

CITY COUNCIL MEETING MINUTES FROM JUNE 11, 2019

The Regular Meeting was called to order by Mayor Pro Tem Pearson at 7:00 p.m. The following members were present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban and Mayor Pro Tem Jim Pearson. Mayor Patricia Randall was absent with excuse. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

At the request of Mayor Pro Tem Pearson, the audience observed a moment of silence to honor all religions and personal beliefs and in recognition of the 75th Anniversary of the D-Day Landings and Battle of Normandy.

Following the moment of silence, City Council and the audience recited the Pledge of Allegiance.

CONSENT AGENDA: Mayor Pro Tem Pearson 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 Knapp asked that Item A.5, Intergovernmental Agreement with Kalamazoo for Public Safety Analytics, be removed from the Consent Agenda. Councilmember Reid asked that items A.8 (Brownfield Redevelopment Incentive Policy) and A.11 (Brownfield Redevelopment Plan Amendment) be removed from the Consent Agenda. Motion by Reid, seconded by Knapp, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the Regular and Special Meeting Minutes of May 21, Special Meeting Minutes of May 22 and Pre-Council Meeting Minutes of June 10, 2019. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 11, 2019: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of June 11, 2019. Upon a roll call vote, motion carried 6 to 0.

REPAIRS TO GARDEN LANE TRAIL & ACCESS ROAD: Motion by Reid, seconded by Knapp, to accept the low bid in the amount of \$52,084 from J. Allen & Co, Inc., to provide repairs to the Garden Lane multi-use trail and the well house access road, 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.

PORTAGE PUBLIC SAFETY FOUNDATION: Motion by Reid, seconded by Knapp, to adopt a resolution authorizing the formation of the Portage Public Safety Foundation 501(c)(3). Upon a roll call vote, motion carried 6 to 0.

SUMMER MILL AND FILL: Motion by Reid, seconded by Knapp, to award a contract in the amount of \$634,431.96 to Michigan Paving & Materials Co., for summer mill and fill asphalt repairs to major and local street sections, 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 6 to 0.

REZONING APPLICATION 18/19-6: Motion by Reid, seconded by Knapp, to accept Rezoning Application #18/19-6, 129 Boston Avenue for first reading and set a public hearing for July 9, 2019. Upon a roll call vote, motion carried 6 to 0.

PUBLIC FIREWORKS DISPLAY: Motion by Reid, seconded by Knapp, to approve a permit for a fireworks display on July 5, 2019, at Ramona Park sponsored by the Portage Rotary Club. Upon a roll call vote, motion carried 6 to 0.

ANGLING ROAD AND MEREDITH STREET RECONSTRUCTION CONTRACT: Motion by Reid, seconded by Knapp, to award a construction contract to Michigan Paving and Materials Company of Kalamazoo, Michigan, for the Angling Road and Meredith Street Reconstruction project in an amount not to exceed \$1,007,431.95, and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

UNPAID WATER AND/OR 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, 2019, will be transferred to the 2019 city tax roll and assessed against the property for which the services were furnished. Upon a roll call vote, motion carried 6 to 0.

CROSSING GUARD CONTRACT: Motion by Reid, seconded by Knapp, to award a two-year contract renewal to All City Management Services, Inc., in the amount not to exceed \$64,444 per year to provide school crossing guard services, 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.

FIREWORKS ORDINANCE UPDATE: Motion by Reid, seconded by Knapp, to accept for first reading the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection and set a second reading with final adoption for June 25, 2019. Upon a roll call vote, motion carried 6 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Knapp, to receive the minutes of the Youth Advisory Committee of May 14, 2019. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Mr. Robert Ricci, 3115 Innisbrook Drive, spoke regarding yellow delineator poles that are placed at various intersections in the city. He questioned the value and purpose of the poles outside of the winter snow plowing season and stated that he has been given different explanations as to their purpose by city staff. He commented that the poles are unsightly and he would like City Council to look for them as they drive around town. Mayor Pro Tem Pearson asked City Manager Shaffer to reach out to Mr. Ricci to discuss the matter further and try to find a resolution.

Mr. John Stears, 5786 E. UV Avenue, Vicksburg, spoke regarding possible expansion of the sewer line that services Vicksburg and runs through the City of Portage on its way to the Kalamazoo Wastewater Treatment Facility. He expressed frustration at the lack of information provided by officials with the City of Vicksburg, Brady Township and the South County Sewer and Water Authority. He shared that at a public meeting of the South County Sewer and Water Authority an official stated that the Village of Vicksburg is moving forward with construction of a sewer line going north into the City of Portage. Mr. Stears asked that information related to any such plans be made public. In response, Mayor Pro Tem Pearson commented that the Portage City Council has not received information about this topic nor discussed the sewer issue with Vicksburg and the South County Sewer and Water Authority in many years. City Manager Shaffer shared that the Village of Vicksburg only recently reached out to the City of Portage to inquire about possible expansion of sewer flow into and through the City of Portage as part of redevelopment efforts associated with an

