CITY COUNCIL MEETING MINUTES FROM JANUARY 9, 2018

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. At the request of Mayor Randall, Pastor Bill Abernathy of Berean Baptist Church gave the invocation and the audience then recited the Pledge of Allegiance. At the request of Mayor Randall, the City Clerk called the roll with the following members present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid and Terry Urban and Mayor Patricia Randall. Mayor Pro Tem Pearson was absent with excuse. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

Mayor Randall stated that tonight's meeting is reflective of new meeting processes and procedures that are being implemented in an effort to utilize new technology and to be respective of Councilmember and staff time. She continued by stating that the meeting format and agenda represents another step in the evolution of how City Council Meetings are conducted. Mayor Randall referenced the transition from paper to paperless agendas, increased availability of online meeting-related information, videos and other enhancements that increased transparency and accessibility.

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. Councilmember Reid asked that Item A.4 regarding the Board of Review be removed from the Consent Agenda. Councilmember Urban asked that Item A.6, Copperleaf Phase 3, be removed from the Consent Agenda. Ms. Andrea Stork, 1515 Dogwood, asked that Items A.3 (Contract with AVB Construction), A.5 (Recreation and Open Space Plan Update), A.7 (Memorandum of Understanding for the Michigan Economic Development Corporation Redevelopment Ready Communities Program), and A.10 (Fee Waiver) be removed from the Consent Agenda. All items removed from the Consent Agenda were moved to the Regular Business Agenda (Section E).

Motion by Reid, seconded by Ford, to approve the Consent Agenda items as presented. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Ford, to approve the Committee of the Whole and Regular Meeting Minutes of December 19, 2017 and Pre-Council Meeting Minutes of January 8, 2018. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JANUARY 9, 2018: Motion by Reid, seconded by Ford, to approve the Accounts Payable Register of January 9, 2018. Upon a roll call vote, motion carried 6 to 0.

APPOINTMENT OF DIRECTOR OF TRANSPORTATION AND UTILITIES: Motion by Reid, seconded by Ford, to confirm the appointment of Kendra Gwin as the Director of Transportation & Utilities, effective January 10, 2018. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Ford, to receive minutes of the Environmental Board of November 8, 2017; Portage Public School Board Regular Meeting of November 27, 2017; Planning Commission of December 7, 2017 and Historic District Commission and Study Committee of December 6, 2017.

MATERIALS TRANSMITTED: Motion by Reid, seconded by Ford, to receive the Materials Transmitted of December 15 and 19, 2017. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Mr. Alan Loveridge, 23965 88th Avenue, Marcellus, MI, encouraged City Council to take action to help prevent or discourage individuals utilizing medical marihuana from driving under the influence and suggested steps that could be taken in this regard. Mr. Loveridge encouraged City Council to review the matter with State Senator Tonya Schuitmaker.

COMMUNICATIONS:

CALENDAR OF MEETINGS: Motion by Ford, seconded by Knapp, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

CONTRACT WITH AVB CONSTRUCTION: Mayor Randall invited Ms. Andrea Stork to the podium and Ms. Stork inquired as to what is entailed in the proposed contract. City Manager Shaffer reviewed the contract, the services that will be provided and the rationale behind hiring a construction manager to oversee the construction of a replacement to Fire Station No. 2. Ms. Stork inquired who would be constructing the replacement fire station and Mr. Shaffer replied that a construction firm has yet to be hired but stated that it would not be AVB as this would present a conflict of interest. At the request of Ms. Stork, City Manager Shaffer reviewed the location, timeline and construction plans for the fire station. Councilmember Reid inquired if the prohibition against AVB being the construction company was included in the contract. City Manager Shaffer stated that such specific language was not in the contract but could be incorporated and reiterated that AVB would not be both the manager and builder as this would present a conflict of interest. Motion by Reid, seconded by Ford to approve a contract with AVB Construction, LLC of Portage, Michigan, in the amount of $87,600 for Fire Station No. 2 Construction Management Services and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

