

CITY COUNCIL MEETING MINUTES FROM MARCH 24, 2020

The Regular Meeting was called to order by Mayor Patricia Randall at 7:01 p.m. The meeting was held virtually in accordance with the Governor's Executive Directive 2020-02 in light of COVID-19. The following members were present via the conference phone line: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance on the conference phone line were Deputy City Manager Adam Herringa and City Attorney Randy Brown. In attendance in Council Chambers were City Manager Joe La Margo, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence in light of the current COVID-19 health crisis and pandemic. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATION: Mayor Randall issued a proclamation recognizing April 2020, as Fair Housing Month. In light of the virtual meeting, Mayor Randall asked the City Clerk to read the proclamation. Following the reading, Mayor Randall thanked Councilmember Urban for his previous work towards the Non-Discrimination Ordinance for the city.

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. Motion by Ford, 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 Ford, seconded by Burns, to approve the minutes of the Committee of the Whole of February 25, 2020; Regular Meeting of February 25, 2020; Regular Meeting of March 10, 2020, and Pre-Council Meeting of March 23, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MARCH 24, 2020: Motion by Ford, seconded by Burns, to approve the Accounts Payable Register of March 24, 2020. Upon a roll call vote, motion carried 7 to 0.

SOUTH WESTNEDGE AVENUE TRAFFIC SIGNAL SYSTEM UPGRADE PROJECT - BID TABULATION: Motion by Ford, seconded by Burns, to award a construction contract to Severance Electric Co., Inc. in the not-to-exceed amount of \$715,762.21 for the South Westnedge Avenue Traffic Signal System Upgrade Project, and amend a contract with Abonmarche Consultants, Inc. in the amount of \$66,940 for construction engineering services and authorize the City Manager to sign all other documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

SPRING MILL & FILL - BID TABULATION: Motion by Ford, seconded by Burns, to award a contract in the amount of \$596,278.26 to Michigan Paving & Materials Co., for spring 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 7 to 0.

PINE VIEW WATER TANK WET INTERIOR RECOATING - BID TABULATION: Motion by Ford, seconded by Burns, to award a contract to Seven Brothers, Inc., in the not-to-exceed amount of \$297,800 for the wet interior recoating of the Pine View Water Tank, 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.

INVASIVE SPECIES REMOVAL SERVICES - PROPOSAL TABULATION: Motion by Ford, seconded by Burns, to award a contract in the amount of \$257,205 to Cardno, Inc. for Invasive Species Removal in Bishop's Bog, West Lake Nature Preserve, Eliason Nature Reserve, and Schrier Park, 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.

AMENDED CONTRACT WITH LANDUSE USA: Motion by Ford, seconded by Burns, to approve an amended contract with LandUse USA in an amount not to exceed \$53,999 to complete a residential market analysis for the City of Portage 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.

KALAMAZOO COUNTY TREASURER ADJUSTED TAX LIABILITY - CONTRACT: Motion by Ford, seconded by Burns, to approve a contract allowing the Kalamazoo County Treasurer to collect adjusted PRE tax liabilities when denied after September 14 of the current year on behalf of the City of Portage and authorize the City Manager to sign the agreement with Kalamazoo County. Upon a roll call vote, motion carried 7 to 0.

FINAL PRELIMINARY CONDOMINIUM SUBDIVISION: COPPERLEAF PHASE 5: Motion by Ford, seconded by Burns, to approve the Final Preliminary Condominium Subdivision (detailed engineering plans) for Copperleaf Phase 5, 3800 West Milham Avenue. Upon a roll call vote, motion carried 7 to 0.

AMENDMENT TO THE CODE OF ORDINANCES – SECTION 35 OF CHAPTER 38, HISTORICAL PRESERVATION: Motion by Ford, seconded by Burns, to accept for first reading the proposed City of Portage Ordinance amending Section 35 of Chapter 38, Historical Preservation by removing 214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue from the district; revise the legal descriptions for 10234 East Shore Drive and 3821 West Milham Avenue; correct the tax identification number, and consider final adoption on April 14, 2020. Upon a roll call vote, motion carried 7 to 0.

