

CITY COUNCIL MEETING MINUTES FROM DECEMBER 20, 2016

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

At the request of Mayor Strazdas, Pastor Bill Abernathy of the Berean Baptist Church, gave an invocation and the City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATIONS: Mayor Strazdas issued a Community Values and Diversity Proclamation. Discussion followed.

APPROVAL OF MINUTES: Motion by Randall, seconded by Reid, to approve the Regular Meeting Minutes of December 6, 2016, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Reid, seconded by Randall, to approve the Pre-Council Meeting Minutes of December 19, 2016, as presented. Upon a voice vote, motion carried 4 to 3 with Councilmembers Ford, Randall and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Councilmember Urban asked that Item F.4, 2017 Pre-Council Meetings, be removed from the Consent Agenda. Motion by Reid, seconded by Randall, to approve the Consent Agenda Motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 20, 2016:** Motion by Reid, seconded by Randall, to approve the Accounts Payable Register of December 20, 2016, as presented. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **AMENDMENT TO THE GENERAL APPROPRIATIONS ACT:** Motion by Reid, seconded by Randall, to amend the General Appropriations Act (budget) for fiscal year ending June 30, 2017. Upon a roll call vote, motion carried 7 to 0.

* **REZONING APPLICATION #16/17-2 (8546 SHIRLEY COURT) & TENTATIVE PLAN AMENDMENT FOR GREENSPIRE PD:** Motion by Reid, seconded by Randall, to accept Rezoning Application #16/17-2, 8546 Shirley Court and Tentative Plan Amendment for Greenspire Planned Development, for first reading and set a public hearing for both on January 24, 2017, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0.

* **CHOPIN AVENUE AND MOZART STREET WATER MAIN PROJECT #317-W:** Motion by Reid, seconded by Randall, to adopt Special Assessment Resolution No. 4 for the Chopin Avenue and Mozart Street Water Main Project #317-W, setting a public hearing on the Assessment Roll for January 10, 2017, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 295 of City of Portage Resolution Book No. 46.

2017 PRE-COUNCIL MEETINGS: Councilmember Urban indicated that it is inappropriate to schedule a regularly scheduled meeting at a time when the entire City Council cannot commit to be present, other than because of exceptional circumstances or illness, for example. He said the Pre-Council Meeting is not needed and reminded Council that the purpose of the Pre-Meeting is only to ask questions according to the rules as they were developed, and that can be accomplished over the phone, by e-mail or through a personal visit with the City Manager. He restated his position and gave examples of Councilmembers Reid and Ford, who have commitments that can prevent them from regularly attending. Mayor Strazdas acknowledged respect for his position on the matter, but pointed out that it is only an opportunity to ask questions of the City Manager, who avails himself for this purpose for a half an hour or so.

Councilmember Pearson took issue with Councilmember Urban and his statement that Pre-Council Meetings are inappropriate. He indicated that they offer a great opportunity to ask questions about an agenda item, plus they give staff time to respond. He noted that Councilmember Urban objected to being able to call-in to the Pre-Council Meeting, that Council discussed this for a while, but ultimately made it convenient for Council to call-in to the Meeting. He noted that Councilmember Urban said that the meeting is not needed, that Councilmember Urban has never attended a Pre-Council Meeting in the last year, so how would he know that it is not needed. He summed up by saying all Councilmembers have the opportunity to attend the Pre-Council Meetings to ask questions, call-in, send e-mails, or call the City Manager, and all responses are provided to all Councilmembers. He stated that he finds the Pre-Council Meetings to be very productive, and would like to see them continue, if for no other reason that it provides better communication with the City Manager and all Councilmembers. Discussion followed.

Mayor Pro Tem Ansari concurred.

Motion by Randall, seconded by Pearson, to set the dates for Pre-Council meetings for the 2017 calendar year. Mayor Strazdas explained that he poses his questions of the City Manager when he cannot attend and that the Pre-Council Meeting demonstrates respect for our peer Councilmembers to ask questions and respect for staff to have the time to get the answers. He said he is in favor of the Pre-Council Meetings, but he may not attend all of them.

Councilmember Ford indicated that 8 a.m. would be a more convenient time for him, and asked that perhaps Council could consider a change in the time for holding Pre-Council Meetings at the Retreat. He went on to explain that if he does have a question, he contacts Mr. Shaffer, follows the minutes and gets the information he needs. Mayor Strazdas conveyed his respect for Councilmembers unable to attend, and placed the matter of the time of the Pre-Council Meeting on the Council Retreat Agenda for further consideration.

