CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 22, 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 Deputy City Clerk Tammy Durian.

At the request of Mayor Randall, a moment of silence was observed to remember all the people struggling with mental illness especially during these challenging times. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATION: Pastor Paul Naumann read a proclamation recognizing the sixtieth anniversary of St. Michael Lutheran Church. Following the reading, Mayor Randall recognized September 25, 2020 as the sixtieth anniversary of St. Michael Lutheran Church of Portage congregation.

Mayor Randall asked Councilmember Vic Ledbetter to read the Proclamation of Legacy Lifelines COVID-19 Memorial Day – A Day of Remembrance and Celebration. Following the reading, Mayor Randall proclaimed October 19th as "Legacy Lifelines COVID-19 Memorial Day – Day of Remembrance & Celebration".

Mayor Randall asked Deputy City Manager Adam Herringa to read the Proclamation regarding National Suicide Prevention Awareness Month. Following the reading, Mayor Randall proclaimed the month of September 2020 as national Suicide Prevention Awareness Month in the City of Portage.

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. Mayor Pro Tem Pearson removed Item A.8. Councilmember Burns removed Item A.3. Motion by Reid, seconded by Knapp, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Pearson, seconded by Burns, to approve the minutes of the Regular Meeting of September 8, 2020, and Pre-Council Meeting of September 21, 2020. Upon a roll call vote, motion carried 7 to 0.

ACCOUNTS PAYABLE REGISTER: Motion by Pearson, seconded by Burns, to approve the Accounts Payable Register of September 22, 2020. Upon a roll call vote, motion carried 7 to 0.

LOVERS LANE RECONSTRUCTION PROJECT - BID TABULATION: Motion by Pearson, seconded by Burns, to award a contract to perform engineering services for the reconstruction of Lovers Lane from East Milham Avenue to East Kilgore Road to Williams & Works, Inc. of Grand Rapids, MI in the amount not to exceed $171,528; and authorize the City Manager to

execute all documents related to the contract on behalf of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

VEHICLE PURCHASES - COOPERATIVE PURCHASING: Motion by Pearson, seconded by Burns, to approve the purchase of 24 Panasonic Toughbook model CF-33 computers, 24 Panasonic keyboards and 16 Panasonic Toughbook vehicle docking stations from CDW Government LLC in the amount of $116,568; and authorize the City Manager to execute all documents on behalf of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

REZONING APPLICATION #20/21-1, 9300 SOUTH SPRINKLE ROAD: Motion by Pearson, seconded by Burns, to accept Rezoning Application #20/21-1, 9300 South Sprinkle Road, for first reading and set a public hearing for October 20, 2020; and, subsequent to the public hearing, consider approving Rezoning Application #20/21-1 and changing the zoning designation of 9300 South Sprinkle Road from B-2, community business, to R-1B, one family residential. Upon a roll call vote, motion carried 7 to 0.

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) CONTRACT: Motion by Pearson, seconded by Burns, to approve the International Association of Firefighters, Portage Firefighters Association, AFL-CIO Collective Bargaining Agreement for the period of July 1, 2020 to June 30, 2024; and authorize the Mayor and City Clerk to sign the same. Upon a roll call vote, motion carried 7 to 0.

CONFIRM THE APPOINTMENT OF LAUREN VANDERVEEN AS FINANCE DIRECTOR: Motion by Pearson, seconded by Burns, to confirm the appointment of Lauren VanderVeen as Finance Director. Upon a roll call vote, motion carried 7 to 0.

BOARD AND COMMISSION INTERVIEW SESSION: Motion by Pearson, seconded by Burns, to set a Special Meeting on Tuesday, October 6, 2020, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES FOR BOARDS AND COMMISSIONS: Motion by Pearson, seconded by Burns, to approve the minutes for Boards and Commissions. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED: Motion by Pearson, seconded by Burns, to accept the Materials Transmitted of August 9, 2020. Upon a roll call vote, motion carried 7 to 0.