BOARD OF REVIEW: Mayor Randall invited Councilmember Reid to speak regarding this item and Councilmember Reid shared her concerns with recommending two pods for the Board of Review prior to knowing how many appeals there will be. Councilmember Ford stated that he served on the Board of Review in 2013 when there was a significant number of appeals. He expressed support for utilizing two pods and cited an increase in the Consumer Price Index as a potential cause for an uptick in the number of appeals. Councilmember Knapp shared that she served on the Board of Review for four years including last year. She stated that last year she believed one pod would have been sufficient, but in retrospect was appreciative that City Council decided to create two pods. She continued by stating that in 2017 it would have been difficult for one pod to manage all of the appeals. She closed by stating that people can file appeals all the way up until the March Board of Review which makes waiting until the number of appeals is known prior to selecting the number of pods difficult at best. Mayor Randall cited the implementation of the school bond millage as a factor that may result in more appeals. Councilmember Reid commented that it is important for every Councilmember to have the ability to express a differing opinion at the Regular Meeting. Motion by Reid, seconded by Ford, to approve the recommendations regarding the Board of Review as follows:

1. adopt the resolution setting the dates and times for the 2018 March Board of Review;
2. adopt the resolution establishing a policy and guidelines for poverty exemptions;
3. approve the use of two (three-member) Board of Reviews for the 2018 March Board of Review, and
4. appoint six members to the 2018 March Board of Review.

Upon a roll call vote, motion carried 4 to 2 with Councilmembers Burns, Ford, Knapp and Mayor Randall voting in favor and Councilmembers Reid and Urban opposed.

RECREATION AND OPEN SPACE PLAN UPDATE: Ms. Andrea Stork, 1515 Dogwood, asked for information pertaining to the proposed changes in the plan as compared to the last Recreation and Open Space Plan (hereinafter referred to as "the Plan"). City Manager Shaffer shared that future initiatives and potential city projects such as the acquisition of Michigan Department of Natural Resources Property are included in the proposed Plan. Mr. Shaffer also cited potential legal requirements for updating the Plan. Ms. Stork inquired if any zoning changes are incorporated in the Plan and Mr. Shaffer replied in the negative and continued that any changes to the Zoning Code would require a separate process from the Plan document. In response to Ms. Stork, City Manager Shaffer stated that the proposed Recreation and Open Space Plan Update is consistent with the Portage 2025 Visioning efforts. He continued by stating that both the Park Board and Environmental Board have been involved in the development of the Plan. Motion by Burns, seconded by Knapp, to receive the proposed 2018 Recreation and Open Space Plan Update and approve the distribution of the Plan update to the Planning Commissions of adjacent communities and to the Kalamazoo County Planning Commission. Upon a roll call vote, motion carried 6 to 0.

COPPERLEAF PHASE 3, 3800 WEST MILHAM AND 5710 ANGLING ROAD: Mayor Randall invited Councilmember Urban to speak regarding this item and Councilmember Urban stated that the agenda item calls for the approval of another step in the Copperleaf Development, a project he has consistently opposed. Mr. Urban stated that he would remain in opposition to this project. Mayor Randall expressed support for the project and complimented the developer on the work that has been accomplished so far. Motion by Ford, seconded by Burns, to approve the Final Preliminary Condominium Subdivision (detailed engineering plans) for Copperleaf Phase 3, 3800 West Milham Avenue and 5710 Angling Road. Upon a roll call vote, motion carried 5 to 1 with Councilmembers Burns, Ford, Knapp, Reid and Mayor Randall voting in favor and Councilmember Urban opposed.

