CITY COUNCIL MEETING MINUTES FROM JULY 28, 2020

The Regular Meeting was called to order by Mayor Patricia Randall at 7:02 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 in Chambers: Councilmembers Lori Knapp, Claudette Reid, and Mayor Patricia Randall. The following members were present via the WebEx meeting platform: Councilmembers Chris Burns, Terry Urban, and Mayor Pro Tem Jim Pearson. Also in attendance were City Manager Joe La Margo, Deputy City Manager Mike Carroll, City Attorney Randy Brown, Communications & Research Coordinator Sam Bowers, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect upon the importance of voting safely and securely. 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 Knapp, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the minutes of the Board & Commission Interviews of July 14, 2020; Special Meeting of July 14, 2020; Regular Meeting of July 14, 2020; Special Meeting of July 21, 2020; Special Meeting of July 23, 2020 and Pre-Council Meeting of July 27, 2020. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 28, 2020: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of July 28, 2020. Upon a roll call vote, motion carried 6 to 0.

POLICE RADIO REPLACEMENT - COOPERATIVE PURCHASE: Motion by Reid, seconded by Knapp, to approve the purchase of 72 portable radios from Motorola Solutions, Inc. in the amount of $200,000 in Fiscal Year 2020-2021 and $257,932.96 in Fiscal Year 2021-2022, for a total purchase price of $457,932.96; and, 24 in-car radios from State Systems Radio, Inc. in the amount of $89,301.04; and authorize the City Manager to execute all documents related to this purchase on behalf of the city.

HAMPTON BOG ENGINEERING – RFP: Motion by Reid, seconded by Knapp, to direct the City Administration to issue a Request for Proposals for Engineering Services on the Hampton Bog Stormwater Mitigation Project, to include the methodology for specially assessing the cost thereof. Upon a roll call vote, motion carried 6 to 0.

CLOSED SESSION: Motion by Reid, seconded by Knapp, to hold a closed session immediately following the regular City Council meeting of July 28, 2020 for the purposes of discussing the purchase or lease of real property. Upon a roll call vote, motion carried 6 to 0.

MINUTES OF BOARDS & COMMISSIONS: Motion by Reid, seconded by Knapp, to accept the meeting minutes of the Planning Commission of June 4, 2020; Zoning Board of Appeals of June 8, 2020, and Human Services Board of June 25, 2020. Upon a roll call vote, motion carried 6 to 0.

MATERIALS TRANSMITTED: Motion by Reid, seconded by Knapp, to receive the Materials Transmitted of July 14, 2020. Upon a roll call vote, motion carried 6 to 0.

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.

PETITIONS AND STATEMENTS OF CITIZENS: Tom and Jamie VanderHorst (9011 West End Drive) complained of a northern neighbor on West End with a loud, motion-activated noise machine intended to deter animals that sounds at all hours. They further complained that this same neighbor calls the Fire Division out to pursue a fellow West End Drive neighbor for an active fire pit directly after the midnight ordinance restriction. Mr. and Mrs. VanderHorst requested that the City review the recreational fire ordinance for a potential update and revised hours. Mayor Randall thanked Mr. and Mrs. VanderHorst for coming and deferred to the City Manager. City Manager La Margo stated he would have staff look into both matters, including review of the recreational fire ordinance.

Mark Caley (9033 West End Drive) stated he was speaking in support of his neighbors, Mr. and Mrs. VanderHorst, regarding their concerns with the northern neighbor's noise machine and fire pit enforcement calls to the city. Mr. Caley noted his prior law enforcement experience and expressed concern with the potential waste of city staff time and tax dollars for repeated calls to enforce the fire pit ordinance.

Justin Hassler (4317 Foxfire) noted a recent Kalamazoo Gazette article regarding the postal service delays in light of the upcoming elections and inquired about election law for a postmark date on a mailed ballot. City Clerk Eklov clarified that State law still requires ballots to be returned to the City Clerk before the Close of Polls on Election Day and recommended that residents utilize the City Hall outside secure drop box to return ballots.

UNFINISHED BUSINESS AGENDA:

ORDINANCE AMENDMENT - STORM WATER - ILLICIT DISCHARGES & CONNECTIONS: Mayor Randall deferred to City Manager La Margo to summarize the matter. City Manager La Margo stated that this was the second reading of the proposed ordinance amendment. He relayed the City Administration had addressed Councilmember Reid's prior concerns regarding the temperature of hot surface runoff for the trout habitat in Portage Creek. Councilmember Reid thanked the City Administration for following up on her concerns and for contacting Trout Unlimited to review the proposed amendment.

Motion by Reid, seconded by Burns, to Accept the proposed amendments to the City of Portage Code of Ordinances Chapter 64 Storm Water, Illicit Discharges and Connections. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Knapp provided an update regarding the Kalamazoo County Public Art Commission (KCPAC). She stated the Commission had recently met virtually for the first time since February due to COVID-19. Ms. Knapp noted the meeting was more of reconnection for members and status updates regarding representation with local organizations and local art projects. Mayor Randall noted a KCPAC collaboration with the Bike Friendly Kalamazoo organization for a bike art banner project contest promoting bike safety and bike-friendly communities.

Motion by Urban, seconded by Reid, to accept the Council Committee Reports as presented. Upon a roll call vote, motion carried 6 to 0.

NEW BUSINESS AGENDA:

CITY COUNCIL VACANCY - SELECTION OF CANDIDATE: Mayor Randall introduced the selection for the candidate to fill Councilmember Richard Ford's vacated position and opened the matter for discussion.

