CITY COUNCIL MEETING MINUTES FROM JANUARY 24, 2017

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

At the request of Mayor Strazdas, Councilmember Urban gave an invocation and the City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia 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 Deputy City Clerk Adam Herringa.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Reid, to approve the Special Meeting Minutes for Board and Commission Applicant Interviews of January 10, 2017 as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Ford, seconded by Reid, to approve the Regular Meeting Minutes of January 10, 2017, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Randall, seconded by Ford, to approve the Committee of the Whole Work Session Meeting Minutes of January 12, 2017 as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Ansari to read the Consent Agenda. City Manager Shaffer asked that Item F.4, Abatement of Interior and Exterior Debris from Unsafe/Unfit Structure located at 3923 Florinda Avenue, be removed from the Consent Agenda. Councilmember Reid asked that Item F. 5, Uniform Video Services Local Franchise Agreement, 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 JANUARY 24, 2017:** Motion by Reid, seconded by Randall, to approve the Accounts Payable Register of January 24, 2017, as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

REZONING 16/17-2 (8546 SHIRLEY COURT) AND TENTATIVE PLAN AMENDMENT FOR GREENSPIRE PLANNED DEVELOPMENT: At the request of Mayor Strazdas and City Manager Shaffer, Chris Forth, Deputy Director of Planning, Development and Neighborhood Services, provided background information and the rationale for recommending approval on the proposed rezoning and Tentative Plan Amendment for Greenspire Planned Development. Councilmember Randall noted that the rezoning involved one parcel but queried about the neighboring parcels and whether the owners were aware of what is being proposed. Mr. Forth responded and indicated the ways in which neighboring properties have been notified and that no opposition has been registered. Mr. Greg Dobson of American Village Builders (the Applicant), 4200 West Centre Avenue, reviewed the various ways in which his company has consistently worked with neighboring properties to both benefit and limit development impact on these properties. Mr. Dobson provided insight into planned investment and reinvestment in the Greenspire development and also informed City Council of pending retail plans which are under development.

Motion by Reid, seconded by Ansari, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Ford, seconded by Reid, to approve Rezoning Application #16/17-2 (8546 Shirley Court) changing the zoning from R-1C, one family residential to PD, planned development; and approve the Tentative Plan Amendment for Greenspire Planned Development. Mayor Strazdas thanked

American Village Builders for their work and quality development. Upon a roll call vote, motion carried 7 to 0. Ordinance recorded on page 393 of City of Portage Ordinance Book No. 12.

REPORTS FROM THE ADMINISTRATION:

APPOINTMENT OF DIRECTOR OF TRANSPORTATION & UTILITIES: At the request of Mayor Strazdas, City Manager Shaffer reviewed the qualifications and rationale for his selection of Kendra Gwin as the Director of Transportation and Utilities. City Manager Shaffer also recognized and thanked the current Director of Transportation & Utilities, Chris Barnes, for his many years of service. Ms. Gwin spoke and thanked Mr. Barnes, Mr. Shaffer and City Council for their support and the opportunity. Ms. Gwin shared that it has been, and will continue to be, a privilege and a blessing to work for the City of Portage. Members of City Council expressed their support for Ms. Gwin in her new role and thanked Mr. Barnes for being a strong defender of the City and for his outstanding years of service. Motion by Randall, seconded by Reid, to confirm the appointment of Kendra Gwin as the Director of Transportation & Utilities, effective August 12, 2017. Upon a roll call vote, motion carried 7 to 0.

COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2016: Mayor Strazdas deferred to City Manager Shaffer who asked Bill Furry, Finance Director, to review the Comprehensive Annual Financial Report (CAFR). Mr. Furry informed City Council that the annual audit was complete and pointed out that the 2015-2016 Budget finished with a deficit but reminded City Council that three million dollars was transferred out of the General Fund for local road projects and debt reduction. Mr. Furry stated that, even with this transfer factored in, the General Fund came out all right and should be in good shape for FY 2016-2017. Mr. Furry then introduced Ms. Jamie Rivette, representing the audit firm of Yeo & Yeo. Ms. Rivette provided a presentation on the audit results of the FY 2015-2016 budget and highlighted key aspects of the CAFR.

Mayor Strazdas thanked Ms. Rivette for her presentation and mentioned that we often hear and read about municipal employees embezzling funds or getting involved in a scam, he asked what type of assurances can be given that this has not and will not happen in Portage. Ms. Rivette stated that Yeo & Yeo reviewed internal controls and key transaction cycles from start to finish and that nothing was noted. She pointed out that, while they cannot review 100% of transactions, what was reviewed was found to be in good shape.

