

CITY COUNCIL MEETING MINUTES FROM DECEMBER 17, 2019

The Regular Meeting was called to order by Mayor Patricia Randall at 7:00 p.m. The following members were 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 Joe La Margo, City Attorney Randy Brown and Deputy City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs and in recognition of a safe and happy holiday season.

Following the moment of silence, the City Council and audience recited 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. Councilmember Reid removed Items A.4, Personal Protective Equipment, and A.6, 2020 Fees Schedules, from the Consent Agenda. Councilmember Urban removed Item A.5, Cemetery Fencing, from the Consent Agenda. Motion by Reid, seconded by Burns, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Burns, to approve the Regular Meeting Minutes of December 3 and Pre-Council Meeting Minutes of December 16, 2019. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 17, 2019: Motion by Reid, seconded by Burns, to approve the Accounts Payable Register of December 17, 2019. Upon a roll call vote, motion carried 7 to 0.

CITY HALL HVAC REPLACEMENT: Motion by Reid, seconded by Burns, to authorize the purchase and installation of new City Hall HVAC equipment from the Carrier Corporation utilizing the Sourcewell Cooperative Purchasing Program at a total cost of \$98,000, and authorize the City Manager to execute all documents related to the purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

AMENDMENT TO CODE OF ORDINANCES - UTILITIES: Motion by Reid, seconded by Burns, to accept the amendment to Division 7, Section 82-196, Article 2 "Water System" in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for January 14, 2020. Upon a roll call vote, motion carried 7 to 0.

CONFIRMATION OF INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT AND INTERIM CITY CLERK: Motion by Reid, seconded by Burns, to confirm the appointments of Christopher Forth as Interim Director of Community Development and Erica Eklov as Interim City Clerk. Upon a roll call vote, motion carried 7 to 0.

NONPROFIT ORGANIZATION RECOGNITION - ANGLING ROAD PARENT TEACHER ORGANIZATION: Motion by Reid, seconded by Burns, to adopt the Resolution for Charitable Gaming License recognizing the Angling Road Parent Teacher Organization as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Burns, to receive the minutes of the Portage Public Schools Board of Education Regular Business Meeting of November 25 and the Youth Advisory Committee of November 11, 2019. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED: Motion by Reid, seconded by Burns, to receive the Materials Transmitted of December 3, 2019. Upon a roll call vote, motion carried 7 to 0.

CALENDAR OF MEETINGS: Motion by Reid, seconded by Burns, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Jim Stephanak, 10725 Cora Drive and Sarah Baker, 5769 Stoney Brook Road, spoke on behalf of the Portage Community Senior Center “Engage. Empower. Enrich.” Fundraising campaign. Mr. Stephanak and Ms. Baker thanked everyone for the continued support of the campaign, noting that \$3.96 million has been raised to date. They debuted a short video created for continued awareness of the fundraising campaign. Following the video, Mayor Randall thanked Mr. Stephanak and Ms. Baker for their volunteering efforts and noted the remaining funds to be raised. City Manager La Margo also thanked Mr. Stephanak and Ms. Baker for their efforts. City Manager La Margo further noted that the City Administration planned to receive RFPs for professional construction management services for the new Community Senior Center and hoped to have a recommendation to City Council by the end of January. He further stated that the hope is to break ground on the new Community Senior Center by late summer 2020. Mayor Randall further thanked Communications Manager Mary Beth Block, Senior Citizen Services Manager Kim Phillips and City Manager La Margo for their efforts with the fundraising campaign.

Chris Buckley, Executive Director for the Portage Community Center (PCC), provided an update on the status of the PCC holiday programs. To date, he noted that 129 Thanksgiving food baskets and 165 Christmas baskets had been provided, all 99 of the families that had applied for adoption in the Christmas giving program had been adopted and 46 children had attended the PCC holiday party. He thanked Councilmember Burns, City Manager La Margo, the Youth Advisory Committee, Deputy City Manager Adam Herringa, Deputy City Clerk Erica Eklov and City of Portage employees for their generosity, family adoptions and food donations. Mr. Buckley noted the upcoming bid opening for the PCC parking lot improvements and stated PCC is awaiting construction drawings for the planned interior and exterior improvements and modifications. Mr. Buckley highlighted that the funding received from the city’s Human Service Grant program has allowed for these projects to advance. Finally, Mr. Buckley stated that PCC fundraising is ahead by 65 percent at this time in the year. Councilmember Reid asked Mr. Buckley what PCC had been doing differently to have such an increased fundraising amount. Mr. Buckley responded that PCC has increased awareness and social media presence. Mayor Randall asked Mr. Buckley regarding the percentage of Portage families served by the PCC. Mr. Buckley responded that the majority of the community center is solely for Portage residents, with the exception of the clothing donations and food pantry. He offered that approximately 5,400 families utilized the food pantry in 2018 with 40 percent being Kalamazoo residents. Mayor Randall thanked Mr. Buckley for his efforts and thanked Councilmember Burns for getting City Council more involved with PCC.