Upon a roll call vote, motion carried 6 to 1. Yeas: Councilmembers Ford, Pearson, Randall and Reid, Mayor Pro Tem Ansari and Mayor Strazdas. No: Councilmember Urban.

COMMITTEE OF THE WHOLE: Mayor Strazdas introduced the item and deferred to City Manager Larry Shaffer, Senator Margaret O'Brien and House of Representative Brandt Iden for input regarding a proposed Committee of the Whole (COW) Meeting for discussion of the funds currently being used for Portage Dispatch and here they would be allocated if and when the Consolidated Dispatch ballot proposal for an increase in a per phone fee passes. He reflected on the suggestion from Councilmember Reid that Council adopt some early Resolutions on the matter as well as citizen input because everyone wants to know what will happen with the windfall and explained. Mr. Shaffer pointed to the survey by Administrative Assistant Erica Eklov of the availability of City Council to attend a COW Meeting to discuss the issue of what the surplus would look like should Consolidated Dispatch become a reality, including the General Fund and millage implications. He indicated staff would conduct the analyses of the various funds and the time line implications for the budget to at least give Council some idea of future decision options and opportunities.

Councilmember Reid spoke about the increase in a per phone fee proposal from the Kalamazoo County Commission that will be on the May 2, 2017 Special Election ballot. She explained that this totally changes the method of funding Dispatch throughout the County. She explained that currently

there are five entities with dispatch functions that are funded through the General Fund and if and when those fees will be paid as a part of the phone bill, a surplus would be realized. She pointed out that it is important to understand what is being proposed and how it will impact the consumer and the taxpayer. She also indicated that it is important to know how the municipality is going to spend the funds previously utilized for dispatch services. She stressed the importance of having that information sooner rather than after the Retreat owing to the timing of the campaign and getting the public informed because May 2, 2017, will soon be here, and some Absentee Voters could vote in March 2017.

Councilmember Pearson indicated that in the various jurisdictions in the County, citizens want to know what their locally elected leaders plan to do, so he proposed having the COW with that one topic, and the citizens of Portage are invited to weigh in during the Citizen Comment time. He explained that early January 2017 is the hope for this. Discussion followed. Councilmember Pearson indicated that the Central Dispatch Authority impressed upon Councilmember Reid and him to have the decision at the first Regular Portage City Council Meeting in January in order to have a decision before the Retreat. City Attorney Brown interjected that any decision would have to take place at a Special Meeting and that legal notice would be required.

Councilmember Reid brought up the fact that future Councils are not held by the decisions of past Councils, and City Attorney Brown indicated that is generally true with some exceptions, such as contracts by their very nature, so he reserved his opinion until he is presented with the decision of City Council on the matter, specifically because he would have to investigate if her contention would apply to the area of "Dispatch."

Councilmember Urban indicated City Council was getting "ahead of itself" in this matter since it is not known if Portage will participate in Central Dispatch. He cited the remaining "off ramp" options discussed some time ago, explained that there are too many unknowns, so there is no way Council can determine how many funds will be available and where they can be spent; Council does not know what services Central Dispatch will provide and what services will be left for Portage; and, he expressed his frustration of possibly never having enough information to make a decision on the matter, including participating in Central Dispatch, even if the ballot proposal passes. Discussion followed. He surmised that in reality the decision comes in the form of a Budget that has or does not have Portage Dispatch funds allocated, or has or does not have the funds allocated for any remaining services not funded by the passage of the ballot proposal. Discussion followed.

Mayor Strazdas agreed with Councilmember Urban that a decision cannot be made at this time and expressed his willingness to rely on City Manager Larry Shaffer to sort out the many parts and pieces and provide his professional opinion. He also relayed his trust in City Attorney Brown to give his legal opinion to help Council begin to digest the information in order to make decisions when necessary. Discussion followed.

Councilmember Pearson concurred with Councilmember Urban stating that Council has not decided what to do or voted on this matter. He then referred to the election set by the Kalamazoo County Commission and stressed the need for the citizens in the whole County to know the options and what each local jurisdiction plans to do with the funds that have been allocated in their respective budgets for Dispatch purposes. He also agree with Councilmember Reid that this Council cannot predict what future Councils will do, but this is the opportunity to let the citizens what this Council thinks and explained.

Councilmember Ford reflected on the budget meeting in April prior to the vote as a time to set the Dispatch Budget and finalize a plan of what to do with a surplus, if any, in May. He said it sounds like what Councilmember Pearson said earlier, that the Dispatch Authority is looking for a statement to show continuing support for the Authority from Council. He also pointed out that Council has very little information other than what will be discussed at the meeting, so Council needs a lot more information regarding what Consolidated Dispatch means for Portage and the surrounding communities.