Motion by Ansari, seconded by Pearson, to accept the FY 2015-2016 audit and receive the Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2016.

Councilmember Pearson drew attention to the funding status of employee pensions and healthcare. He pointed out that the pension fund is 93% funded and retiree healthcare is 115% funded which stands in stark contrast to many communities in which these categories are woefully underfunded. Mayor Strazdas echoed Councilmember Pearson’s comments and pointed out that the City long ago moved away from traditional pensions to employee-funded retirement plans. Upon a roll call vote, motion carried 7 to 0.

* **DONATION OF PROPERTY ON MARTIN LUTHER KING JR. DRIVE:** Motion by Reid, seconded by Randall, to accept the donation of property on Martin Luther King Jr. Drive from Meyer C. Weiner & Company subject to all conditions of closing and City Attorney approval. Upon a roll call vote, motion carried 7 to 0.

ABATEMENT OF INTERIOR AND EXTERIOR DEBRIS FROM UNSAFE/UNFIT STRUCTURE – 3923 FLORINDA AVENUE: City Manager Shaffer informed City Council that the property owner has taken action to abate the problems and is pledging to continue to address the situation. Mr. Shaffer stated that he would like to give the property owner another two weeks to work on the items identified in the report. He recommended that City Council hold off on taking action and that he would report back in two weeks with an update and recommended action. He expressed support for allowing the citizen, instead of the government, to address the problem. Motion by Pearson, seconded by Ansari, to postpone and table this item until the City Council meeting of February 14, 2017. Upon a roll call vote, motion carried 7 to 0.

UNIFORM VIDEO SERVICES LOCAL FRANCHISE AGREEMENT – COMCAST: Councilmember Reid pointed out that the proposed Agreement indicates that Comcast will provide up to four Public, Education and Government channels but that the provider for the City of Portage, Public Media Network, has five such channels. Councilmember Reid inquired how this would work if only four of the five channels were carried by Comcast. Mr. Jeffrey Snyder of Comcast, residing at 3134 Chamberlin, Grand Rapids, stated that they are required to carry as many public access channels as the incumbent provider and, as a result, will carry all five channels. Motion by Reid, seconded by Ansari, to approve the Uniform Video Services Local Franchise Agreement submitted by Comcast pursuant to the Public Act 480 of 2006 (MCLA 44.3301 et. seq.), the Uniform Video Services Local Franchising Act; adopt the Resolution Authorizing Franchise, 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. Resolution recorded on page 305 of City of Portage Resolution Book No. 46.

* **SCHOOL ELECTION CONSOLIDATION AGREEMENTS:** Motion by Reid, seconded by Randall, to authorize the City Clerk to sign the School Election Consolidation Agreements. Upon a roll call vote, motion carried 7 to 0.

* **DECEMBER 2016 ENVIRONMENTAL SUMMARY REPORT:** Motion by Reid, seconded by Randall, to receive the communication from the City Manager regarding the December 2016 Environmental Summary Report as information only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

ANNUAL UPDATE OF THE YOUTH ADVISORY COMMITTEE: At the invitation of Mayor Strazdas, Adam Herringa, staff liaison to the Youth Advisory Committee, introduced representatives of the Youth Advisory Committee, Lindy Nebiolo, Chairperson, William Chung, Vice-Chairperson and Cortney Chow, Secretary. The members of the Youth Advisory Committee provided City Council with an update on the committee's goals, objectives and activities. Mayor Strazdas thanked the youth for their hard work and dedication. Mayor Strazdas shared that he is encouraged by engagement of youth in the community and their determination to make a difference, especially as it relates to substance abuse in the community. Mayor Pro Tem Ansari expressed his support for working with the youth on an upcoming Respecting Diversity event.

Councilmember Reid asked for more information about the "social host ordinance" referenced by the youth in their report. Chairperson Nebiolo explained that a social host ordinance is an ordinance to specifically address such activities as the purchasing of alcohol for minors and providing a place for minors to gather where alcohol and other substances can be used.