old paper mill. Mr. Shaffer stated that, at this point, nothing formal has been proposed and the City of Portage will need to learn significantly more about the project before agreeing to any type of contract or modified relationship with Vicksburg. In response to an inquiry from Councilmember Reid, Mr. Shaffer stated that Vicksburg would need to hire an engineering firm regarding the proposed sewer line, routes would have to be evaluated and potential impacts studied. Mr. Shaffer stated that the most likely route will be via Sprinkle Road but that taxes, cost, liability, etc. will all have to be evaluated and addressed before an agreement can be reached. Mr. Shaffer assured City Council that he would keep them informed as the process moves along. Councilmember Ford commented that the Utility Rate Committee commented briefly on the paper mill project and potential sewer needs but was more concerned with the sewer rates paid by Portage residents.

COMMUNICATIONS:

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

PRESENTATION BY THE ENVIRONMENTAL BOARD: Mr. Roger Lonoza, Environmental Board Chairperson, provided City Council with their annual update on goals and objectives. He commented that there has been significant turnover on the board and it is now working to rebuild the board and better define its goals and objectives. He stated that one area of emphasis is an increasing presence and participation at community events and increased community education. Mr. Lonoza then shared successes of the Environmental Board over the past year. Mayor Pro Tem Pearson inquired as to the high turnover of the board and Mr. Lonoza explained that long-serving members had moved on and the turnover has occurred naturally. Councilmember Reid inquired about rain garden applications given the recent high levels of precipitation. Mr. Lonoza commented that the board has not received any applications. Ms. Reid asked that an article about rain gardens be included in the Portager. Motion by Reid, seconded by Ford, to receive the presentation from the Environmental Board. Upon a voice vote, motion carried 6 to 0.

REGULAR BUSINESS:

INTERGOVERNMENTAL AGREEMENT WITH KALAMAZOO FOR PUBLIC SAFETY

ANALYTICS: Mayor Pro Tem Pearson deferred to City Manager who asked that this item be postponed until the June 25th Regular City Council Meeting. He stated that there are still some unanswered questions and he would like additional time to review and gather information. Motion by Knapp, seconded by Reid, to table this item until the June 25th Regular City Council Meeting. Upon a voice vote, motion carried 6 to 0.

BROWNFIELD REDEVELOPMENT INCENTIVE POLICY: Mayor Pro Tem Pearson deferred to Councilmember Reid who asked that this item be discussed. She inquired as to how the public would be involved in the review and approval process of brownfield redevelopment plans should the new policy be adopted. Community Development Director Vicki Georgeau shared that City Council will still hold a public hearing and the meetings of the Brownfield Redevelopment Authority are open to the public. Ms. Georgeau explained that the policy change will speed up the review and approval process and allow for more complete project information to be available when the item is presented to City Council and the Brownfield Redevelopment Authority. She concluded by stating that public input was not being eliminated and that the public and impacted taxing entities would be notified of any public hearing. In response, Councilmember Reid expressed concern that the public is not being

informed of the project until the plan is finalized and citizens may have ideas and suggestions that could improve the redevelopment plan. Councilmember Reid inquired as to how citizens would be notified and Ms. Georgeau stated that the amount of input opportunities under the new policy would be the same as other development plans. Ms. Georgeau stated that brownfield plans are the only ones that come to City Council first. She concluded her response that public notice would be similar to that of other plans.

Councilmember Ford commented that brownfield redevelopment is important to the economic and environmental health and well-being of the community. He stated that while the plan review process would change, he believes there is opportunity for the public to be engaged and the results will make the community an environmentally safer place.

In response to concerns about citizen participation, City Manager Shaffer stated that he would work with Ms. Georgeau to create and present to City Council a citizen participation plan. In addition, Mr. Shaffer stated that the City would use the various communication tools at its disposal to maximize public notice. Councilmember Reid and City Manager Shaffer reviewed whether this agenda item could be postponed and Mr. Shaffer asked that action be taken but that he would return at the next meeting with a more defined plan regarding public participation. Ms. Georgeau commented that approval of the policy would result in the creation of a Brownfield Revolving Fund that would help in future redevelopment efforts. Councilmember Reid stated that, providing there is a public participation plan forthcoming, she would support the new policy. Motion by Reid, seconded by Burns, to approve the revisions to the Brownfield Redevelopment Incentive Policy, and authorize the City Manager to approve initial applications for Brownfield Redevelopment Plans. Upon a roll call vote, motion carried 6 to 0.

BROWNFIELD REDEVELOPMENT PLAN AMENDMENT: Mayor Pro Tem Pearson deferred to Councilmember Reid who had asked that this item be removed from the Consent Agenda. Councilmember Reid asked that City Manager Shaffer or Community Development Director Georgeau share some additional information about the plan amendment for the benefit of the public. Director Georgeau shared that the building and property in question is located at 6666 Lovers Lane. She reviewed the current condition of the property and explained that, once redeveloped, the result would be a business involving 25 to 30 jobs. She reviewed the cost of the redevelopment and highlighted some of the contaminants located at the site. Ms. Georgeau also reviewed the inclusion of stormwater filtering that would occur with the redevelopment. Finally, Ms. Georgeau reviewed the potential taxes that would be captured in the new Brownfield Revolving Fund and that captured taxes would be used to reimburse the applicant for eligible expenses. Councilmembers Reid and Mayor Pro Tem Pearson commented that it sounds like a great project.

