

CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 8, 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 Order 2020-02 in light of COVID-19. The following members were present in Chambers: Councilmembers Vic Ledbetter and Mayor Patricia Randall. The following members were present via the WebEx meeting platform: Councilmembers Chris Burns, Lori Knapp, Claudette Reid, Terry Urban, and Mayor Pro Tem Jim Pearson. Also in attendance were City Manager Joe La Margo, Deputy City Manager Mike Carroll, Deputy City Manager Adam Herringa, City Attorney Catherine Kaufman, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to express appreciation for the female public safety officers throughout the country. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATION: Mayor Randall issued a proclamation recognizing September as "National Senior Center Month" in the City of Portage. Mr. Art Roberts of the Senior Citizen Advisory Board was present to read and receive the proclamation.

Mayor Randall then issued a proclamation recognizing September 12 as "Women in Law Enforcement Day" in the City of Portage. Community Policing Officer Jessica Smith was present to read and receive the proclamation.

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 Randall removed Item A.3 and A.6. Motion by Reid, seconded by Burns, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Burns, to approve the minutes of the Regular Meeting of August 25, 2020, and Pre-Council Meeting of September 8, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 8, 2020: Motion by Reid, seconded by Burns, to approve the Accounts Payable Register of September 8, 2020. Upon a roll call vote, motion carried 7 to 0.

HAMPTON CREEK BOG DRAINAGE IMPROVEMENT PROJECT: Motion by Reid, seconded by Burns, to award a contract to perform engineering services for the Hampton Creek Bog Drainage Improvement Project to Integral Partners, LLC (dba: Land & Resource Engineering) in the amount not to exceed \$217,990 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.

ICE CONTROL SALT PURCHASE - COOPERATIVE PURCHASE: Motion by Reid, seconded by Burns, to award contracts in the amount of \$68.42 per ton for 2,000 tons of ice control salt

at a total cost of \$136,840 for early delivery from Compass Mineral; and in the amount of \$71.56 per ton for 1,500 tons of ice control salt at a total cost of \$107,340 for seasonal back-up on an as-needed basis from Morton Salt Inc.; and authorize the City Manager to execute all documents related to these contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS & COMMISSIONS: Motion by Reid, seconded by Burns, to accept the meeting minutes of the Planning Commission of August 20, 2020. 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: Josh Mayer (742 S. Harvard Boulevard, Apt 310, Los Angeles, California) introduced himself as a former Portage resident and expressed concerns with Portage's use of the PredPol policing software. Councilmember Urban thanked Mr. Mayer for highlighting his concerns and noted the PredPol contract had not come before City Council due to the dollar amount threshold. Mayor Pro Tem Pearson agreed with Councilmember Urban, but expressed concerns with the additional costs with the use of PredPol and requested follow-up by the City Administration.

Mark Bainbridge (6400 Corporate Avenue) expressed opposition to the proposed extension of the Lake Center District Area Moratorium, noting he owned 13 acres slated for development. Mayor Randall asked if Mr. Bainbridge had contacted the city to review his concerns and noted that the moratorium would not hinder the sale of a property. Mr. Bainbridge relayed that he had a pending development agreement but had not reached out to the city. Mayor Randall replied that staff would follow up with him the following day to review the matter.

COMMUNICATIONS:

ANNUAL SENIOR CITIZEN ADVISORY BOARD UPDATE: Senior Citizen Advisory Board Chair Doug Gilchrist provided Council with an update on the efforts of the Board over the past year. He noted that the Board has had two phases: pre- and post COVID-19. Mr. Gilchrist then updated City Council on the Senior Center's current program offerings under COVID-19 restrictions. He praised the Senior Center staff for their flexibility to meet the needs of the senior population, maintaining activities in virtual formats, and continuing outreach by phone. He closed by reminding that the Portage Senior Center will be due to renew its national accreditation in 2021 with a process that will look different due to COVID-19.

Mayor Randall thanked Mr. Gilchrist and noted the September 24 groundbreaking ceremony for the new Community Senior Center.

Councilmember Reid asked about the levels of virtual participation by members. Senior Center Manager Kim Phillips responded that four to six programs are offered weekly with approximately six to twelve participants regularly. However, Ms. Phillips noted that several big events such as a virtual movie screening and drive-up ice cream social had garnered over 100 and 300 participants, respectively.

Motion by Burns, seconded by Reid, to accept the annual Senior Citizen Advisory Board Update as presented. Upon a roll call vote, motion carried 7 to 0.

LETTER FROM ERIC PIEL (9121 AUSTIN DRIVE) DATED SEPTEMBER 8, 2020 REGARDING THE LAKE CENTER DISTRICT COMMUNITY MEETING: Mayor Randall introduced the letter from Eric Piel regarding the Lake Center District noting that City Council had received the letter recently and would ask the City Administration to review the matter.

Motion by Burns, seconded by Reid, to accept the Letter from Eric Piel (9121 Austin Drive) dated September 8, 2020, regarding the Lake Center District Community Meeting as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

REZONING APPLICATION #19/20-4, 7801 GARDEN LANE AND THE NORTH 660-FEET OF 1203 EAST CENTRE AVENUE (REDWOOD):

Mayor Randall opened the public hearing and deferred to City Manager La Margo and Interim Community Development Director Forth. Director Forth summarized the prior action on the proposal, as well as background regarding access points for the development.