Motion by Pearson, seconded by Reid, to receive the Annual Goals and Objectives Update of the Youth Advisory Committee. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

ANGLING ROAD SANITARY SEWER PROJECT #417-S: At the invitation of Mayor Strazdas, City Manager Shaffer provided an overview of public outreach efforts as it relates to this project. Mr. Shaffer then invited Chris Barnes, Director of Transportation and Utilities, to provide an update on the status of the special assessment process. Mr. Barnes highlighted efforts to engage residents in the project area and explained why, in his opinion, the project should move forward. Mr. Barnes shared with City Council that there are generally three factors taken into consideration when it comes to a sanitary sewer project. These factors include the age of existing septic systems, contamination of surface or underground water resources and the age of the road. Mr. Barnes stated that most septic systems for properties along Angling Road were initially installed in the 1960's and 1970's, that levels of nitrates in the water, while elevated, are still at acceptable levels and that the road is in poor condition. Mr. Barnes also highlight drainage, road shoulder and safety concerns with the existing roadway and explained that patching or resurfacing of the road would not address these concerns and would, in fact, exacerbate some of them.

Mayor Strazdas asked Mr. Barnes, in his opinion, for the danger of replacing the roadway but not including utilities. Mr. Barnes replied that eventually the roadway will have to be replaced and that there is never a good time to install utilities. Mr. Barnes opined that, when it comes to projects like this, the best time to do them is always yesterday. He continued by stating that when a septic system fails and there is no sanitary sewer available, the soonest sewer could be installed is, at minimum, a year away. He continued by stating that having sewer available is a tremendous advantage for a property owner and that, in the case of this project, there is no mandatory requirement for connection. The sewer would be in place if and when the homeowner needed it.

Councilmember Ansari inquired if there is a plan to install wider lanes on Angling Road. Mr. Barnes responded that there is no plan to widen lanes or reconstruct Angling Road if sewer is not a part of it.

City Manager Shaffer explained the cost breakdown of the project and that 18.3% of the cost would be assigned to property owners and over 80% to the City. Mr. Shaffer also explained that there are federal funds available for this project but, should the project not happen, the funding would not be available for patching or resurfacing.

Councilmember Pearson reviewed the issue of the response to survey cards sent out by the City to determine whether property owners were for or against the project. He shared that, citing the cards, a small majority of property owners seemed to be in favor of the project but that a survey turned in at the start of the meeting contained signatures of 33 people against the project. Mr. Pearson expressed concern about the differing numbers.

Councilmember Randall expressed her concern about the safety of the roadway, especially as it relates to road condition, shoulder width, road height and drainage issues. Councilmember Reid inquired as to the Pavement Surface and Evaluation Rating (PASER) for Angling Road. Mr. Barnes stated that it was rated a 3 (poor) on a scale of 1 to 10 with 10 being a brand new road.

Mr. Gary Taylor, 7642 Angling Road, presented City Council with a petition signed by property owners in opposition to the project. Mr. Taylor shared that he is speaking on behalf of the petitioners and that a majority of property owners would like the project halted. Mr. Taylor also expressed concern about excessive speeds on Angling Road and wondered when something would be done about it. Mr. Taylor shared that he would be in favor of resurfacing the road provided residents did not have to pay for it.

Councilmember Randall asked if, when residents signed the petition, they understood the project and that it would involve complete reconstruction. Mr. Taylor responded in the affirmative.

Mr. Barnes explained that resurfacing the roadway would be a Band-Aid approach that would last 10 years at the most because the pavement underneath is failing. He stated that reconstruction, on the other hand, would last at least 25 years and could address concerns related to shoulder width and drainage.

Councilmember Urban stated that, while he understands the concerns of residents, it is his belief that if the public were polled for support of any such improvement project, the majority would always be opposed primarily because of associated costs. Councilmember Urban pointed out the City Policy that utilities be installed whenever a street is reconstructed in an area unserved by either water or sewer. He also explained that Portage, being a young city, has many unserved areas and that there is never a good time to install sewer and/or water. Due to the condition of the street and the importance of the health and welfare of the greater community, Councilmember Urban emphasized that the time to act is now. Councilmember Ford concurred with Councilmember Urban and stated that the health and welfare of the residents and community must be taken into account.

Mr. Alan Griffin, 7249 Angling Road, spoke in favor of the project and shared that his septic system is aging, pointed out the cost of replacing it, and the benefits of having a sewer to connect to. He also expressed frustration with existing drainage problems and the patchwork nature of the roadway.

Mr. Ken DeHann, 7024 Angling Road, spoke in opposition to the project stated that he has no need for a sanitary sewer system and that residents are opposed to it. He also wondered why, especially since the millage was passed to eliminate roadway special assessments, his road couldn't be reconstructed without having to have sewer installed as well. He continued by questioning the fairness of taxing residents for such a project as installing a sewer system when they don't need it.

