

CITY COUNCIL MEETING MINUTES FROM APRIL 9, 2019

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. The following members were 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, Assistant City Attorney Matthew Quardokus and City Clerk Adam Herringa.

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs and as the city strives to make Portage an affordable and safe place for all families to live. Following the moment of silence, City Council and the audience recited the Pledge of Allegiance.

PROCLAMATION: At the invitation of Mayor Randall, Ms. Pat Maye of the Human Services Board read a proclamation in recognition of Fair Housing Month. Mayor Randall thanked Ms. Maye for the work of the Human Services Board in support of promoting fair housing in the community. Ms. Maye summarized the work of the Fair Housing Center of Southwest Michigan and the importance of education related to fair housing requirements.

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. Item A.5, Idaho Avenue Reconstruction Project, was removed. Motion by Knapp, seconded by Pearson, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Knapp, seconded by Pearson, to approve the Committee of the Whole and Regular Meeting Minutes of March 26, 2019 and Pre-Council of April 8, 2019. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF APRIL 9, 2019: Motion by Knapp, seconded by Pearson, to approve the Accounts Payable Register of April 9, 2019. Upon a roll call vote, motion carried 7 to 0.

SETTING OF A PUBLIC HEARING ON WATER AND SEWER RATES: Motion by Knapp, seconded by Pearson, to establish a public hearing on April 23, 2019, to consider resolutions to adopt the recommendation that the sewer commodity rate remain at \$4.60 per 1,000 gallons of metered water; recommendation that the water commodity rate remain at \$3.14 per 1,000 gallons of metered water; recommendation that adjustments be made to the sewer and water base quarterly charges as noted in the 2019 Utility Rate Financial Study; recommendation that the new rates become effective on July 1, 2019; and recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2019 Utility Rate Financial Study. Upon a roll call vote, motion carried 7 to 0.

ACCEPTANCE OF NEWLY CONSTRUCTED DEDICATED STREETS: Motion by Knapp, seconded by Pearson, to adopt a Resolution Accepting Newly Constructed Dedicated Streets as Public Streets and authorize the City Manager to execute all documents related to these actions on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 133 of City of Portage Resolution Book No. 47.

WATERPROOFING AT PUBLIC SAFETY POLICE ANNEX: Motion by Knapp, seconded by Pearson, to approve a contract in the amount of \$110,392 to DeLoof Construction, Inc., of

Kalamazoo, Michigan, for general contractor services for waterproofing at the Public Safety Police Annex and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

ENGINEERING DESIGN AND BIDDING PHASE SERVICES FOR PORTAGE ROAD LANE

RECONFIGURATION: Motion by Knapp, seconded by Pearson, to approve a contract amendment for engineering design and bidding phase services for the Portage Road lane reconfiguration from Lakeview Drive to Forest Drive in the not-to-exceed amount of \$105,700; a feasibility study for a lane reconfiguration from Forest Drive to East Centre Avenue in an amount not to exceed \$45,000, 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.

UTILITY PUMP FROM XYLEM DEWATERING SOLUTIONS, INC.: Motion by Knapp, seconded by Pearson, to authorize the purchase of one Godwin Dri-Prime CD150M Critically Silenced Utility Pump from Xylem Dewatering Solutions, Inc., of Bridgeport, New Jersey, for a total cost of \$52,254 and authorize the City Manager to execute all documents related to this purchase on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

SPECIAL LIQUOR LICENSE FOR MIXOLOGY CLASS: Motion by Knapp, seconded by Pearson, to approve a Michigan Liquor Control Commission (MLCC) application for a Special License for Beer, Wine & Spirit service on the premises at the Portage Senior Center (320 Library Lane), for a mixology class planned for Thursday, May 2, 2019 and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 139 of City of Portage Resolution Book No. 47.

RESOLUTION OPPOSING CHANGES TO THE 1984 CABLE ACT: Motion by Knapp, seconded by Pearson, to adopt the Resolution to Oppose FCC Changes to the 1984 Cable Act. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 141 of City of Portage Resolution Book No. 47.