Motion by Reid, seconded by Ford, to accept the application from Lovers Lane Properties, LLC, for a Brownfield Redevelopment Plan Amendment, and authorize the applicant to proceed with preparation of the plan amendment. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns shared that he and Mayor Pro Tem Pearson attended a meeting of the Central County Transportation Authority (CCTA). At the meeting, he stated, a new trust fund was established to help address expenses related to "Other Post-Employment Benefits." He also shared that a new pilot "Youth Mobility Program" was being implemented that will assist students enrolled in Kalamazoo Public Schools. Students can use their school ID as a bus pass and as a library card for the Kalamazoo Public Library. A single student ID card can be used as both a bus pass and library card. This program, he stated, was supported by the Kalamazoo Foundation for Excellence. Finally, Councilmember Burns shared that the CCTA is

planning on holding a millage election on March 10, 2020. The amount and duration of the millage are to be determined.

Councilmember Knapp shared that she attended a meeting of the Kalamazoo County Public Arts Commission. At this meeting public art projects were discussed and highlighted such as the community pool in Kalamazoo that was repainted, wrapping of utility boxes with archival images of the city and encouraging public participation in the arts. Next, Councilmember Knapp noted that the Public Art Commission is looking to boost participation in an upcoming exhibition by the Kalamazoo Institute of Arts entitled Black Refractions: Highlights from the Studio Museum in Harlem. She continued by stating that discussions involved how Portage, in particular the library, might play a role in this exhibition.

Motion by Ford, seconded by Reid to receive the Council Committee Report as presented. Upon a voice vote, motion carried 6 to 0.

STATEMENTS OF CITIZENS: Mr. John Stears, 5786 E. UV Avenue, Vicksburg, spoke again regarding participation of the City of Portage in providing expanded sewer service to the Village of Vicksburg. City Attorney Brown shared that Mr. Stears has submitted a FOIA request and this request needs to be processed. City Manager Shaffer stated that the City of Portage has not entered into any engineering contract with regard to sewer service and Vicksburg. He further stated that Portage taxpayers and water/sewer customers would be protected and not subsidize any activity involving Vicksburg. Mr. Shaffer stated that the meter at the 12th Street Lift Station monitors flow and Mr. Urban clarified that the line in question does not involve the 12th Street Lift Station and is currently not metered and is smaller in size. With regard to concerns Mr. Stears expressed about other jurisdictions and the Open Meetings Act, Mr. Urban stated that such government entities must allow the public an opportunity to be heard.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid commented that the annual Ella Sharp Museum Art, Beer and Wine Festival was held this past weekend in Jackson. At the festival there is a tasting contest for beer and wine that includes many local and national beverage makers. The winner this year was The Sangria Shop owned by Fernando Costas which is located in Portage. Ms. Reid congratulated Mr. Costas on the winning the contest.

Councilmember Knapp shared that the recent Memorial Day Parade was very well attended and a great community event. She thanked participants and spectators for coming out and supporting the parade. She concluded by commenting on the service held at the Veteran's Memorial following the parade.

Councilmember Burns shared that he recently attended an event at the library regarding oral histories. He shared information about a program connecting middle school students with residents of Kalamazoo County to form intergenerational bonds and produce oral history interviews. He thinks this program would be good for the City of Portage to explore. Next, he shared that he attended an event at the Douglas Community Association at which the topic was "Pre-Trial Incarceration and Cash Bail Practices."

Councilmember Ford wished his daughter a happy birthday and shared that he would be participating in the Great American Campout event coming up at Ramona Park.

Mayor Pro Tem Pearson spoke and shared that a recent power outage in Portage was caused by a "wayward squirrel." Next, he shared that he, along with City Manager Shaffer, attended a groundbreaking ceremony for Jaqua Realtors on Milham Avenue. He continued by stating that, following the Memorial Day Parade, there was a recognition of veterans of the Vietnam War. He shared that his wife, a Vietnam Veteran, received a pin in recognition of her service. With regard to

the Memorial Day parade Mayor Pro Tem Pearson shared that over twenty Corvettes were involved, City Council passed out lots of candy and the dog treats brought by Councilmember Reid were a hit with the crowd. Finally, Mayor Pro Tem Pearson shared information about proposed changes to the Code of Ordinances involving fireworks and Councilmember Urban clarified that the ordinance has not yet been adopted by City Council and that any changes would not go into effect until after the 4th of July holiday.

ADJOURNMENT: Mayor Pro Tem Pearson adjourned the meeting at 8:03 p.m.

Adam Herringa, City Clerk