Mr. Barnes explained the rationale and genesis of the policy to install utilities when a roadway is reconstructed. He also explained that, prior to passage of the millage in 2006, residents were assessed for both the cost of the roadway along with the cost of the sewer. Since passage of the millage, the former special assessment costs were cut in half. He also explained that, while not directly in front of his house, the community gets the benefit of the millage since residents drive down roads such as Constitution Boulevard and Martin Luther King Jr. Drive, both of which were recently reconstructed.

Motion by Urban, seconded by Ford, to adopt Resolution No. 3 for the Angling Road Sanitary Sewer Project #417-S, directing the preparation of the special assessment roll.

Councilmember Randall explained that the City Council does listen to the concerns of residents and that there is a difference between reconstructing a small residential street such as Archwood and a road such as Angling. She continued by stating that Angling Road is similar to the recently completed reconstruction of Osterhout Avenue or South Shore Drive. Councilmember Randall continued by stating that part of living in a community is that the community bears the cost, even when there is not a perceived direct benefit and cited other road projects and schools as examples.

In response to a concern raised by Mayor Pro Tem Ansari, Mr. Barnes clarified that the project and related funding, including federal funding and special assessment funding, would only be available if the road, as is being proposed, is completely reconstructed.

Councilmember Reid emphasized the poor quality of the street and that the time to act is now, not to "push this down the road." Councilmember Pearson shared his support for engaging residents and making them part of the process. He then expressed the difficulty in voting for something knowing that residents are opposed. Councilmember Urban shared that, in the past, projects could be delayed, but only for so long until conditions got so bad that action had to be taken. Mayor Strazdas shared that although a majority of property owners are against it today, there is a benefit in having infrastructure available for tomorrow.

Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 309 of City of Portage Resolution Book No. 46.

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

Portage Human Services Board of December 1, 2016, and January 5, 2017.
Portage Youth Advisory Committee of December 12, 2016.
Portage Planning Commission of January 5, 2017.

BID TABULATIONS:

* **DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE 2017 LOCAL STREETS RECONSTRUCTION PROJECT:** Motion by Reid, seconded by Randall, to award a contract to perform design and construction engineering services for the 2017 Local Streets Reconstruction Project to Abonmarche Consultants, Incorporated, in the amount not to exceed $131,118 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.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Ford congratulated Mr. Barnes on his retirement and Ms. Gwin on her promotion.

Councilmember Pearson stated that City Council has had several proposed sewer and water projects in recent weeks with three different outcomes. He continued by stating that City Council has had positive discussions on the topic of sewer and water and will continue to discuss and review to see if policy changes are needed. He closed by sharing his support for the recent City Council retreat and the discussions that occurred.

Councilmember Urban shared that discussions such as Angling Road are difficult to have and that many communities, particularly older communities, already have extensive utilities. He continued by sharing some of history of installation and connecting to the sewer system.

Councilmember Reid congratulated Ms. Gwin on her appointment and stated that, as it relates to sanitary sewer, education on such projects is a critical component. She continued by stating that there are many aspects of a project and that surveys are a piece of information that must be balanced with the needs of the community.

Councilmember Randall congratulated Mr. Barnes on his retirement and Ms. Gwin on her appointment. Councilmember Randall then shared some reflections on the City Council retreat. She stated that City Council reviewed accomplishments, opportunities for improvement and set high goals for the upcoming year. She echoed Councilmember Reid's sentiment that City Council does listen to residents but it can often be a difficult balance to assess the need of a resident or residents with the needs of the community. She thanked the Mayor for his leadership and the City Manager for all of the information provided at the retreat.

Mayor Pro Tem Ansari congratulated Mr. Barnes on his retirement and Ms. Gwin on her appointment. Mr. Ansari then reminded the community of the upcoming Respecting Diversity event.

Mayor Strazdas congratulated Mr. Barnes on his retirement and Ms. Gwin on her appointment. He then thanked Mr. Barnes for being willing to share his opinion and for his honesty and frankness. Mayor Strazdas then thanked City Council for an excellent retreat, for their camaraderie and for the ideas and goals for the coming year. He then congratulated City Council on its ability to work in a cooperative manner for the common good of the city. Mayor Strazdas concluded by sharing that he recently attended the presidential inauguration and "Michigan Ball" along with the Women's March on Washington.

MATERIALS TRANSMITTED:

* **DEPARTMENTAL MONTHLY REPORTS:** Motion by Reid, seconded by Randall, to receive the Departmental Monthly Reports. Upon a roll call vote, motion carried 7 to 0.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:58 p.m.

____

Adam Herringa, Deputy City Clerk

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