PUBLIC HEARINGS:

BROWNFIELD REDEVELOPMENT PLAN AMENDMENT NO. 8, CENTREPORT COMMONS:

Mayor Randall opened the public hearing and City Manager La Margo asked Community Development Deputy Director Chris Forth to review the proposed development. Deputy Director Forth explained the proposed Plan Amendment and the development history of the site. He highlighted the current Bronson FastCare development at the noted location at the corner of East Centre Avenue and Portage Road. Mr. Forth noted that the previous Brownfield Redevelopment Plan No. 6 had been terminated in September 2019 to allow the developer, Treystar Holdings, LLC, to begin capturing the \$147,000 approved in 2010 for eligible activities.

Mayor Randall inquired as to why the existing veterinary clinic parcel at 8037 Portage Road was excluded from the proposed Brownfield Plan. Deputy Director Forth deferred to the developer.

Mayor Pro Tem Pearson asked if the \$25,000 in noted gateway improvements was solely for the southeast corner of the intersection. Deputy Director Forth responded that the current proposal focuses only on the southeast corner.

Councilmember Reid requested clarification regarding the number of employees quoted for the new Bronson facility, whether they were transfers or new hires. Deputy Director Forth responded that the employees will be transfers from existing locations.

Applicant Fritz Brown of Treystar Holdings, LLC, introduced himself and responded to Mayor Randall's earlier question, noting that the existing veterinary clinic at 8037 Portage Road is included in the condominium association at the site but chose not to participate in the Brownfield Plan.

Councilmember Reid inquired whether Mr. Brown had any other planned tenants for the other parcels. Mr. Brown responded that there has been inquiries and discussions with potential retail vendors, as well as a drive-thru restaurant or pharmacy.

Mr. Brown introduced Joe Agostinelli of Southwest Michigan First as the liaison between Mr. Brown and the city. Mr. Agostinelli thanked City Council for their support.

Mayor Pro Tem Pearson inquired about the design parameters for the condominium association at the location. Mr. Brown responded that the plan is similar to the Woodbridge Shopping Village with similar building exteriors and shared snow plowing costs. Upon further inquiry, Mr. Brown noted that parameters will vary based on the particular retailers.

Mayor Randall closed the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Pearson, seconded by Reid, to accept the City of Portage Brownfield Redevelopment Plan, with Brownfield Redevelopment Plan Amendment No. 8 (8015, 8043 and 8061 Portage Road, and 2610 and 2700 East Centre Avenue). Councilmember Ford thanked the developer for remediation efforts at the site. Mayor Pro Tem Pearson stated he was glad to finally see development on the parcel. Mayor Randall echoed Mayor Pro Tem Pearson, noting her excitement to see further improvement in the Portage Road corridor and Lake Center area. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS:

PERSONAL PROTECTIVE EQUIPMENT - COOPERATIVE PURCHASE RECOMMENDATION:

Councilmember Reid provided a summary of the agenda item and expressed concern that the item did not follow the general bid process. Mayor Randall highlighted the responses provided following the December 16th Pre-Council meeting that noted the recommended purchase was done through a purchasing consortium. City Manager La Margo deferred to Public Safety Director – Police/Fire Chief Nicholas Arnold to provide further background.

Chief Arnold summarized the personal protective equipment (PPE) replacement process and associated federal regulations. Following an inquiry from Mayor Pro Tem Pearson, Chief Arnold offered that every five years, the current PPE is rotated to a second-tier lineup while the new PPE serves in the first tier. Chief Arnold stated that the previous second-tier PPE that exceeds the federal 10-year functional life stipulation is donated to a college fire science program. Chief Arnold explained that the prior two calls for bid in 2010 and 2015 only received one bidder, that being the recommended vendor for the current agenda item. He also stated that the City of Grand Rapids had recently put out the same bid and awarded the purchase to that same bidder, who is also the state vendor.

