

CITY COUNCIL MEETING MINUTES FROM APRIL 14, 2020

The Regular Meeting was called to order by Mayor Patricia Randall at 7:00 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 WebEx meeting platform: 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 WebEx meeting platform were Deputy City Manager Adam Herringa, Deputy City Manager Mike Carroll and City Attorney Randy Brown. In attendance in Council Chambers was City Manager Joe La Margo, Communications Manager Mary Beth Block, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence in light of the current global crisis and the roles everyone can play to support others during this time. Following the moment of silence, the City Council 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. Motion by Reid, seconded by Urban, 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 Urban, to approve the Regular Meeting Minutes of March 24, 2020 and Pre-Council of April 13, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF APRIL 14, 2020: Motion by Reid, seconded by Urban, to approve the Accounts Payable Register of April 14, 2020. Upon a roll call vote, motion carried 7 to 0.

CITY OF PORTAGE SUPPORT EMERGENCY OPERATIONS PLAN: Motion by Reid, seconded by Urban, to adopt the City of Portage Support Emergency Operations Plan and authorize the City Manager to execute all document as written on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

WATER/SEWER UTILITY BILL LATE FEES RESOLUTION: Motion by Reid, seconded by Urban, to adopt the Resolution Regarding Water/Sewer Utility Bill Late Fees; Reconnection of Water Service and Discontinuance of Shut Off. Upon a roll call vote, motion carried 7 to 0.

APPOINTMENT OF CITY COUNCIL LIAISON TO THE PORTAGE COMMUNITY CENTER BOARD OF DIRECTORS: Motion by Reid, seconded by Urban, to approve Mayor Patricia M. Randall's appointment of Councilmember Lori Knapp as the City Council liaison to the Portage Community Center Board of Directors. Upon a roll call vote, motion carried 7 to 0.

2020 UTILITY RATE FINANCIAL STUDY: Motion by Reid, seconded by Urban, to establish a public hearing on April 28, 2020, to consider resolutions to adopt the: recommendation that the sewer commodity rate remain at \$4.60 per 1,000 gallons of metered water; recommendation that the water commodity rate remain at \$3.14 per 1,000 gallons of metered water; recommendation that to the sewer and water base quarterly charges remain as noted in the 2020 Utility Rate Financial Study; recommendation that the new rates become effective on July 1, 2020; recommended water

and sewer franchise area fees and other service fees and charges as outlined in the 2020 Utility Rate Financial Study. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Urban, to receive the minutes of the Human Services Board of March 5, 2020. Upon a roll call vote, motion carried 7 to 0.

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

REGULAR BUSINESS AGENDA:

PRESENTATION OF THE PROPOSED FISCAL YEAR 2020-2021 BUDGET: Mayor Randall asked the City Manager to summarize the proposed 2020-2021 Budget. City Manager La Margo reviewed highlights of the proposed budget, including the Capital Improvement Program (CIP) and associated projects. Mr. La Margo concluded by providing the upcoming City Council Budget Review Session dates and times. Councilmember Reid commented that the proposed budget is now available online and invited the public to submit any questions regarding the budget.

Motion by Knapp, seconded by Reid, to accept the presentation of the Proposed Fiscal Year 2020-2021 Budget. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS AGENDA:

AMENDMENT TO THE CODE OF ORDINANCES – SECTION 35 OF CHAPTER 38, HISTORICAL PRESERVATION: Mayor Randall deferred to the City Manager. City Manager La Margo asked Interim Director Forth for a summary of the proposed amendment to the Historical Preservation Ordinance. Interim Director Forth noted that the City Administration was recommending a housekeeping update of the ordinance by removing the sites at 214 Brown Avenue and 309 East Centre Avenue from the district as they had previously been demolished, as well as 1324 West Milham Avenue as this was Stuart Manor that had been relocated to Celery Flats. Interim Director Forth further noted a revision to the legal descriptions and property tax identification numbers were needed in the ordinance for 10234 East Shore Drive and 3821 West Milham Avenue following several previous lots divisions. Councilmember Urban asked Interim Director Forth for clarification regarding the map of historic sites included in the agenda packet in light of the recommended amendment.

Motion by Ford, seconded by Reid, to adopt 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, and correct the tax identification number. Upon a roll call vote, motion carried 7 to 0.

PURCHASING AUTHORITY OF CITY MANAGER: Mayor Randall asked the City Manager to summarize the proposed amendment to the Purchasing Ordinance. City Manager La Margo deferred to Deputy City Manager Carroll who elaborated on the recommendation in light of the current global crisis and similarities to neighboring jurisdictions.

Councilmember Urban stated he had no issue with the recommended dollar amount changes but explained that there have been contracts in the past on which he would have preferred to receive notification from the City Manager's Office similar to the Accounts Payable Register. Councilmember Urban asked City Attorney Brown whether codification of such a regular report was

required. City Attorney Brown responded that the such a report does not need to be outlined in the ordinance but City Council can direct the City Administration on how to proceed. City Council then debated regarding the preferred report method and dollar amount thresholds. City Manager La Margo noted he would provide a regular report to Council and would explore the best manner in which to do so.

Motion by Burns, seconded by Ford, to adopt the amendment to Division 2, Article 5 “Purchases and Sales” in the City of Portage Code of Ordinances. Upon a roll call vote, motion carried 7 to 0.

