

CITY COUNCIL MEETING MINUTES FROM MARCH 8, 2016

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Pastor Jeff Fernandez of The Bridge Church of Portage gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Jim Pearson, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Councilmember Richard Ford was absent with notice. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATIONS: Mayor Strazdas issued a March 2016 As March for Meals Month Proclamation read by Councilmember Randall.

APPROVAL OF MINUTES: Motion by Pearson, seconded by Randall, to approve the the Special Meeting Minutes of February 23, 2016, and the February 23, 2016 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

Motion by Ansari, seconded by Randall, to approve the Pre-Council Meeting Minutes of March 7, 2016, as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Councilmember Randall asked that Item L.2, Managed Print Services Proposal, be removed from the Consent Agenda. Motion by Randall, seconded by Reid, to approve the Consent Agenda motions as amended. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MARCH 8, 2016:** Motion by Randall, seconded by Reid, to approve the Accounts Payable Register of March 8, 2016. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

REZONING APPLICATION #15/16-3 (328 AND 414 WEST MILHAM AVENUE): Mayor Strazdas introduced this item and City Manager Shaffer deferred to Community Development Director Vicki Georgeau for a short presentation regarding this item. She explained the map that depicts the proposed rezoning changes and the project. Mayor Strazdas opened the public hearing for comment. There being no discussion, motion by Reid, seconded by Ansari, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Pearson, seconded by Ansari, to approve Rezoning Application #15/16-3 and rezone the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue from R-1A, one family residential, to OS-1, office service. Discussion followed. Since there was no discussion and no public comment, City Attorney Brown asked that the motion include, "based on the reasons provided in the staff report dated January 15, 2016." When asked by Mayor Strazdas, Councilmembers Pearson and Ansari agreed to amend the motion. Discussion followed. Upon a roll call vote, motion carried 6 to 0. Ordinance recorded on page 345 of City of Portage Ordinance Book No. 12.

PETITIONS AND STATEMENTS OF CITIZENS: At the behest of Roy and Tricia Gooch, 4665 Brickleton Woods Drive, owners of Precision Printer Services, Mayor Strazdas heard comments from Mr. Gooch regarding consideration of a Local Preference Policy for bid situations. As a Point of Order, Mayor Strazdas asked if anyone else in the audience wished to speak at this time and, seeing no one, reminded everyone that there was another opportunity for the public to speak at the end of the meeting.

REPORTS FROM THE ADMINISTRATION:

* **FINAL PLAN FOR RAYMOND JAMES (7995 MOORSBRIDGE ROAD):** Motion by Randall, seconded by Reid, to approve the Final Plan for Raymond James at 7995 Moorsbridge Road. Upon a roll call vote, motion carried 6 to 0.

* **ADOPTION OF BOND RESOLUTIONS:** Motion by Randall, seconded by Reid, to adopt the *Resolution Approving the Capital Improvement Project and Approving Insertion of Intention of the City of Portage to Issue Capital Improvement Bonds*. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 131 of City of Portage Resolution Book No. 46.

* **MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT #16-5012 - PORTAGE ROAD (ROMENCE ROAD TO EAST MILHAM AVENUE):** Motion by Randall, seconded by Reid, to approve Contract #16-5012 between the Michigan Department of Transportation and the City of Portage for improvements along Portage Road (Romence Road to East Milham Avenue); adopt a Resolution authorizing the City Manager to sign Contract #16-5012; and authorize the City Manager to sign all other documents related to this project on behalf of the city. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 135 of City of Portage Book No. 46.

* **2016 MARCH BOARD OF REVIEW:** Motion by Randall, seconded by Reid, to appoint Lori Knapp, Patrick Buckley and Leonard Lamberson to one Board of Review and appoint Michael Quinn, Carol Eddy and Justin Gish to the second Board of Review. Upon a roll call vote, motion carried 6 to 0.

