

CITY COUNCIL MEETING MINUTES FROM JUNE 12, 2018

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. 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, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

At the request of Mayor Randall, Pastor Phillip Kok of Prairie Edge Christian Reformed Church provided the invocation and, following the invocation, representatives of Boy Scout Troop 287 of Portage led City Council and audience in reciting the Pledge of Allegiance.

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. Mr. Fernando Costas, 7639 Harvest Lane, asked that Item A.10 (Special License for Beer and Wine) be removed from the Consent Agenda.

Motion by Reid, seconded by Knapp, to approve the Consent Agenda items as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the minutes of the Committee of the Whole and Regular Meeting Minutes of May 22 and Pre-Council Meeting Notes of June 11, 2018. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 12, 2018: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of June 12, 2018. Upon a roll call vote, motion carried 7 to 0.

RECONSTRUCTION OF ROCKFORD STREET: Motion by Reid, seconded by Knapp, to award a construction contract to Michigan Paving & Materials Company of Kalamazoo, Michigan, for the reconstruction of Rockford Street from Schuring Road to Romence Road in an amount not to exceed \$325,000 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.

TEMPORARY AND SEASONAL EMPLOYMENT SERVICES: Motion by Reid, seconded by Knapp, to award a contract to OnStaff USA, Inc. of Portage, Michigan, to provide temporary and seasonal employment services through fiscal year 2018-2019 in an estimated amount of \$252,087, with the option of four, one-year renewals 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.

SOUTH WESTNEDGE AVENUE SIDEWALK IMPROVEMENTS: Motion by Reid, seconded by Knapp, to award a construction contract to Milbocker & Sons, Incorporated, of Allegan, Michigan, in the not to exceed amount of \$91,588.03 for South Westnedge Avenue Sidewalk Improvements and authorize the City Manager to sign all other documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

UNPAID WATER AND SEWER CHARGES: Motion by Reid, seconded by Knapp, to order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2018 will be transferred to the 2018 city tax roll and assessed against the property for which the services were furnished. Upon a roll call vote, motion carried 7 to 0.

STRYKER CORPORATION TAX ABATEMENT APPLICATION: Motion by Reid, seconded by Knapp, to accept the application for an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue and adopt Resolution No. 1-18 establishing a public hearing on the expansion of Industrial Development District No. 82 and set a hearing for an Industrial Facilities Exemption Certificate involving the property located at 3800 East Centre Avenue on June 26, 2018. Upon a roll call vote, motion carried 7 to 0.

RESOLUTION AND PETITION ENDORSEMENT TO REPLACE TWO CULVERTS AND REMOVE DEBRIS AND SEDIMENT FROM THE DAVIS-OLMSTEAD DRAIN: Motion by Reid, seconded by Knapp, to adopt a resolution and endorse a petition to the Kalamazoo County Office of the Drain Commissioner to replace two culverts and remove debris and sediment from the Davis-Olmstead Drain located within the Colonial Acres Mobile Home Park in the City of Portage and authorize the City Manager to execute the documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

REZONING APPLICATION #17/18-4: Motion by Reid, seconded by Knapp, to accept Rezoning Application #17/18-4, 6533, 6547, 6603 and 6609 Oakland Drive, for first reading and set a public hearing for July 10, 2018; and subsequent to the public hearing, consider approving Rezoning Application #17/18-4, changing the zoning designation from R-1B, one family residential to R-1T, attached residential. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Knapp, to receive minutes of the Senior Citizens Advisory Board of May 16 and Historic District Commission of May 2, 2018. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

ANNUAL UPDATE OF THE HISTORIC DISTRICT COMMISSION: At the request of Mayor Randall, Jessie Duniphin, Historic District Commission (HDC) Chairperson, provided an update on the activities of the HDC. Ms. Duniphin highlighted recent community events and engagement activities and efforts to partner with outside organizations. Ms. Duniphin shared that the recent event at the historic VanRiper property owned by Mr. Mick Lynch was very successful. She also highlighted efforts of the HDC related to preserving a historic property located at 2663 Mandigo Avenue. Mayor Randall inquired if Mr. Lynch had disclosed any plans for the VanRiper property. Ms. Duniphin indicated that nothing has been announced but that Mr. Lynch is considering turning the home into a bed & breakfast that could serve families visiting loved ones residing at the nearby StoryPoint senior living facility.