Motion by Pearson, seconded by Ford, to approve the purchase of 30 sets of Personal Protective Equipment from Douglass Safety Systems at a cost of \$65,940, and authorize the City Manager to execute all documents related to the purchase on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

CEMETERY FENCING AND TREE REMOVAL - BID TABULATION: Councilmember Urban briefly summarized the agenda item and asked that if any of the older cast iron fencing was still in place that it be saved for historical purposes. Motion by Urban, seconded by Burns, to award a contract in the amount of \$45,668 to Dewitt Fence Company, for the removal and replacement of existing fencing and removal of trees at South Cemetery, Indian Fields Cemetery and Dry Prairie Cemetery, 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.

2020 FEES SCHEDULES: Councilmember Reid provided a summary of the agenda item and expressed concern with the recommended fee increase for the softball teams with the inability to differentiate non-resident members in the team registration software and generically raising the fee for all teams. She also expressed concern with the city's softball league rates as compared to neighboring municipalities.

Councilmember Ford offered a response based on prior participation in the city softball leagues, noting the inconvenient locations of the fields outside Portage. He noted that the teams he has previously participated with would incorporate any non-resident fees into the overall team costs. Councilmember Ford stated he deferred to the recommendation of the Parks Department based on the staff's experience with the administration of the program.

City Attorney Brown stated that any user fee that a municipality charges in the State of Michigan has to be based on the actual cost to administer the program and a non-resident fee can be charged as long as it is a reasonable charge.

Councilmember Urban inquired regarding the status of the proposed Farmers' Market fee following discussion on the proposed fee increase at the Pre-Council Meeting. Following discussion, Deputy City Clerk Eklov clarified the fee remained as originally proposed.

Motion by Urban, seconded by Ford to adopt the: 2020 Freedom of Information Act fees, 2020 Recreation and Park Facility fees, 2020 Community Development and Building Permit fees, 2020 Right-of-Way Permit Fees, and 2020 Special Assessment Rates. Councilmember Reid motioned to divide the question to separate the 2020 Recreation and Park Facility fees item for an individual vote. Councilmember Urban obliged with an amendment to his motion. Amended motion by Urban, seconded by Ford, to adopt the: 2020 Freedom of Information Act fees, 2020 Community Development and Building Permit fees, 2020 Right-of-Way Permit Fees, and 2020 Special Assessment Rates. Upon a roll call vote, motion carried 7 to 0. Additional motion by Urban, seconded by Burns, to adopt the 2020 Recreation and Park Facility fees. Upon a roll call vote, motion carried 6 to 1 with Councilmember Reid voting no.

COUNCIL COMMITTEE REPORTS: Councilmember Urban shared an update regarding the activity of the Gourdneck Lake Governmental Lake Board. He stated the Board recently met to review financial status, weed treatment analysis and future planning. Mayor Pro Tem Pearson inquired how the weed reduction was proceeding. Councilmember Urban responded that treatment was going well and there had been no complaints. Motion by Pearson, seconded by Knapp, to receive the Council Committee Report as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns wished everyone a happy holiday season and New Year.

Councilmember Ford thanked staff for attendance at the meeting and offered congratulations to the Parks Department for a well-attended Annual Tree Lighting event.

Councilmember Urban also wished everyone a happy holiday season and stressed the importance of safe winter driving.

Councilmember Reid echoed the prior holiday season wishes and noted recent issues in her neighborhood with package thefts. She highlighted the recent state law passage allowing law enforcement to better address stolen package matters and her hopes that this will help. She offered wishes for safe holiday travels.

Councilmember Knapp stated she was happy to see the new video for the Portage Community Senior Center fundraising campaign. She noted the confirmation of the interim appointments of Chris Forth and Erica Eklov, thanking each for their efforts and years of service. Councilmember Knapp also offered thanks to Councilmember Burns for his assistance and coordinating City Council adoption of a Portage Community Center family.

City Manager La Margo began by noting that the city was pre-treating streets for the night's expected snow. He then highlighted four recent awards the city had received for the new Celery Flats Pavilion, the Portage-Lakeview Safety Project, the Idaho Avenue Reconstruction Project and the West Milham/Oakland Drive Improvements. At City Manager La Margo's invitation, Directors Gwin and Russell came forward to speak regarding the awarded projects.

Mayor Pro Tem Pearson wished everyone a happy holiday season and also thanked Councilmember Burns for his efforts with the Portage Community Center. He closed by asking everyone to be safe in the winter weather.

Mayor Randall complimented the Office of the City Clerk on the excellent results of a recent election audit. Mayor Randall then thanked the Parks Department for the well-attended Annual Tree Lighting Ceremony, Holiday Market and Ice Rink opening. She noted the upcoming holiday closures of city offices. Mayor Randall closed by wishing everyone a happy holiday season.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:20 p.m.

Erica L. Eklov, Interim City Clerk