* **DIRECTOR OF HUMAN RESOURCES:** Motion by Randall, seconded by Reid, to confirm the appointment of Donald Wood as the Director of Human Resources effective March 21, 2016. Upon a roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

* **AMENDMENT TO CODE OF ORDINANCES - DISCHARGE OF FIREARMS:** Motion by Randall, seconded by Reid, to approve an ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by amending Article 3, Offenses Against Public Safety, Section 50-81, Discharge of Firearms, of Chapter 50, Offenses and Miscellaneous Provisions. Upon a roll call vote, motion carried 6 to 0. Ordinance recorded on page 347 of City of Portage Ordinance Book No. 12.

COMMUNICATIONS:

PRESENTATION BY KALAMAZOO COUNTY SHERIFF RICHARD FULLER AND COUNTY PROSECUTOR JEFF GETTING: Mayor Strazdas introduced Kalamazoo County Sheriff Richard Fuller, who introduced Kalamazoo County Prosecutor Jeff Getting and Kalamazoo County Administrator Terrence Neuzil.

Mr. Neuzil introduced himself and reflected he is getting to know the neighborhoods, appreciates the friendships he has developed and is looking forward to building the partnerships that will be successful in making our community even better, as expected. Discussion followed.

County Sherriff Fuller and County Prosecutor Getting reviewed the PowerPoint Presentation found in the City Council Agenda Packet regarding the proposed Law Enforcement Millage Renewal that will be submitted to the voters at the May 3, 2016 Special Election. Discussion followed.

County Prosecutor Getting pointed out that everything presented is a matter of fact and deferred to City Attorney Randy Brown. Discussion followed. In answer to Mayor Strazdas, City Attorney Brown indicated that the Michigan Finance Campaign Act prohibits the use of tax payer dollars to support or oppose and issue, but there are exceptions, and elected officials can discuss their opinion on a ballot question. Discussion followed and Mayor Strazdas thanked them for their information.

Councilmember Pearson mentioned that the Kalamazoo County Transit Authority is grappling with the same question, expressed his appreciation for their programs and asked County Prosecutor Getting, "What costs are going up, and what costs are going down?" Mr. Getting answered that costs are always going up; personnel costs are going up; private sector costs are going up; that spending money differently helps manage costs; and, he indicated that he has to have folders for 8,000 criminal cases and people to manage the folders/cases. He proudly said that his office has saved \$385,000 during the 2014 and 2015 budget cycles and explained.

Councilmember Pearson indicated that the jail population in 2013 was 391, and there was a necessity to pay to house the prisoners off cite and, in 2015, the jail population was 392, so he asked Sherriff Fuller whether this meant that there was no longer a need to house the prisoners off cite. Sherriff Fuller answered in the affirmative, not on a regular basis, but mentioned that occasionally one or two prisoners may have to be housed off cite because of an operational need, not because of overcrowding. Councilmember Pearson then asked Sheriff Fuller, "What costs are going up, and what costs are going down?" Mr. Fuller responded that his main cost increases are for food and staffing. Councilmember Pearson asked whether the County Sherriff's Department is able to reduce staff as it relates to patrolling. Mr. Fuller responded that it depends on the shift. He revealed that the hours for staff have been readjusted to allow more people to work on different shifts, and indicated that one measure making the County Sherriff's Department more effective was when the Department began working in three big districts in the County instead of four equal districts to better accommodate population concentrations.

Mayor Pro Tem Ansari asked whether moving the 8th District to Crosstown Parkway has resulted in an increase in cost for Portage citizens, and Mr. Getting answered that there has not been a measurable increase in cost, except the convenience factor, but no change in the service level as it is still the same excellent service level as before.

Mayor Strazdas noted that the average citizen of Portage knows to dial 911 when they are in trouble, and asked for a summary of jurisdictional agreements as they relate to Portage. Speaking on behalf of himself, Mr. Getting indicated that the relationship with Portage is excellent with the Public Safety Department from Director White all the way through to the line officers and emphasized that the relationship among all of the Policing units in the County is excellent. He mentioned that he has a monthly meeting with all of the Heads of the County Policing Departments to talk about police issues and gave prescription drugs and drug abuse as examples and explained. He also referred to the recent shooting incident where six people were killed and two were seriously if not critically wounded as another example of the use of relationships among the Police Departments in the county as responsible for a timely end to a very difficult and dangerous situation.