MEMORANDUM OF UNDERSTANDING FOR THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION REDEVELOPMENT READY COMMUNITIES PROGRAM: Ms. Andrea Stork asked for background information on the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program. City Manager Shaffer reviewed the program and provided the rationale for why the City of Portage is looking to get involved. Councilmember Reid stated that she is excited for the program and asked that information about the program and the City's involvement be available on the City website as the City moves along in the process of being certified as a "redevelopment ready community." Motion by Reid, seconded by Burns, to approve the Joint Memorandum of Understanding for the Michigan Economic Development Corporation Redevelopment Ready Communities program. Upon a roll call vote, motion carried 6 to 0.

WAIVER OF WATER SHUTOFF PROCESSING FEE: Ms. Andrea Stork inquired as to why the fee associated with water shutoff processing for Mrs. Shirley Hayes, 6229 Marlow Street, was being proposed. City Manager Shaffer explained the circumstances surrounding the water being shutoff at this address along with the rationale for waiving the $50 shutoff processing fee. Motion by Knapp, seconded by Reid, to waive the processing fee associated with water shut off processing in the amount of Fifty ($50.00) Dollars for Mrs. Shirley Hayes, 6229 Marlow Street, Portage and authorize the City Manager to reimburse said fee to Mrs. Hayes. Upon a roll call vote, motion carried 6 to 0.

NEW BUSINESS:

BOARD AND COMMISSION APPOINTMENTS: Mayor Randall stated that at a meeting immediately preceding this Regular Meeting, City Council interviewed applicants for various Boards and Commissions. Mayor Randall then asked City Clerk Herringa to read the appointments which were:

To appoint Carol Eddy, Pat Buckley and Leonard Lamberson as Members of Pod #1 with terms ending January 31, 2019, to the Board of Review; and appoint Lyndsay Vainner, Justin Gish and Keith Hearit as Members of Pod #2 with terms ending January 31, 2019, to the Board of Review.

To reappoint Linda Finch and Randall Schau with terms ending February 28, 2021, and reappoint Jeffrey Wettig as an Alternate Member with term ending February 28, 2021, to the Zoning Board of Appeals.

To appoint Brian Harrison with unfulfilled term ending October 1, 2019 and Roger Lonoza with unfulfilled term ending October 1, 2020, to the Environmental Board.

To appoint Tara Gish with unfulfilled term ending October 1, 2020, to the Park Board.

Motion by Burns, seconded by Reid, to appoint the named individuals to the Board of Review, Zoning Board of Appeals, Environmental Board and Park Board. Upon a roll call vote, motion carried 6 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns stated that this evening City Council made appointments to various boards and commissions and that he was pleased with the pool of applicants. He encouraged residents, including those not selected to a board or commission this evening, to stay involved as their energy and efforts are needed.

Councilmember Ford expressed gratitude to the Department of Public Services for their efforts in clearing streets of ice and snow especially over the holidays.

Councilmember Reid congratulated Kendra Gwin on her appointment as Director of Transportation and Utilities, thanked her for years of service and expressed confidence that Ms. Gwin will do an excellent job. Ms. Reid then shared where the public can access the Recreation and Open Space Plan Update and encouraged interested residents to attend related upcoming public hearings of the Park Board and Planning Commission.

City Manager Shaffer thanked Councilmember Ford for his comments on snow removal efforts and Mr. Shaffer also complimented the efforts of the Department of Public Services in this regard. Mr. Shaffer shared that the new Director of Transportation and Utilities is a critical member of City Administration, highly knowledgeable about the utility infrastructure in the City, very capable and dedicated and will be busy with many upcoming infrastructure improvement projects.

Mayor Randall congratulated Ms. Gwin on her appointment and echoed the snow removal compliments. She commented that she is proud of the efforts of the work crews as they transition from one project, such as snow plowing, to the next, such as curbside removal of Christmas trees. Mayor Randall expressed joy at the number of citizens interested in serving on Boards and Commissions and encouraged residents to attend meetings of Boards and Commissions as they are open to the public. Finally, Mayor Randall shared details on the upcoming City Council retreat and stated that it is open to the public.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:43 p.m.

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Adam Herringa, City Clerk