She commented that this is a significant amount of money to be spending via approval on the Consent Agenda. She stated that efforts must be made to make information about agenda items more readily available to the public and stated that she would like City Council to reconsider its stance on not reading the Consent Agenda aloud. She asked that the topic be added to the agenda for the next City Council Meeting.

Councilmember Burns shared that he recently attended a training offered by the Michigan Government Finance Officers Association and was pleased to see Finance Director Bill Furry and Deputy Finance Director Lauren VanderVeen in attendance. At the training, he continued, he attended a session on Public Act 202 which is related to reporting requirements associated with defined benefit pension and/or other postemployment benefits (OPEB) plans. Mr. Burns pointed out that the city has no liabilities in this regard and complimented prior Councilmembers for putting the city in this enviable position. Next, Mr. Burns commented that it was National Voter Registration Day and encouraged residents to participate in the upcoming election citing several important proposals and contests on the ballot.

Councilmember Ford commented that he recently attended the dog park with his dog and heard positive feedback from others in the park. Mr. Ford next thanked City Council and the Mayor for the positive joint meeting with the Portage School Board and the City Manager for keeping the line of communication between the city and the school system open. Finally, he thanked Councilmember Reid for attending a euchre fundraising event sponsored by the Kzoo Spartans.

Mayor Pro Tem Pearson shared that this is the first meeting at which a Councilmember utilized the Remote Attendance Policy. He thanked City Manager Shaffer, City Clerk Herringa and Director of Information and Technology Mackinder and Information and Technology Operations Manager Maurice Hudson for their work in creating and executing the policy. With regard to the reading of the Consent Agenda, Mr. Pearson shared his belief that a Councilmember should highlight topics he or she believes to be of importance. He cited the agenda item regarding the reconfiguration of the intersection of Portage Road and Lakeview Drive as an example. He continued by stating that a young lady was killed in a traffic accident at this intersection and that it was apparent that work must be done to relocate and improve this intersection. Mr. Pearson shared that City Council approved realigning the intersection at tonight's meeting and thanked city staff for pursuing the project at the urging of City Council.

Mayor Randall thanked Councilmember Knapp for being the first Councilmember to participate remotely in a City Council Meeting. She commented on the investment in technology over the past several years and need for the city to stay current with technology. With regard to the reading of the Consent Agenda, Mayor Randall suggested that podcasts be created that can educate the public on City Council agenda items. She continued by suggesting that additional technological methods to inform the public be explored.

Mayor Randall shared that she has received positive feedback from the joint City Council and Portage School Board Meeting and expressed optimism that progress will be made on items that were discussed. With regard to National Voter Registration Day, she shared that there was a person at the YMCA earlier in the day registering people to vote. She then thanked City Clerk Herringa for his diligence in trying to get people registered to vote.

Mayor Randall concluded by sharing that she recently attended the first ever job fair in the region sponsored by Pfizer and commented on the significant amount of hiring by the company. She thanked the company for being positive members of the region and for wanting to be more integrated with the community. In closing, Mayor Randall thanked City Council for their support with the items on the meeting agenda and for the work that is being accomplished.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:12 p.m.

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Adam Herringa, City Clerk