In response to Mayor Strazdas, Sheriff Fuller talked about the great partnerships among the various Policing Departments in the County and cited the Portage Public Safety Department as constantly working with everyone else, and indicated that Portage has a top notch organization to help the citizens of Portage. He said that both organizations do things to help each other and cited examples he remembered as a Deputy Sherriff. Discussion followed.

Motion by Pearson, seconded by Randall, to receive the presentation by Kalamazoo County Sheriff Richard Fuller and County Prosecutor Jeff Getting regarding the upcoming Law Enforcement Millage. Upon a voice vote, motion carried 6 to 0.

THE 2016 CALENDAR YEAR CITY COUNCIL COMMITTEE APPOINTMENTS:

Mayor Strazdas introduced this item and noted that the Committee of the Whole schedule is still being developed and the issues are being prioritized, so it is not addressed on the proposed committee assignments before them. He thanked City Council for their engagement and willingness to participate on these committees and asked for a motion.

Councilmember Pearson thanked Mayor Strazdas and Mayor Pro Tem Ansari for working on this and explained their effort. Motion by Pearson, seconded by Ansari, to accept the 2016 calendar year appointments to City Council committees. Councilmember Reid made mention that the Public Media Network (PMN) has four representatives from the City of Portage, and as Council has identified one from City Council, there is interest in appointing another citizen representative. She took this opportunity to ask that anyone who is watching this meeting and is interested to apply. Mayor Strazdas indicated that Council started their participation with two Councilmembers with the long range goal of bringing in more citizens, and that now is the time to have three citizens and a Councilmember. Motion by Pearson, seconded by Ansari, to amend the motion to advertise on the website the need for citizens to serve on PMN. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

*** MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the following Boards and Commissions:

Portage Historic District Commission of January 6 and February 3, 2016.

Portage Public Schools Board of Education Retreat, Organizational, and Committee of the Whole Meeting Minutes of January 11, Regular of January 25 and Committee of the Whole of February 8, 2016.

Portage Park Board of February 3, 2016.

Portage Human Services Board of February 4, 2016.

Portage Planning Commission of February 18, 2016.

BID TABULATIONS:

*** EAST OSTERHOUT AVENUE RECONSTRUCTION PROJECT – BID**

TABULATION: Motion by Randall, seconded by Reid, to award a construction contract for the East Osterhout Avenue Reconstruction Project to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed \$588,553.33 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 6 to 0.

MANAGED PRINT SERVICES PROPOSAL: Mayor Strazdas deferred to Councilmember Randall, who summarized a letter from Roy and Tricia Gooch (addressed to Councilmember Reid via March 8, 2016 Materials Transmitted) and advocated support for local businesses which pay taxes to Portage, employ Portage residents, and support endeavors in Portage schools, parks and churches. She noted a nationwide “push” to buy locally and promote local foods and wines. She mentioned Small Business Day where people are encouraged to shop locally. As a result, she felt that the public would support the idea that Council should visit the option of setting parameters in this regard and explained. Discussion followed. Mayor Pro Tem Ansari concurred.

Councilmember Reid indicated that one of the topics she presented for review at a Committee of the Whole Meeting (COW) was to review the entire bid process which would include this topic, also. She mentioned that there has been a lot of research in this area and noted that there can be a down side for the businesses, too, since they may no longer be treated equally in other municipalities and explained. She stressed the importance of getting the research on the matter for review at the meeting as well.

Mayor Strazdas concurred that this is something Council should review and he mentioned that Portage, Kalamazoo, and many other cities have reviewed this matter in the past because all are passionate about their own local businesses. He warned that it will be problematic to define “local” and

deal with other details that will need to be discussed, and he asked for comment from City Manager Shaffer after a comment from Mayor Pro Tem Ansari.