BOARD AND COMMISSION INTERVIEW SESSION: Motion by Knapp, seconded by Pearson, to set a Special Meeting on Tuesday, May 21, 2019, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Knapp, seconded by Pearson, to receive the minutes of the Park Board of May 6 and Human Services Board of May 7, 2019. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

CALENDAR OF MEETINGS: Motion by Knapp, seconded by Pearson, to receive the Calendar of Meetings. Upon a voice vote, motion carried 7 to 0.

ANNUAL PRESENTATION BY THE HUMAN SERVICES BOARD: At the invitation of Mayor Randall, Ms. Pat Maye, Chairperson of the Human Services Board, provided City Council with an overview of the activities and work of the Human Services Board (HSB) over the past year. Ms. Maye highlighted activities such as Red Ribbon Week, work associated with the Community Development Block Grant Program and review of applications for funding. With regard to the review of

applications for city funding, Ms. Maye indicated that the HSB planned to review the application process.

Councilmember Ford inquired if there were any new applicants for funding and Ms. Maye responded that there was one new applicant and that this applicant generated healthy discussion amongst the HSB. Mayor Pro Tem Pearson pointed out that members of City Council worked with the HSB in the recent past on revising the scoring system for applicants. He inquired if the scoring system was working well. Ms. Maye responded in the affirmative. Councilmember Reid inquired if the HSB had received any complaints resulting from the City of Portage Non-Discrimination Ordinance. Ms. Maye responded that the HSB had not received any complaints but that one of this year's applicants was religious in nature and boardmembers had concerns about the applicant's positions related to gender identity and sexual orientation. This applicant, she stated, is the primary reason why the HSB is planning to review the application process. Motion by Knapp, seconded by Burns, to receive the presentation by HSB Chairperson Pat Maye.

REGULAR BUSINESS AGENDA:

IDAHO AVENUE RECONSTRUCTION: Mayor Randall invited Councilmember Reid to begin discussion. Councilmember Reid inquired as to why contract with Wightman & Associates was being amended instead of going out for a bid. City Manager Shaffer stated that Wightman & Associates had designed the project and it made sense for them to serve as construction engineers as well. In addition, Mr. Shaffer pointed to time constraints with going out for bid given deadlines associated with spending the state funding. He also expressed his confidence in the quality of the vendor and proposed cost. Councilmember Reid pointed to the need for engineering services for both design and construction and questioned why it was not packaged into a single bid. Mr. Shaffer shared that, given the availability of state funding, the project had expanded in scope. In addition, Mr. Shaffer commented that the original engineering plans were modified based on input from Portage Public Schools. However, Mr. Shaffer stated, construction inspection was not included in the design work contract. Councilmember Reid expressed her displeasure with contract amendments and shared that she would like to see engineering design and construction inspection incorporated into a single contract. Mr. Shaffer stated that Councilmember Reid makes a compelling point and City Administration would look at combining the two services into a single contract in the future.

Councilmember Burns pointed out that the original project was estimated to be around \$500,000 in the last Capital Improvement Program but the estimate is now \$800,000. Mr. Shaffer stated that the project will include "cross-laterals" to help bring water to unserved residences and meet current and future needs of the neighborhood. Ms. Kendra Gwin, Director of Transportation and Utilities, spoke and commented that the project is also being enhanced with the addition of curb and gutter. The resulting storm water that is captured, she continued, must be treated before being released because the area is in the vicinity of a wellfield. Finally, she commented that construction costs have also increased. Mr. Shaffer stated that reconstructing Idaho Avenue and work on Milham Avenue is proceeding with the goal of having them complete by the start of next school year and the opening of the new Portage North Middle School.

