

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF SEPTEMBER 24, 2018**

Mayor Randall called the meeting to order at 8:00 a.m. Councilmembers Chris Burns, Lori Knapp, Claudette Reid and Mayor Pro Tem Jim Pearson joined via the conference phone line. Councilmembers Richard Ford and Terry Urban were absent with excuse. Also in attendance were Deputy City Manager Rob Boulis and City Clerk Adam Herringa.

Mayor Randall opened the meeting and inquired if there were any questions or concerns regarding items on the proposed September 25th Regular Meeting Agenda. With regard to Item A.3, Contract for Annual Spring Cleanup Program, Councilmember Reid inquired as to the cost of current contract and the percentage increase between the proposed contract and current contract. She also inquired if the cost of proposed contract would be covered by the current dedicated millage. Deputy City Manager Boulis confirmed that the proposed contract would not require a millage increase. He stated that he would research and respond to her first inquiry.

With regard to Item A.4, Contracts with AVI Systems and Image Stream, Councilmember Reid commented that the current equipment is owned by Public Media Network (PMN). She pointed out that the report on the agenda indicates the transition from PMN will take several weeks and inquired if PMN will still be used during the transition. Deputy City Manager Boulis stated that the current equipment and PMN will be used to broadcast meetings until the new equipment is installed. Councilmember Reid asked for more specificity with regard to the professional services that will be provided and inquired as to the meetings that will be covered under the proposed contract. She specifically inquired if it covered Portage School Board meetings and public service announcements. She also inquired when the hourly rate would be utilized. Mr. Boulis replied that the contract covers the broadcast of Planning Commission, Zoning Board of Appeals and City Council meetings along with some video productions. Councilmember Reid inquired if we have received any approvals from Charter or AT&T and how many channels the city will have access to. Mr. Boulis stated that the city has been working with Charter and AT&T on equipment specifications and that he believes the city will have access to one channel. However, Mr. Boulis stated that he would research and respond. Councilmember Burns pointed to the difference in bid amounts and inquired as to the gap and equipment that would be provided. Mr. Boulis stated that Director of Information Technology, Devin Mackinder, would be able to address this topic at the Council Meeting. However, Mr. Boulis commented that the gap is largely due to the types of equipment the bidders proposed using.

With regard to Item A.5, Purchase of 117 East Centre Avenue, Councilmember Reid inquired as to the impact on the nearby residential and commercial lots. Mr. Boulis stated that the purchase of 117 East Centre would not have an impact on these properties. He continued by stating that the City has been acquiring land in this area for many years and will keep watch for additional purchase opportunities. He stated that the goal of the land purchases is for future city development or private development. Councilmember Reid commented that the

rationale for purchasing land in this area seems to have changed. She stated that land had been purchased in the past for future retail development. Mr. Boulis commented that the point of the purchase remains future development to coincide with the "City Center" design concept. He informed City Council that city staff recently had informal conversations with a potential developer.

With regard to Item A.7, Ice Control Salt Purchase, Councilmember Reid inquired if the city is taking any steps to reduce the use of road salt. She commented that road salt can be harmful to water and is corrosive. Mr. Boulis stated that he would research and respond.

With regard to Item A.9, Storm Drainage Improvement, Councilmember Burns commented that it is his understanding that the property owner is unhappy with the proposed easement and inquired as to conversations held between the city and the property owner. Mr. Boulis reviewed the location of the proposed easement and shared that the property owner has been difficult to reach and work with. He confirmed that the property owner is not interested in providing the requested easement. Mr. Boulis stated that the city would compensate the owner for the easement. Councilmember Reid inquired if it would be a permanent easement or if the land would be returned to the owner following construction. Mr. Boulis stated that the easement would be permanent but that the city would complete the underground work and restore the surface to an improved condition. Councilmember Reid inquired if the city was considering eminent domain if the property owner continues to refuse to grant the easement. Mr. Boulis responded in the affirmative. Councilmember Knapp inquired if the storm drainage work would have impact on the work that is being done on South Westnedge. Mr. Boulis responded that the South Westnedge construction work is such that it anticipated the easement but that he would research and confirm. Mayor Randall inquired if the property owner had been contacted before or after the South Westnedge Avenue construction project and asked for additional information pertaining to conversations between the city and property owner. With regard to the first part of the question, Mr. Boulis stated that the property owner was contacted before the construction project but that he would confirm.

With regard to Item A.10, Paving Contract with Niblock Excavating, Mayor Randall inquired as to any news from the Governor's Office regarding the work stoppage that is impacting projects across the State of Michigan. Mr. Boulis shared that City Manager Larry Shaffer had been in contact with the office of the spokesperson for the Governor. Mr. Boulis also commented that the Michigan Department of Transportation (MDOT) has indicated that they will not accept a labor lockout as a reason for suspending the work and is considering instituting penalties. Councilmember Reid commented that she heard on National Public Radio that the Governor's Office is involved in the dispute and that the dispute has had a major impact on construction projects in Detroit and Ann Arbor. Ms. Reid inquired if city staff had reached out to other communities to learn how they are responding to the situation. Mr. Boulis stated that, to his knowledge, staff has not reached out to other communities but that conversations have been had with MDOT, the Governor's Office, the project contractor Reith-Reilly and Jackson County since this county has their own paving equipment. Councilmember Reid commented that she was uncomfortable with this item being on the Consent Agenda as she found it to be lacking in transparency. Ms. Reid inquired if City Attorney Brown had

provided any legal opinions related to the situation. Mr. Boulis shared that the City Attorney has provided feedback and commented that this is a unique situation without much case history. Mr. Boulis continued by stating that the city may be successful in resolving the work stoppage on the South Westnedge Avenue project without repercussions but that options are limited at this point. He pointed to the dwindling construction season as evidence. Councilmember Reid asked that City Council be provided with the legal counsel that has been provided by Attorney Brown.

With regard to Item A. 11, Rezoning of 4211 (east half) and 4525 Long Lake Drive, Councilmember Lori Knapp inquired if the proposed rezoning would have an impact on the Michigan Department of Natural Resources public boat launch. Mr. Boulis stated that the rezoning would not have an impact but that he would get information to City Council in this regard. Councilmember Reid inquired as to the potential historical significance of the roller rink and if any items or portions of the property should be kept or maintained. She followed by inquiring if the Historic District Commission had been contacted. Mr. Boulis stated that he is not aware of any historical implications and that he does not believe the Historic District Commission has been contacted.

Mayor Randall summarized questions raised during the meeting and inquired, as it related to Item A.10, that City Council be provided with an update as to labor dispute from the Governor's Office. She also asked what the MDOT stance means as it relates to the dispute and potential penalties for the City of Portage. She asked for a writing from City Attorney Brown regarding the related legal implications.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:27 a.m.

Adam Herringa, City Clerk