Councilmember Burns reiterated Council comments from the July 21 Special Meeting regarding the diverse and well-qualified group of candidates. He stated his preference for Vic Ledbetter and disclosed that he had discussed applying to the Council vacancy with Mr. Ledbetter prior to him submitting an application.

Councilmember Knapp echoed Councilmember Burns' statements regarding the group of candidates and was impressed there were no overlapping skillsets or backgrounds amongst the applicants, which made for thoughtful deliberation. She stated she was looking for the best candidate to lead the city in 2020 and going forward. Ms. Knapp stated her preference for Vic Ledbetter, noting his long-standing service and outreach with the community, as well as his fresh perspective to build on the current Council's skillset. She closed by stating she remained interested in the other opinions of the Council.

Councilmember Urban noted his prior experience with the process of filling a Councilmember vacancy. He stated that he believed Mr. Ledbetter would be too new to the process but Tim Earl was already familiar with serving the city. Mr. Urban stated that Mr. Earl would be better suited to filling a partial term and would have a shorter learning curve. Mr. Urban closed by expressing his hope that Mr. Ledbetter would begin to increase his involvement with the city.

Councilmember Reid noted the limited term the potential candidate would be filling and the current complex issues expected to come before Council. She stressed the need for an experienced candidate at this time and her preference for Mr. Earl or Mr. Strazdas. She closed by also expressing a desire that Mr. Ledbetter starts to become more involved in the city.

Mayor Pro Tem Pearson agreed that the City Council had five excellent candidates for the position. He stated that Council was looking for new viewpoints and skillsets to share, noting the contributions Councilmembers Burns and Ford made to the Council. Mayor Pro Tem Pearson stated that he brought his Planning Commission experience to City Council. He stated that he was currently interested in bringing on a candidate who could advise Council regarding the Public Safety budget noting the protracted approval of Fire Station #2, and expressed his preference for Vic Ledbetter in light of his public safety background.

Mayor Randall agreed on the quality of all the candidates and expressed the hope that they all maintain or begin involvement with the city. She apologized to the candidates for the intimidating interview format in light of the virtual meeting. Mayor Randall then expressed her preference for Mr. Ledbetter, noting his public safety background and unique perspective, as well as his work with the Kalamazoo Valley Community College Law Enforcement Training Center.

Mayor Randall then opened the discussion for candidate nominations. Councilmember Urban nominated Tim Early, Councilmember Reid seconded. Councilmember Burns nominated Vic Ledbetter, Councilmember Knapp seconded.

As no further nominations were made, Mayor Randall closed the nomination portion and opened the meeting to public comments. There being none, Mayor Randall asked the City Clerk to review the voting process. City Clerk Eklov stated that all votes would be made simultaneously. She stated those Councilmembers in Chambers would complete a paper ballot to be collected by the Clerk and those Councilmembers attending remotely would submit a private comment in the Chat section of the WebEx platform which Mr. Bower would relay. Once all votes were collected, then the Clerk would read them each into the record and additional votes would occur if there was not a majority achieved.

Following the vote, City Clerk Eklov read aloud the results. Mayor Randall voted for Vic Ledbetter; Councilmember Knapp voted for Vic Ledbetter; Councilmember Reid voted for Tim Earl; Councilmember Burns voted for Vic Ledbetter; Councilmember Urban voted for Tim Earl, and Mayor Pro Tem Pearson voted for Vic Ledbetter. The resulting vote was 4 votes for Vic Ledbetter and 2 votes for Tim Earl with Mr. Ledbetter receiving the majority.

ADJOURN TO CLOSED SESSION: Motion by Burns, seconded by Knapp, to move into Closed Session. Upon a roll call vote, motion carried 6 to 0. Mayor Randall explained the process for conducting the closed session in light of the virtual meeting format, noting that City Council would reconvene the regular meeting following the closed session.

Adjourn: 7:55 p.m.
Reconvene: 8:25 p.m.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Knapp congratulated Mr. Ledbetter and expressed that she was looking forward to working with him. She reminded everyone about the election on August 4th and the need to return an absentee ballot soon. She stated she hoped everyone exercised their right to vote, noting that precinct locations would be open. She closed by reflecting that the prior week had been busy with several City Council meetings on various topics.

Councilmember Reid congratulated and welcomed Mr. Ledbetter. She echoed Councilmember Knapp's comments regarding the prior week's meetings, praising both staff and City Council for navigating each meeting's unique format in light of COVID-19 restrictions. She highlighted the bump in COVID-19 cases for the State of Michigan over the prior weekend resulting from family and friend gatherings that were not social distancing or wearing masks. Ms. Reid expressed appreciation for local business owners for their continued efforts with mask enforcement.

Councilmember Burns encouraged everyone to get out and vote on August 4th. He issued a reminder regarding the Fire Division's Community Input Survey and noted the option to respond through the city website.

Councilmember Urban congratulated Mr. Ledbetter and stated he looked forward to working with him. He noted the continued difficulties with traveling during COVID-19, urging everyone to remain cautious and conservative, avoiding non-critical activities or trips.

City Manager La Margo congratulated Mr. Ledbetter and relayed the onboarding plans to bring him up to speed. He noted the upcoming Lake Center District Area three-day charrette scheduled for August 5th through 7th.

Mayor Pro Tem Pearson highlighted the Kalamazoo County Consolidated Dispatch Authority (KCCDA) millage proposal on the August 4th ballot. He then welcomed Mr. Ledbetter to City Council.

Mayor Randall noted the article in the August Portager regarding the KCCDA millage on the August 4th ballot and provided a brief update on the August election activity. She closed by wishing everyone safe travels over the next two weeks.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:43 p.m.

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Erica L. Eklov, City Clerk