Councilmember Reid expressed concerns with the lack of a second fully functioning ingress and egress noting that connected neighborhoods made for better city planning. She asked Director Forth whether there was any benefit to one access compared to two access points. Director Forth responded that additional access points were beneficial but noted that the proposed Redwood Living development is considered a high density, commercial type of residential, resulting in the Community Development Department's recommendation that the second access point is for emergency and pedestrian use only.

Representatives from Redwood Living then provided a presentation with background information regarding the evolution of the proposed development.

Councilmember Ledbetter inquired whether the option for homeownership would be offered. A Redwood Living representative responded that the community would be rental only based on the needs of the market. Councilmember Ledbetter then asked whether the development would be family-friendly. Redwood Living representatives replied that the community was mostly focused on empty nesters and young professionals who tend to need the two-bedroom design. Councilmember Ledbetter further inquired whether the proposed sun porch option corresponded to the higher rental units. A Redwood Living representative responded that the porch was one feature of several that were available at the higher price point.

Mayor Randall expressed satisfaction with the level of attention provided to the site layout and inquired about the noted community shelter building. A Redwood Living representative responded that the shelter is similar to a pavilion for an outdoor gathering with accessibility. Mayor Randall then inquired about the pedestrian access to Garden Lane and whether access from Garden Lane into the Redwood community would be restricted. A Redwood Living representative stated there would be no access restrictions.

Motion by Burns, seconded by Knapp, to close the public hearing.

Councilmember Reid expressed her appreciation to the Redwood Living representatives for the quality of construction and customer focus but maintained concerns with the need for interconnected communities.

Motion by Burns, seconded by Knapp, to approve: Rezoning application #19/20-4, Redwood Living PD and change the zoning designation of 7801 Garden Lane and the north 660-feet of 1203 East Centre Avenue from R-1B, one family residential to PD, planned development; and the ordinance amendment to Chapter 42. Upon a roll call vote, motion carried 6 to 1 with Councilmember Reid voting no.

REGULAR BUSINESS:

FIRE APPARATUS REPLACEMENT: Councilmember Reid stated she had received questions from citizens requesting an explanation as to why the city was opting to lease and not purchase the noted apparatus.

City Manager La Margo explained that while the city is working to develop a vehicle policy, the City Administration chose to lease the apparatus in light of the present COVID-19 economy. He noted the immediate high cost to purchase two apparatus at the same time as compared to the \$300,000 the city would save using the lease-to-own option.

Motion by Reid, seconded by Burns, to approve the lease purchase of two (2) Pierce Impel Pumper fire apparatus in the amount of \$1,356,247.08 to PNC Equipment Finance, LLC, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

RESOLUTION TO EXTEND THE LAKE CENTER DISTRICT TEMPORARY MORATORIUM: Prior to discussion, Councilmember Burns noted that he had been made aware of a conflict of interest regarding this item and would be abstaining.

Councilmember Reid highlighted Section 5 of the Resolution regarding the topic of waivers and requested additional explanation as to the process and development of the language. She inquired whether property owners had the option to appeal before City Council if they were unhappy with the City Manager's response under the proposed Resolution.

City Manager La Margo confirmed that the final decision resided with City Council on any requests. He relayed that the moratorium initially developed from interest for traffic control in the Lake Center area and then evolved into a city placemaking and redevelopment effort, pending plans from Farr and Associates at the upcoming October open house.

Councilmember Reid questioned the language on the petition for a waiver noting a Lake Center District plan was not currently in place. Deputy City Manager Carroll confirmed that the city would not be able to address a waiver presently in the absence of a plan as defined in the Resolution, but noted that as planning on the area progresses then any new developments would be covered under the proposed language.

Mayor Randall highlighted two recent citizen concerns regarding the Lake Center District moratorium and asked the City Manager to urge Farr and Associates to complete their planning. City Manager La Margo confirmed, noting that the process was monumental and entailed input from many different interested parties.

Motion by Reid, seconded by Knapp, to adopt the Resolution for the city to extend the Temporary Moratorium for Certain Development Activities within the Lake Center District Area

until March 18, 2021 or until a new zoning district for the Lake Center District Area has been adopted, whichever comes first. Upon a roll call vote, motion carried 6 to 0 with Councilmember Burns abstaining.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Knapp welcomed the new City Attorney.

Councilmember Reid highlighted the Hampton Bog Improvement Project from the Consent Agenda. She then welcomed the new City Attorney.

Councilmember Urban also welcomed the new City Attorney. He then noted the interesting start to the school year in light of COVID-19 and thanked the Portage Public Schools staff.

Councilmember Ledbetter highlighted the National Senior Center Month Proclamation, noting that his mother in North Carolina actively participated in the local senior center there. He stated he was looking forward to the new Portage Community Senior Center. Councilmember Ledbetter then noted the Police Women Day Proclamation, stating that such female representation was positive for such a male-dominated profession and issued a reminder of the challenges in law enforcement. He closed by congratulating the female officers of the area.

Mayor Pro Tem Pearson welcomed the new City Attorney.

Mayor Randall also welcomed the new City Attorney. She thanked the Council and staff for their efforts during the prior week's virtual City Council Retreat Session. Mayor Randall then thanked Parks and Recreation Director Kathleen Hoyle for the recent well-attended and joyful Lantern Festival. The Mayor next acknowledged the Portage Senior Center for its national recognition and flexibility with programming during COVID-19, reminding residents that seniors are especially susceptible to isolation and depression at present. Mayor Randall closed by reminding everyone of the September 24 groundbreaking event for the new Portage Community Senior Center with the goal of opening in November 2021.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:54 p.m.

Erica L. Eklov, City Clerk