Mayor Randall inquired if Portage Public Schools was consulted regarding the project. Mr. Shaffer spoke in the affirmative and shared that a public forum on the project was actually held at a school facility. Mayor Randall inquired if surface water and mosquito problems associated with this area would be improved. Ms. Gwin commented that the addition of curb and gutter to the project should help to alleviate water ponding and related issues. Finally, Mayor Randall inquired as to the lighting in this neighborhood and Ms. Gwin commented that there would be some additional lighting and that trees around existing lighting would be trimmed. Motion by Reid, second by Burns, to

award a construction contract to Kamminga and Roodvoets, Incorporated, of Grand Rapids, Michigan, for the Idaho Avenue Reconstruction project in an amount not to exceed \$1,904,977.90; amend a contract with Wightman & Associates, Incorporated, in the amount of \$156,800 to provide construction engineering services for the Idaho Avenue Reconstruction project; amend the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of \$800,000; and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PRESENTATION OF THE PROPOSED FISCAL YEAR 2019-2020 BUDGET: Mayor Randall asked the City Manager to summarize the proposed 2019-2020 Budget. City Manager Shaffer began by thanking city staff for their hard work in preparing the proposed budget. He reviewed the amount of the overall budget, how it compares to last fiscal year and highlighted specific funds such as the General Fund, Capital Improvement Program (CIP) and Water Fund. He shared that the largest increase is in the CIP with making investments in the community. He next reviewed the plan to increase the number of public safety officers by three, proposed reductions in the water and sewer rates and slight reduction in the overall millage. Mr. Shaffer shared that the tax base in Portage is at a record high and that this has offset funding lost when the State of Michigan eliminated the Personal Property Tax. Mr. Shaffer concluded by summarizing the plan for reviewing the proposed budget. Mayor Randall commented that the budget would be available online on Wednesday and invited the public to attend the review sessions and provide feedback.

Councilmember Ford asked Mr. Shaffer to speak to the fact that the proposed budget is a balanced budget instead of a “deficit budget.” Mr. Shaffer explained that, historically, the city proposed a deficit budget in which proposed expenditures exceeded revenues but that revenues would always come in higher than projected and spending less than projected. With this budget, Mr. Shaffer shared, revenues and expenditures have been balanced.

Motion by Knapp, seconded by Reid, to accept the presentation of the Proposed Fiscal Year 2019-2020 Budget. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided an update on a meeting of the Central County Transportation Authority (CCTA) that he and Mayor Pro Tem Pearson attended. Mr. Burns shared that audited financial statements, accounting practices and Other Post-Employment Benefit commitments for the CCTA were discussed. Mayor Pro Tem Pearson commented that the CCTA also discussed a millage renewal and millage reduction related to Metro Connect and Metro Share. Finally, Mayor Pro Tem Pearson shared instances in which Metro Transit was of tremendous help and value to the broader community and not simply transit users. Councilmembers Burns commented on the availability of vans for use by non-profits, senior centers and those with disabilities. Motion by Knapp, seconded by Ford, to receive the Council Committee Reports. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns thanked City Manager Shaffer and staff for hosting guests visiting the United States through the Colleagues International Program. Mr. Burns shared that the locker room at the police station had ongoing issues with water and moisture and City Council approved a solution as part of the Consent Agenda.

Councilmember Ford welcomed Assistant City Attorney Matthew Quardokus who was participating in his first City Council Meeting. Mr. Ford pointed out that construction season is beginning and highlighted upcoming work on Milham Avenue. He concluded by complimenting the Michigan State Men’s Basketball Team on their successful season.

Councilmember Reid informed the audience that water and sewer rates would be discussed at the next City Council Meeting. She then read aloud the Calendar of Meetings agenda item and invited members of the public to attend the meetings of the various boards and commissions.

Councilmember Knapp pointed out that the latest *Portager* included the Parks and Recreation Spring and Summer Recreation Brochure. She pointed out that there a number of exciting events and activities coming up and shared that information is available on the city website and that timely event information and reminders will be available via the City of Portage Facebook Page.

Mayor Pro Tem Pearson cautioned residents regarding a scam in which automated callers impersonate the Social Security Administration. He reminded the audience that the Social Security Administration does not communicate via recorded messages but rather through the postal service.

Mayor Randall complimented city staff for their efforts related to the City of Portage Facebook Page and highlighted the recent video that was produced and shared which focused on the annual Mayor and City Council for the Day program. She reminded residents that the annual spring cleanup is about to begin and to be patient and use caution as construction season is upon us.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:48 p.m.

Adam Herringa, City Clerk