Motion by Reid, seconded by Ford, to receive the annual update of the Historic District Commission. Upon a roll call vote, motion carried 7 to 0.

RECONSIDERATION OF SIDEWALKS IN WHISPERING MEADOWS PHASE IV: Mayor Randall stated that since she lives in the Whispering Meadows development she would recuse herself from voting on the matter and turned the meeting over to Mayor Pro Tem Pearson who presided over this agenda item. Mayor Pro Tem Pearson invited the project developer, Charlie Glas of Glas & Associates, to explain why he was requesting that City Council reconsider their decision to require sidewalks on both sides of the street in Phase IV of the Whispering Meadows development. Mr. Glas, 7217 North Douglas, Kalamazoo, provided his rationale and highlighted the fact that sidewalks were not required in Phases 1, 2 and 3 of the development. Councilmember Urban inquired if any circumstances had changed with the development since City Council voted to require sidewalks in 2016. Mr. Glas stated that no major changes had occurred but that some interconnecting sidewalks had been installed. Mr. Urban next inquired if Whispering Meadows received school bus service and Mr. Glas explained that he

did not know the answer to this question. Councilmember Ford inquired if any lots in Phase IV had been sold and Mr. Glas stated that one has been sold but interest has been expressed in other lots. Mr. Glas commented that when speaking with prospective buyers there is a negative reaction when the matter of sidewalks is brought up. At the request of Mayor Pro Tem Pearson, City Clerk Herringa read aloud two letters received in opposition to the prospect of sidewalks in Phase IV of the development. One letter was from Mr. Prabhaskar Tatineni, 6527 Bunchberry, and the other from Mr. Richard Dirrenberger, President of the Whispering Meadows Homeowners Association.

There being no other questions, Councilmember Knapp made the following statement: "I give notice that at the next regular Council Meeting I will move to amend a motion made by Councilperson Urban adopted May 24, 2016, with regard to the approval of the Preliminary Plat of Whispering Meadows No. 4 by deleting the phrase "...and installation of sidewalks along both sides of all streets (Sec. 42 – 804)..." My motion may also add other requirements for installation of sidewalks. This Notice also applies to the Final Preliminary Plat approval (Engineering Plans) adopted September 6, 2016 and the Final Plat approval adopted February 27, 2018. The Motion to Amend Something Previously Adopted, if adopted by Council at the next meeting, would reinstate the waiver requested by the developer not to install sidewalks on both sides of the street in Whispering Meadows No. 4."

CALENDAR OF MEETINGS: At the request of Mayor Randall, City Clerk Herringa read the Calendar of Meetings.

REGULAR BUSINESS AGENDA:

