

CITY COUNCIL MEETING MINUTES FROM JUNE 9, 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 was Deputy City Manager Mike Carroll. In attendance in Council Chambers were City Manager Joe La Margo, Deputy City Manager Adam Herringa, City Attorney Randy Brown, Communications Manager Mary Beth Block, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect upon the civil unrest in the country and the power each person has to bring peace to the community. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Mayor Randall asked Deputy City Manager Herringa to present the Eagle Scout Recognition Presentation. Following the presentation, Deputy City Manager Herringa thanked the Scouts on behalf of the City Administration. Mayor Randall thanked the Scouts for their hours of service. Mayor Pro Tem Pearson also thanked the Scouts, noting his nephew had recently achieved Eagle status as well. Mayor Pro Tem Pearson further relayed that the Portage Rotary has enjoyed working with Eagle Scouts in the past.

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

APPROVAL OF MINUTES: Motion by Pearson, seconded by Reid, to approve the minutes of the Regular Meeting of May 26, 2020 and Pre-Council Meeting of June 8, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 26, 2020: Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of June 9, 2020. Upon a roll call vote, motion carried 7 to 0.

WETHERBEE DRIVE SANITARY SEWER AND WATER MAIN IMPROVEMENTS - BID

TABULATION: Motion by Pearson, seconded by Reid, to award a construction contract for the Wetherbee Avenue Sanitary Sewer and Water Main Improvement Project to Balkema Excavating, Inc., of Kalamazoo, Michigan, in an amount not to exceed \$593,381.45 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.

DELINQUENT WATER AND SEWER BILLS: Motion by Pearson, seconded by Reid, to Order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2020 will be transferred to the 2020 city tax roll and assessed against the property for which the services were furnished. Upon a roll call vote, motion carried 7 to 0.

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

PETITIONS AND STATEMENTS OF CITIZENS: Justin Hassler (4317 Foxfire Trail) expressed concerns regarding the infrastructure for voting by mail for the November 2020 election, as well as recent protests regarding community policing and racial disparity.

City Clerk Eklov responded, providing an update regarding the Secretary of State's directions for conducting the upcoming August and November elections, as well as the Clerk Office's recent efforts to plan for addressing the increased demands with absentee voting.

Mayor Randall responded to Mr. Hassler's concerns regarding the recent nationwide protests, highlighting a recent video response that she, City Manager La Margo, and Public Safety Director Nick Arnold had published. Mayor Randall stated that all Portage Police Officers are all required to undergo training to prevent incidents.

City Manager La Margo echoed Mayor Randall's comments, stating that Mayor Randall had also released an official statement regarding the events leading to the protests. Mr. La Margo noted that the Portage Police Division is one of only a handful of agencies in Michigan to be nationally accredited. He stated that the department already has a policy in place should an officer use force then an official review board is convened, but such a need had yet to arise. He noted the Michigan State Police would also be involved in any internal incidents.

Councilmember Urban stated that City Council had recently been provided the detailed Police Division procedures that included definitions on the level of force and when to use. He highlighted that the department requires a report any time force is utilized by an officer, which is then reviewed by command staff. Mr. Urban noted that during his tenure with the city there had only been one incident with an officer that he could recall, but nothing like recent national issues. He stated his hope that this information reassures Portage residents.

City Manager La Margo stated that Portage police officers also receive special training from Kalamazoo Valley Community College that includes a racial sensitivity program.

COMMUNICATIONS:

COUNCILMEMBER RICHARD FORD LETTER OF RESIGNATION: Mayor Randall introduced the communication from Councilmember Ford and asked him to comment on the matter. Councilmember Ford stated that his family had decided to relocate to Grand Rapids as a result of his job so he was resigning from City Council. He noted that he had made the effective date June 30th in an effort to give Council ample time to find a replacement in light of the ongoing COVID-19 situation and resulting budget conditions.

Mayor Randall responded that she would miss Mr. Ford, noting that he was a wonderful asset to the Council, as well as the community.

Mayor Pro Tem Pearson wished Mr. Ford well, noting his achievements with the city and thanked him for his contributions.

Councilmember Ford urged Council and staff to continue seeking out technology options for potential time and money savings. He further stressed a continuance of streamlining processes, noting he was glad to see Deputy City Manager Herringa pursuing Lean Management. Mr. Ford closed with a reminder to maintain a healthy fund balance.

Motion by Urban, seconded by Reid, to receive the resignation of Councilmember Richard Ford and formally accept the resignation on June 30, 2020. Upon a roll call vote, motion carried 6 to 0 with Councilmember Ford abstaining.