Mr. Shaffer indicated that one of the main jobs of Council is to be able to project what the future might hold or what possibilities and what opportunities might exist. He said it is reasonable for Council to expect the Administration to clearly segregate the cost presently being devoted to the Portage Dispatch operation, the amount of revenue coming into the system from not only the taxpayer, but also

from other sources, and to be able to lay out in general what is possible relative to a variety of scenarios in the future and explained. He pointed out that there is presently \$1.1 million, or around 4%, from the General Fund devoted to Portage Dispatch, plus ancillary and supporting income, so there is a foreseeable reduction in expenditures and a reduction in revenue should this measure pass and Council decides to buy-in to Consolidated Dispatch. Discussion followed.

Mayor Pro Tem Ansari reflected that he does not remember when Council has made a decision at a COW meeting, that the survey of Council regarding when to have the COW is already being conducted to pick out the day and time for the COW before January 20, 2017 (and before the Retreat).

Mayor Strazdas summed up that the COW is not a Special Meeting so there will be no decision. He said that there will be discussion of information provided by the City Manager knowing that there will be lots of information over time, including a legal opinion, at least enough to allow the Council to move forward on this matter.

Councilmembers Reid suggested that Council invite Jeff Troyer, Director of the Dispatch Authority, to attend the COW Meeting as he can provide the information that can assist Council in knowing what is going on. Mayor Strazdas assured Council that Mr. Shaffer could certainly make that happen, and because he does not have the results of the survey as yet, he indicated that he will call the COW based on his prerogative using the consensus of Council.

PETITIONS AND STATEMENTS OF CITIZENS: At the request of Mayor Strazdas, State Senator Margaret O'Brien indicated that the State has \$2 million set aside for Smart 911 in the current budget, which is allocated for the entire State. She said a person can put as much or as little information as he or she may wish, and all of that information comes up on the local dispatch no matter where you are in the State. She gave some examples of the type of information that could be provided. She said Smart 911 is designed to give Dispatchers quicker access, but is contingent upon each Dispatch Center accepting the loan amount offered from the State, which is at present a one-year allocation designed to determine who will take advantage of this option. Owing to the current situation in Kalamazoo County with Consolidated Dispatch, none of the dispatches have made a commitment towards accepting Smart 911, and she expressed a fear that because of the unique situation here, the County may not be able to receive continued funding. She explained that if it is not opted for in the first year, it will not be renewed in the Governor's Budget. Discussion followed.

Representative Iden announced that Public Threat Alert Program took effect over a month ago as a result of the February shooting, which is very similar to an Amber Alert, where you will be notified on your cell phone by the State Police about an ongoing and persistent threat in "your area." Discussion followed.

UNFINISHED BUSINESS:

EVENT FOR RESPECT AND DIVERSITY: Mayor Strazdas reviewed a meeting he had with City Manager Larry Shaffer and Mayor Pro Tem Ansari regarding an event proposed by Councilmember Urban that would go beyond the Community Values and Diversity Proclamation. He shared the idea of having a community discussion utilizing a forum, facilitator and dialogue with three panels: Education, Business and Law Enforcement with the option of an Elected Official Panel, if needed. He noted Saturday, February 18, 2017, 9 a.m. until 12 p.m. at the Fetzer Center on the Western Michigan University Campus was proposed and explained some of the logistics.

Mayor Pro Tem Ansari entitled the meeting as "Respecting Differences" and proposed asking the Michigan Asian Pacific American Affairs Commission (MAPAAC) to co-sponsor this event since they were supposed to come to Kalamazoo on February 4, 2017, and explained that there would be just one program on February 18, 2017. He read a statement in support of Portage and the respect of Portage citizens for diversity. Mayor Strazdas proposed a working committee through the City Manager, and Councilmember Randall suggested visiting the area churches for input and participation and asked if there was a reason for choosing February 18 owing to time constraints. Discussion followed.

Councilmember Randall raised the question of whether there is a conflict with February 20th being Presidents Day, a Federal Holiday, where MAPAAC may have been available February 4, 2017, but not February 18, 2017, owing to a long holiday weekend.