LIQUOR PERMIT FOR STARRY NIGHT EVENT: Motion by Ford, seconded by Burns, to approve a Liquor Permit for the Starry Night event on May 16, 2020, 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.

ACT 51 MILEAGE CERTIFICATION: Motion by Ford, seconded by Burns, to adopt the Resolution Accepting Newly Constructed Dedicated Streets as Public Streets. Upon a roll call vote, motion carried 7 to 0.

PURCHASING AUTHORITY OF CITY MANAGER: Motion by Ford, seconded by Burns, to accept the amendment to Division 2, Article 5 "Purchases and Sales" in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for April 14, 2020. Upon a roll call vote, motion carried 7 to 0.

RESOLUTION AUTHORIZING EMERGENCY CITY MANAGER AUTHORITY: Motion by Ford, seconded by Burns, to adopt the resolution authorizing the City Manager to temporarily make purchases and approve contracts totaling up to \$4 million in the absence of the City Council during a state of emergency. Upon a roll call vote, motion carried 7 to 0.

SPECIAL MEETING FOR BOARD AND COMMISSION APPLICANTS: Motion by Ford, seconded by Burns, to set a Special Meeting on Tuesday, May 26, 2020, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Ford, seconded by Burns, to receive the minutes of the Zoning Board of Appeals of January 13, 2020. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED: Motion by Ford, seconded by Burns, to receive the Materials Transmitted of March 10, 2020. Upon a roll call vote, motion carried 7 to 0.

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

MAY SPECIAL ELECTION: Motion by Ford, seconded by Burns, to encourage Governor Gretchen Whitmer and Secretary of State Jocelyn Benson to either postpone the May Special Election to August or, at a minimum, to conduct the election as mail-in only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS: Mayor Randall introduced the Report from Andrew Alspach, Kalamazoo County Office of Emergency Management. Motion by Pearson, seconded by Knapp, to accept the report from Andrew Alspach, Kalamazoo County Office of Emergency Management. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

AMENDMENT TO THE CODE OF ORDINANCES - PERSONNEL RULES: Mayor Randall asked City Manager La Margo to summarize the proposed amendment. City Manager La Margo stated that this was the second reading of the proposed ordinance amendment and noted that the proposed ordinance amendment will provide the City Administration increased flexibility to make necessary changes within the Administration under the guidance of the Human Resources Department.

Motion by Urban, seconded by Burns, to adopt the proposed City of Portage Ordinance amending Article 3, Officers and Employees, of Chapter 2, Administration, Section 2-87 Personnel Rules. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Mayor Pro Tem Pearson provided an update on the Kalamazoo County Consolidated Dispatch Authority (KCCDA). He relayed that the KCCDA Finance Committee held a virtual meeting earlier that day and recommended to the full KCCDA board to place a millage proposal on the August 2010 election ballot and continue the \$0.24 county fee per telephone for the Consolidated Dispatch service. Mayor Pro Tem Pearson noted that data from the meeting illustrated that during the first year of Consolidated Dispatch in 2019, the countywide

cardiac arrest statistic improved by 20 percent. He also stated that the data also shows Consolidated Dispatch is saving Kalamazoo County taxpayers \$1 million per year.

Councilmember Burns provided an update regarding the operational changes of the Central County Transportation Authority (CCTA) in light of the COVID-19 health crisis. He stated busses continue to operate daily, as does the Metro Connect service, yet both services have reduced hours which vary by route. He noted all of these operational changes are posted to the CCTA website. Councilmember Burns also relayed that further alterations to CCTA procedures were in effect, including only allowing passengers to board from the rear entrance of the bus and social distancing measures were being implemented with seating. He noted that services continue to be offered to those labeled as essential staff and services by the Governor. Councilmember Burns closed by stating that CCTA is adhering to the various state, federal and World Health Organization hygiene guidelines during continued operation.