REGULAR BUSINESS AGENDA:

LEGAL SERVICES CONTRACTS: Mayor Randall deferred to the City Manager. City Manager La Margo noted the May 14th Committee of the Whole meeting regarding the legal services contract and the current contract's expiration set for August 2020. He outlined the City Administration's plan to advertise the contract and do so in two different formats.

Councilmember Reid inquired how the City Administration planned to disseminate the RFP to potential firms. Deputy City Manager Carroll responded that the City Administration planned to follow the same steps as was done the previous time in 2015, including reaching out to a pre-existing list of firms and posting the RFP on the city website.

Motion by Reid, seconded by Knapp, to instruct the City Administration to solicit proposals for City Attorney and prosecution legal services. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns stated that it had been a difficult time since the last Council meeting in light of the national unrest. He noted that he had been reflecting on how to help for equal justice. He stated Portage was fortunate to have a great Public Safety Department and avoid the protests affecting other cities. Mr. Burns noted that it was a great opportunity for Portage to be a role model for others. He then noted that the unemployment rate had risen to 16 percent at the end of April as a result of COVID-19. He encouraged citizens in need of assistance to get in touch with local officials and the Portage Community Center.

Councilmember Ford echoed the sentiments of Mayor Randall, City Manager La Margo, and Public Safety Director Arnold from their recent response to the civil unrest. He noted that the citizen comment segment had provided the public an opportunity to learn what the Portage Police Division was doing, stating that he hoped Portage could be a role model for other municipalities. He closed by stating he was sad to be leaving and planned to attend in person for his last Council meeting on June 23.

Councilmember Urban expressed his satisfaction with the Police Division's policies, noting they had been in place for some time already as a result of the national accreditation process. He echoed Mr. Burns in noting the past several days had been difficult in light of the civil unrest but encouraged the public to denounce instances of injustice or discrimination. He noted that policing by intimidation is not acceptable and strive for social justice in all matters.

Councilmember Reid highlighted that the annual Spring Clean-up Program had been delayed due to contractor staffing issues and recommended citizens contact the city with any questions. Ms. Reid relayed that she had been contacted by a citizen concerned about policing who acquainted her with the website www.8cantwait.com. Councilmember Reid stated that the website details eight policies that have proven to decrease violence in a police force. She was encouraged to find out that Portage was already utilizing each of the eight measures in its Police Division. Councilmember Reid closed by relaying that the Police Division is the largest portion of the budget because it is the city's main priority to keep citizens safe and implored everyone to stay involved and informed.

Councilmember Knapp echoed prior Councilmembers' remarks regarding recent events and thanked all for sharing their thoughts. She relayed that she was encouraged to see the Farmer's Market and drive-in movie night events beginning with new formats in light of the effects of COVID-19.

City Manager La Margo thanked Councilmember Ford for welcoming him to Portage, as well as his ideas regarding Lean Management. He expressed appreciation for Councilmember Ford's help in developing the FY 2020-21 Budget. Mr. La Margo stated that all city staff was expected to return to city offices on Monday, but that the public interaction would be returning gradually starting with

appointments only. He closed by asking Deputy City Manager Herringa to quickly relay draft steps for replacing Councilmember Ford.

Mayor Pro Tem Pearson thanked Portage citizens for their non-violent protests over the past several days and thanked first responders for allowing these activities to transpire unhindered. He stated he was proud of Portage for the way in which the community had responded in recent days.

Mayor Randall began by explaining the rationale for the citywide June 2, 2020 curfew. She relayed that she had received negative feedback from some citizens, but noted the goal was to ensure the public's safety and she hoped to avoid having to issue another curfew in the future. Mayor Randall highlighted recent peaceful demonstrations, including the Portage Northern and Central High School football teams' walk of solidarity, as well as the demonstrators on the corner of Westnedge and Centre Avenues. Mayor Randall then stated that she fully supports the Portage Police Division and does not support the national movement to defund police departments for Portage. She stated that the Portage Police Division is a model as one of only several Michigan police departments to be nationally accredited, noting there is always the potential for improvement. She expressed hope that everyone felt welcome in city buildings, stating the Portage Senior Center was a great place to teach social justice, as well as schools. Mayor Randall stated that teaching social justice needed to start with the youth to begin making a difference. She also stated that the Police Division was planning additional community outreach events in the coming weeks.

Mayor Randall closed by stating she was sad to see Councilmember Ford leave but appreciated his optimism, youthful perspective, and technological recommendations. She relayed that she also plans to attend the June 23 City Council Meeting in person, noting that the Governor's Executive Order allowing virtual meetings expires June 30th.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:11 p.m.

Erica L. Eklov, City Clerk