FINAL CONDOMINIUM SUBDIVISION FOR PENNRIDGE TRAIL NO. 1: Mayor Randall deferred to the City Manager for an update on the matter. City Manager La Margo noted that the City Council had originally adjourned the Pennridge Trail item to the April 14th Meeting following discussion during the initial presentation at the March 24, 2020 City Council Meeting. Mr. La Margo stated that the City Administration is awaiting additional information from the petitioner, as well as having the Fire Marshal perform supplementary reviews of the proposed development. In light of the remaining feedback and current health crisis, the City Administration is recommending further adjournment of the matter to the April 28, 2020 City Council Meeting.

Mayor Randall stated that she is pleased discussions toward a consensus are ongoing between the City Administration and the developer in light of the Governor’s current Executive Order. Councilmember Reid expressed concerns with the proposed development’s single point of entry and exit. She encouraged the developer to open the proposed emergency access road as a second regular point of access.

Motion by Knapp, seconded by Reid, to adjourn the Final Condominium Subdivision for Pennridge Trail No. 1, 1800 West Osterhout Avenue subject to the following conditions: a) West Osterhout improvements and storm sewer improvements and paving by August 2020 and b) completion of sidewalks and street trees by November 2021 to April 28, 2020. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Ford provided an update on the recent virtual meeting of the City Council Utility Rate Study Committee including citizen members Ted Vliek, Sr. and Randy Orwig. Councilmember Ford noted that both the Water and Sewer Funds had a cash balance of 200 percent. He relayed upcoming related Capital Improvement Projects slated for Hampton Bog and utility smart meter installations. He deferred to fellow Committee Members Burns and Knapp for additional input regarding the Committee’s recent meeting. Councilmember Burns noted that the Committee had planned to lower water and sewer rates for three years; however, only two years had been accomplished, noting the third year would be subject to a three percent sewer rate increase for the City of Kalamazoo. He stated that the City can assume the cost of the three percent increase without affecting citizens. However, the City of Portage remains unsure whether the City of Kalamazoo will raise sewer rates in the future. Councilmember Knapp echoed Councilmember Burns’ comments regarding the City of Kalamazoo sewer rates.

Motion by Reid, seconded by Urban, to receive the Council Committee Reports. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns thanked City staff from the Community Development Department for working with him and his wife to review and approve the new addition of four hens to his property per the City Ordinance for chickens. He commended City Manager La Margo for maintaining city operations under the limitations of the Governor’s Executive Orders.

Councilmember Urban encouraged everyone to stay safe and adhere to the Governor's Orders, understanding when Personal Protective Equipment is appropriate. He stressed the proper use of protective disposable gloves as opposed to fabric gloves and urged the maintenance of regular hand-washing.

Councilmember Reid thanked citizens for sheltering in place and taking steps to mitigate the spread of COVID-19. She noted the State of Michigan continues to approve a growing number of people for unemployment but stressed the difficulty in reaching the State's unemployment agency. Councilmember Reid further noted the large volume of inquiries the State unemployment agency was receiving, in addition to recent technical difficulties the agency is experiencing. She encouraged Portage residents to remain patient when contacting the agency, noting payments are backdated to the starting date of unemployment. Councilmember Reid closed by stating that she hopes the numbers of unemployment claims will quickly drop once the mandated quarantine is over.

City Manager La Margo provided updates regarding the status of city services. He noted that emergency services continue uninterrupted but the Public Safety Department is altering how to address non-emergency matters. He stated the Spring Cleanup Program facilitated by Waste Management has been postponed indefinitely under the Governor's Executive Orders as a non-essential service but remains under city review. Mr. La Margo noted that the April Quarterly Brush Collection has been canceled, but is expected to resume in July as planned and asked residents to move any brush back from curbside in the interim. In light of canceling the curbside aspect, the city opened the Oakland Drive compost site for residents and has already received 400 drop-offs. He stated that payments to the city can be completed online with the city having waived the usual processing fees until April 30, which could be extended if the Governor extends the "Stay Home, Stay Safe" Executive Order. City Manager La Margo relayed that water utility shut-offs will continue to be put on hold until April 30 in line with the Governor's Orders and all late fees have also been waived. He stated that only inspections with an emergency need are occurring, otherwise Community Development staff continue to process applications via e-mail and the city website. Mr. La Margo noted that the Senior Center remained closed with all associated activities and trips canceled until May, but that staff has recently started offering alternative activities online. He relayed that all Recreation events have been canceled and Park facilities are closed until April 30th except for the greenspaces and trails. He stated that any potential violations of the Governor's Executive Orders are being handled with an initial warning, with additional violations being reported to the offices of the Kalamazoo County Prosecutor and Michigan Attorney General. City Manager La Margo provided updates on the regular social media efforts and encourage everyone to buy local when ordering food.

Mayor Pro Tem Pearson stated that COVID-19 test results remain county-based rather than narrowed by municipality, but applauded Portage residents for quarantining as the city's 911 call volume has greatly decreased.

Mayor Randall noted that recent rains have raised the water level of Hampton Bog and the pump has been in use again. She asked Deputy City Manager Herringa to provide a verbal update. Mr. Herringa stated that Transportation and Utilities Director Gwin continues to monitor the Bog's water levels, noting the pump is considered an essential service. He stated that city staff is now looking at the next steps to address the high water levels as provided by Fishbeck, including funding options. Mr. Herringa noted that the City Administration is planning to hold an open house once possible to begin the long-term resolution. Mayor Randall thanked Deputy City Manager Herringa. She then provided an update regarding the May 5th Election, noting that it would be largely a mail-only election under the Governor's Orders. She stated that feedback concerning the parks has been largely positive with bike patrols expected to resume. Mayor Randall complimented the City Manager and City staff on their efforts during this time, having the full support of the Council. She

closed by relaying the upcoming efforts of the City Council to review the proposed budget over the following weeks.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:15 p.m.

Erica L. Eklov, City Clerk