Motion by Reid, seconded by Burns to approve the Council Committee Reports as provided. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Henry Seaben, 4725 Romence Road, inquired about the continued operation of his tree trimming business in light of the Governor's Executive Orders for all non-essential workers to shelter in place at home. He noted competitors in his industry continue to work in the field despite the order. Deputy City Manager Carroll responded, noting that Mr. Seaben should verify with the state, but that interpretation of the Executive Order does not allow tree trimming services to be considered "essential" and work must cease. Mr. Seaben noted that some vendors have stated they have received letters allowing them to continue working that note they are essential. He also inquired about his company's essential status in the event of severe weather and damaged trees. Deputy City Manager Carroll responded that the City of Portage and other municipalities can issue letters for companies working within their respective municipalities to maintain services essential to the municipality. Mr. Carroll noted that should a severe weather event occur during the period under the Governor's Executive Orders, then the city would be willing to provide a letter for Mr. Seaben's company if needed.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns stated that it was currently a challenging time in light of the COVID-19 health crisis. He encouraged the public to follow the Governor's Executive Orders and stay home, but continue to support local businesses by ordering online.

Councilmember Ford encouraged everyone to stay safe and echoed Councilmember Burns' comments. He relayed that he planned to donate his personal supply of N-95 respirator masks to Bronson Hospital in support of the current response to COVID-19.

Councilmember Urban relayed that he has a hobby of sewing and planned to create a variety of fabric protective face masks for donation to healthcare workers during his time at home. He noted that elastic for affixing the masks is in short supply nationally, but encouraged everyone sewing masks to utilize ties instead.

Councilmember Reid highlighted that the Consent Agenda included the Calendar of Meetings and noted four Board and Commission meetings had recently been canceled. She further noted that the upcoming April 2nd Human Services Board meeting would be held virtually but the April 15 Downtown Development Authority and April 13 Zoning Board of Appeals meeting were still scheduled as planned, which could change. Councilmember Reid relayed that she had also been working to sew homemade protective face masks for donation. She then encouraged citizens to continue to stay at home and take the Governor's orders seriously. She stressed that the shelter in place would be relatively short but will have a big impact on the current health crisis if followed.

Councilmember Knapp noted her agreement with the prior Councilmember comments. She relayed that she has enjoyed and appreciated the ability to get out and shop for groceries. Councilmember Knapp further expressed gratitude and respect for the patience of healthcare workers and their handling of the crisis to date. She encouraged everyone to stay well.

City Manager La Margo relayed that only essential city workers were reporting to the office since March 16 except for laborers attending to park maintenance and snow plowing over the recent weekend. He noted that Portage, in conjunction with Kalamazoo County, City of Kalamazoo and Kalamazoo Township, were reviewing municipal operations and reducing staff further. He stated that Public Safety is alternating scheduling to ensure the health and safety of the workforce and citizens. Mr. La Margo relayed that staff in the Finance Department continued to facilitate payments to vendors and relayed that water shut-offs would be on hold until the end of April to ensure public health. He encouraged the public to monitor the city's website for regular updates, noting that the situation can change quickly. City Manager La Margo stated that the City Administration was exploring options for local small business support pending initiation of federal assistance. He noted that the Communications Department had started two new hashtags on social media during the health crisis, including #PortageCares and #SupportPortageLocal. Mr. La Margo further stated that Portage parks were open but reminded citizens to adhere to the Governor's social distancing guidelines. He relayed that staff would continue to conduct virtual meetings and regularly monitor city voicemails. He noted that the Police building lobby would remain open to the public but asked the public to only visit for emergencies and otherwise call ahead. He closed by thanking staff for their efforts during this unique time.

Mayor Pro Tem Pearson echoed the Council and City Manager comments, suggesting that residents use the internet to search for local takeout to support local restaurants.

Mayor Randall noted there would be three weeks until the next scheduled City Council Meeting, which is expected to be held as normal in light of the Governor's shelter in place order expiring April 13. She stated that the City Manager would continue to keep the Council updated as the health crisis evolved. The Mayor thanked Technology Services staff for making the virtual meeting possible, as well as the staff present in Council Chambers facilitating the meeting. She encouraged citizens to be mindful of their mental health during the shelter at home period and urged everyone to check in with others. She noted that the time at home is allowing neighbors to work on their yards and highlighted that the city Brush Pickup Program would be delayed one week to adhere to the Governor's Orders, yet the Spring Cleanup Program would continue as planned. Mayor Randall stated that the updated collection schedule was posted on the city website. She closed by asking everyone to stay safe during the COVID-19 health crisis.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:44 p.m.

Erica L. Eklov, City Clerk