Mayor Pro Tem Ansari reviewed the City of Kalamazoo Local Preference Policy provided in March 8, 2016 Materials Transmitted and stressed the importance of checking other options as well to ensure that the citizens of Portage get the full advantage with the selected process.

Mr. Shaffer acknowledged and expressed his appreciation for Precision Printer Services, who worked very closely with the IT Department in 2009 to centralize the City printing services under one umbrella, and became service provider for the City in 2010 as low bidder and performed very, very well for four years. He said in 2014 the City went out for bid again and went with a firm that came in with a lower price with a one year contract with an option to renew and, after one year, the City decided the performance was not up to the standards of the Administration, so the City sought proposals again. He indicated that six firms responded to the Request for Proposals (RFP's) and the lowest qualified bidder was Cartridge World of Kalamazoo at \$22,871 with Precision Printer Services coming in as Number Four on the list at \$1,600+ more, or about 7% higher. He indicated that local preference ordinances are not unusual and many communities have them; that the story is very compelling; but, the real issue is how to define local and what to actually set as the policy. He mentioned that the City of Kalamazoo has a reasonable policy: local is anyone within the County and the bid falls within 2% of the lowest responsive bid; if so, the business has the opportunity to match the low bid. He expressed a preference that this topic be discussed at a Committee of the Whole Meeting (COW), and could not recommend Council do anything different this evening with the proposal in L.2. He explained and recommended Council accept the low bid from Cartridge World as the lowest responsive bidder. He offered that Council should begin thinking about coming back to a Committee of the Whole Meeting (COW) with some ideas regarding a local preference criteria as a result of our survey. Discussion followed.

Councilmember Pearson thanked Roy and Tricia Gooch and Precision Printer Services for their letter to Council as it caused a lot of discussion and one-way messages to our City Manager emphasizing the possibility that we do need to investigate a local preference policy. He acknowledged that Mayor Strazdas brought up some good points, such as making sure it doesn't lead to price inflation and, from the comments of Councilmembers, it seems likely Council will hold a Committee of the Whole Meeting (COW). However, in the meantime, he indicated Council has to abide by the current rules in effect.

Motion by Pearson, seconded by Randall, to approve a one-year managed print services agreement, in the amount of \$22,871 with the option for two one-year renewals with Cartridge World for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city. Councilmember Reid asked why the City is asking for a one-year contract with two one-year renewals when in the past the City has asked for a four year contract. IT Director Devin Mackinder indicated that a one-year contract with two one-year renewals allows the City to change providers if prices are fluctuating too much, or if the company is not providing excellent service, so four years is a little too long, and two years seems more suitable. Councilmember Urban indicated that this is not the first time the City Council of Portage has had a local preference policy discussion and, in the past, it was found that such a policy was not in the best interest of Portage. He agreed it should be reviewed, such as where the City has only one vendor, and agreed it cannot be done on an ad hoc basis at this point. Upon a roll call vote, motion carried 6 to 0.

MATERIALS TRANSMITTED:

* **MATERIALS TRANSMITTED OF FEBRUARY 19, 2016:** Motion by Randall, seconded by Reid, to receive the Materials Transmitted of Friday, February 19, 2016. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid commented on the March 8, 2016 Presidential Primary and the record voter turnout. Councilmember

Pearson concurred. Mayor Strazdas gave praise and appreciation to the City Clerk staff for reacting efficiently and effectively to the surge in voters, the shortage of ballots, and a multitude of phone calls and visits necessary to assist 40 newly trained Election Officials with questions and challenges throughout the day.

At the request of Mayor Strazdas, City Manager Shaffer announced the new “SeeClickFix” technology to report and track any issues in the City. Discussion followed.

Councilmember Randall gave kudos to the City snow removal crews and recognized the performance of the Central Ohio University Choir. Mayor Strazdas concurred and said the event was spectacular and the members of the Choir had incredible talent and sent a powerful message.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:59 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**