SPECIAL LICENSE FOR SALE OF BEER AND WINE: At the invitation of Mayor Randall, Mr. Fernando Costas spoke and stated that the agenda item indicated that the City would be working with one distributor who would provide beer and wine at an upcoming concert and special event. He shared that he is a small winemaker and distiller with a focus on making sangria. He stated that he would like to be given the opportunity to participate in these upcoming events. City Manager Shaffer stated that the item before City Council simply makes application to the Liquor Control Commission for a permit. Mr. Shaffer stated that he would be happy to speak with Mr. Costas further about incorporating his business into these upcoming events. Director of Parks, Recreation and Senior Citizen Services Kathleen Hoyle shared that her department was looking at working with a single supplier and that members of the Parks Board would be serving the alcohol. City Manager Shaffer stated that he enjoys supporting local businesses and would speak with Mr. Costas. Councilmember Reid noted that Mr. Costas was the first to come to City Council with a request for a Small Winemaker License and the first to request a Small Distiller License. She stated that he operates a small entrepreneurial business and has a record of working positively with the city. She expressed hope that his business, The Sangria Shop, would be able to be included in upcoming events. In addition to the comments by Councilmember Reid, Mayor Pro Tem Pearson shared that Mr. Costas was instrumental in the ordinance permitting backyard chickens and thanked him for coming to the meeting and being engaged in the community. Motion by Reid, seconded by Ford, to approve submission of applications to the Michigan Liquor Control Commission (MLCC) for a Special License for the sale of beer and wine for consumption on the premises at Overlander Bandshell (7800 Shaver Road) and Celery Flats (7335 Garden Lane), for the Damien Escobar Concert held on Thursday, July 12, 2018, and the Portage Art Hop planned for Friday, October 5, 2018, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns reported that both he and Mayor Pro Tem Pearson attended a retreat of the Kalamazoo County Transportation Authority and the Central County Transportation Authority (CCTA). At the retreat, Mr. Burns stated, participants discussed improving service, expanding routes and how to keep services relevant in the age of ride

sharing. Mayor Pro Tem Pearson commented that participants also engaged in a SWOT Analysis designed to identify key strengths, weaknesses, opportunities and threats associated with public transit in the community.

Motion by Pearson, seconded by Ford, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid shared that, as part of the Consent Agenda, City Council set a public hearing on a tax abatement for the Stryker Corporation. She asked that City Administration review the form and calculations used to determine value to the city when it comes to tax abatements. She continued by stating that the forms and formulas were created many years ago and likely do not accurately reflect the actual impact a new job has in the current environment.

Councilmember Knapp encouraged residents to get tickets for the upcoming concert featuring Damien Escobar.

Councilmember Burns thanked City Council for having 100% participation in the recent Memorial Day Parade. He also thanked organizers of the parade for their efforts. Mr. Burns concluded by thanking the Department of Parks, Recreation and Senior Citizen Services for making an effort to bring in an artist such as Damien Escobar who appeals to younger generations.

Councilmember Ford stated that he enjoyed the Memorial Day parade and encouraged residents to attend the Escobar concert. Mr. Ford confirmed with the City Manager that people would not be permitted to bring their own chairs to this event and that chairs would be provided.

City Manager Shaffer provided an update on the status of development of medical marijuana rules and regulations and shared that applications for medical marijuana permits would be available beginning next Monday. He continued by stating that the administrative rules are in line with the ordinances and informed City Council that the State of Michigan Medical Marijuana Licensing Board is moving slowly meaning it will take longer for applicants to become fully licensed.

Mayor Pro Tem Pearson recognized the Department of Parks, Recreation and Senior Citizen Services on their summer events and concerts. He shared that the Portage Rotary Club would assist with an upcoming event featuring an Elvis impersonator and that Mayor Randall would introduce the event. He concluded by sharing that the event would feature a special guest and Mayor Randall stated that the guest would be "Edwin the Epic Rider" who is a Rotarian riding his bicycle to raise funds to help fight diabetes.

Mayor Randall shared that she recently attended an event celebrating Ramadan with her father at the Islamic Center on Osterhout. She stated that attendees were pleased to have members of the community attend their event and learn more about their religion. She stated that she heard from many participants who stated that they feel welcome in the community. Mayor Randall shared that she recently spoke to and learned more about the local Kiwanis Club which is composed of a mix of Portage and Kalamazoo residents. She also shared that she recently attended a groundbreaking ceremony with Councilmember Burns for the new Portage Central Middle School and that she attended the graduation ceremony of Portage Northern High School. Mayor Randall congratulated graduates of Portage Northern, Portage Central, Hackett Catholic and Kalamazoo Christian High Schools. Mayor Randall concluded by reminding residents that school is about to break for summer and caution should be taken on the roads as more children are out and about.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:46 p.m.

Adam Herringa, City Clerk