Councilmember Urban took exception with the proposed venue. He made the point that a roomful of people who look like us talking to one another does not serve the purpose of “Respecting Differences” and suggested having an aggrieved Syrian family who have experienced discrimination, or Muslim girls who have been jeered at because they are wearing a hijab head covering, or a Jewish boy who is teased for wearing a Yakama and explained. He said he wanted to “put a face on it” not only for the community, but also for himself. He said for the most part Council (and the proposed participants) live a privileged life where we do not have to deal with those matters and objected to the proposal. Mayor Strazdas asked that he consider being a member of the Committee to help alter the format, but Councilmember Urban declined owing to the short amount of time before the event and his commitments. Mayor Strazdas held the discussion for a working Committee of volunteers to address.

Councilmember Randall again raised the question of whether there may be a conflict for those who observe Presidents Day on February 20th such as the schools. Discussion followed.

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

Portage Historic District Commission of November 2, 2016.

Portage Zoning Board of Appeals of November 14, 2016.

Portage Public Schools Special and Regular of November 28, 2016.

COUNCIL COMMITTEE REPORTS:

KALAMAZOO COUNTY CONSOLIDATED DISPATCH AUTHORITY: Mayor Strazdas asked Councilmembers Reid and Pearson if there was anything to add beyond the earlier discussion and they declined.

ENVIRONMENTAL HEALTH AND ADVISORY COUNCIL (EHAC): Councilmember Ford, as a Member of the Environmental Health and Advisory Council (EHAC), announced that EHAC made a recommendation to the County Commissioners to permit non-potable wells below 70 gallons per minute, and noted that the Department of Environmental Quality already has permits for larger wells.

DISCOVER KALAMAZOO: Councilmember Randall reviewed the Annual Meeting of Discover Kalamazoo. She said the Board turned over; Travel Michigan Vice President David Lorenz revealed some of the new commercials for the Pure Michigan Campaign; and shared some of the interview he had with Actor Tim Allen, who said that his voice for the commercials for the Pure Michigan Campaign has been the most rewarding activity of his career. Discussion followed.

Motion by Ansari, seconded by Ford, to receive the verbal report on the Environmental Health and Advisory Council by Councilmember Ford and the verbal report on Discover Kalamazoo from Councilmember Randall. Upon a voice vote, motion carried 7 to 0.

BID TABULATION:

* **CONTRACT APPROVAL - COMPREHENSIVE JANITORIAL SERVICES:** Motion by Reid, seconded by Randall, to approve the low bids for comprehensive janitorial services submitted by: New Fresh Cleaning Services in the annual amounts of \$5,988.00 for the Senior Center, and \$15,036.00 for the Police Division Building; and Professional Building Services in the annual amounts of \$18,729.24 for City Hall, and \$19,641.24 for the Public Services Building; both for a period of January 18, 2017 to January 17, 2018 with the option of three, one-year renewals 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.

OTHER CITY MATTERS:

PFIZER AND STRYKER REVIEW: Mayor Strazdas reviewed some of the recent major Portage economic development project news, including the \$145 million expansion of the Pfizer Main Plant Facility and the nearly \$1 billion of development planned for the next decade. Next, he indicated that the Stryker Corporation announced plans to build a \$130 million corporate campus on 288 acres in Portage, creating an estimated 105 new jobs over three years.

At the request of Mayor Strazdas, State Senator Margaret O'Brien pointed out that the Michigan Economic Development Corporation (MEDC) made several announcements today about several big projects that are proceeding statewide. She indicated that Kalamazoo County is the only Congressional District that has received two awards which speaks to the partnerships and teamwork between our community and the State. She explained the first of these awards is for the \$52.7 million project at the Exchange Building location in Downtown Kalamazoo bringing more living space, retail space and office space Downtown. When MEDC was considering these awards, both she and Representative Iden advocated for the \$1 million MEDC performance based grant received by Stryker, the \$52.7 million project at the Exchange Building and the \$6.3 million loan for Downtown. She concluded that there is nearly \$200 million being invested in the two largest communities in the County of Kalamazoo. She mentioned that MEDC specifically cited the Portage offer of a tax abatement and the Portage effort to work with the Kalamazoo County Brownfield Authority and said these efforts were critical. She thanked Council for their continued support as it makes her a better advocate for Portage when everything is lined up locally as a team. Mayor Strazdas thanked her and noted that this is probably the best Christmas present the City of Portage has ever received and reflected on the efforts of everyone associated with the process.

At the request of Mayor Strazdas, Mr. Shaffer gave credit to his excellent staff who worked hard with Southwest Michigan First and to the efforts of City Council. He recounted some of those activities and indicated that this is one of his proudest moments in Public Administration. Discussion followed.

State Senator O'Brien thanked Stryker for creating the jobs and thanked City Council for extending water and sewer at Romence Road and Centre Avenue since "You built it and they have come." Discussion followed. Mayor Pro Tem Ansari thanked Senator O'Brien for her advocacy with these projects and for her support for MAPAAC.

Councilmember Urban reflected that the water and sewer was built larger than necessary and the Milham Road infrastructure was likewise improved to four lanes with the hope and vision that the land would become available for a project such as this. Discussion followed.

STATEMENTS FROM CITY COUNCIL: Councilmember Urban wished a Happy Holiday to all as they choose to observe it, distinguished some of the various religious observances and reflected on those families that are in need, are new in town or have a language barrier asking Portage citizens to do what little they can to help out.

Councilmember Reid voiced her excitement regarding the Stryker announcement and the Pfizer plans. She indicated that she is looking forward to seeing how all of this build out is going to happen and how Portage is going to benefit from this. She wished everyone a very Happy Holiday, special times with friends and family, and a cooperative Mother Nature so driving will hopefully be safe for everyone.

Councilmember Randall said that she is very happy to hear of the Stryker announcement today. She expressed her appreciation to staff for their effort to develop this "Jewel for the State" according to Southwest Michigan First President Ron Kitchens, who couched it as one of the last undeveloped large tracts of land in the State. She said the land will be used to its highest potential, and Mr. Kitchens indicated that Portage needs to do a better job of being "shovel ready" and customer friendly by focusing on the red carpet treatment because other communities are doing that in Michigan and in other states as well. She recognized City Manager Shaffer for creating a culture and a climate so other

businesses are looking at Portage as a place to expand and noted that Portage has had an increase in commercial, industrial and residential development. She asked that the City Council look at our costs and look at lower taxes for Portage citizens. She extended Happy Holidays and a wish that everyone gets the chance to spend time with family and friends.

Councilmember Ford reflected on the excitement generated by the economic development project news, the COW Meetings where Council discussed the Tax Abatement Policy and ways to make that parcel more attractive and how great it is to have a local large corporation take advantage of that parcel. He wished everyone Happy Holidays, Merry Christmas and a Happy New Year.

Councilmember Pearson reflected on the modesty of City Manager Larry Shaffer when he said he worked nine months on the Stryker expansion, then cited the work on the \$145 million Pfizer expansion with at least one-half billion dollar plan for investment projected within the next decade. He referred to Councilmember Randall, who spoke about the residential expansion in Portage, and said everywhere you look there is development in Portage which is not only due to the economy, but also because of Mr. Shaffer and his team. He praised Mr. Shaffer saying he has energized City Hall since coming here. He said last month, City Council rated Mr. Shaffer as having exceeded expectations for all of the good things he has done using his unique talent to make things happen. Even though the vote of Council on his Performance Review was 5 to 2, Councilmember Pearson pointed out Council awarded him a two-year contract. He issued a light-hearted request that at the Council Retreat next month, that Council support the fine job Mr. Shaffer is doing. He said Council is fortunate that he accepted a two-year contract extension, and asked that Council unanimously be positive and encourage excellent leadership in 2017. He is looking forward to a productive 2017, a lot of economic development and concurred with Councilmember Randall that Council consider a lower millage for the property owners.

City Manager Shaffer wished Mayor and Council the very best this Holiday Season and said it has been a great joy and privilege to work with them during 2016.

Mayor Pro Tem Ansari expressed a special concurrence with the suggestion that Council lower the millage rate and explained. Discussion followed.

Mayor Strazdas indicated he has had the privilege of meeting regularly with the leaders of Pfizer and Stryker for the last 12 years, has seen the leadership of those two companies change, and has had the pleasure of late with Mr. Shaffer to meet with the leadership over the past couple of years to talk about and champion the City of Portage. He said he continues to assure them that this Council is fully supportive of both Pfizer and Stryker and, at their last meeting, they discussed the potential for tax relief in the form of a tax abatement. He also mentioned that he has assured Council and so many people over the last several months that in 2017 he would be strongly advocating a double reduction in the millage, one based on Central Dispatch, and one based on an increase in the tax base. Discussion followed.

MATERIALS TRANSMITTED:

* **DEPARTMENTAL MONTHLY REPORTS AND MATERIALS TRANSMITTED:**
Motion by Reid, seconded by Randall, to receive the Departmental Monthly Reports and Materials Transmitted of December 2, 2016, and December 6, 2016. Upon a roll call vote, motion carried 7 to 0.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:51 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.