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

COMMUNICATIONS:

COMMUNICATION FROM DAVE AND ILENE CORSTANGE: Motion by Burns, seconded by Knapp, to receive the communication from the City Manager regarding the Corstange letter and the communication from Dave and Ilene Corstange as information only. Councilmember

Reid asked for discussion, and for the City of Portage's position. Deputy City Manager Carroll explained the City's position and added the communication is included in the agenda packet. A few Councilmembers indicated that they did not see the response from the City Manager's office. Mayor Randall explained that the communication from Deputy City Manager Carroll will again be sent to the Council Members and if there are any follow up concerns to contact the City Manager's Office. Upon a roll call vote, motion carried 7 to 0.

CONFIRM THE RE-APPOINTMENT OF CHRIS BURNS TO THE CENTRAL COUNTY TRANSPORTATION AUTHORITY BOARD: Motion by Pearson, seconded by Knapp, to confirm the re-appointment of Chris Burns to the Central County Transportation Authority Board (CCTA). Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS:

VEHICLE PURCHASES – COOPERATIVE PURCHASING: Councilmember Burns inquired about the number of trucks and how long the snowplow dump trucks are in service. Mr. Russell, Director of Public Works, shared that there are currently 14 plow trucks in the fleet and the three units being replaced are at least 15 years old. In addition, Councilmember Burns asked about budgeting practices and why these purchases are not included in the Capital Improvement Plan (CIP). Mr. Russell replied that vehicles would come out of the CIP but equipment comes out of the Capital Outlay Fund. Motion by Burns, seconded by Reid, to authorize the purchase and up-fitting of three snowplow dump trucks through the State of Michigan MiDEAL cooperative purchasing program at a total cost of $643,168; and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

ACQUISITION OF 225 EAST CENTRE AVENUE: The City Administration has been negotiating to purchase the property of 225 E. Centre Avenue; however, the negotiations have stalled. It is recommended to engage legal assistance and commence eminent domain proceeding to acquire the property. Mayor Pro Tem Pearson explained that eminent domain involves the taking of private property for just compensation by government for greater use of the public. In this case, it is the new Community Senior Center on Centre Avenue. Mayor Pro Tem Pearson suggested that the Council go into closed session, but first asked for updates on negotiations to avoid Council going into eminent domain proceedings. City Manager La Margo explained that Mayor Randall had communicated with the property owner. Mayor Randall explained the history and shared what was discussed. Councilmember Reid thanked the Mayor for her efforts. Mayor Pro Tem Pearson suggested to table the motion until the October 6, 2020, Regular Meeting. Attorney Kaufman explained that it is advisable to avoid condemnation and shared the options going forward for the City Council. It was noted that the offer resembles that of 217 E. Centre Avenue. Councilmembers asked for clarification regarding itemizing the closing costs, and discussion took place. Deputy City Manager Carroll explained the original negotiations between the City of Portage and the property owner. The Council recognized that this is time-sensitive and could avoid eminent domain, but would like the particulars regarding the purchase of the property. Motion by Pearson, seconded by Burns to table the engagement of services of Attorney Stanley J. Stek of Miller Canfield to commence

eminent domain proceedings on 225 East Centre Avenue until the October 6, 2020 Reuglar Meeting. Mayor Randall asked the City Attorney for clarification on tabling the motion, and discussion took place. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided an update on the Central County Transportation Authority (CCTA). He relayed that CCTA approved the 2021-2022 budget and is still observing COVID safety measures. In addition, he commented on the annual premium savings with the renewal with Michigan Municipal Libability Association.

Councilmember Knapp attended her first board meeting with Portage Community Center. She reported on the programs and revenue, noting the increase in grant donations. The building renovation continues, including new exterior, landscaping and parking lot. She shared that meetings continued remotely and youth programs continued virtually, it being a successful summer. The Center is looking ahead to the annual Fall and seasonal activities.

Motion by Pearson, seconded by Reid, to accept the Council Committee Reports as presented. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Carolyn Pescheck, 6745 Shoreham Street, asked the Council to review affordable housing, rentals, blanket policies, and non-discrimination ordinances in the City of Portage. Ms. Pescheck will forward her communication to the City Council.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns noted that voters in the City of Portage will begin receiving absentee ballots for the November election and asked for explanation of the absentee voting process from the City Clerk. In absence of the City Clerk, Deputy City Manager Herringa (former City Clerk) provided the requested update. Mr. Herringa shared when the first mailing will go out, the Clerk's Office hours, how to request a ballot, and how to return the ballot. Mayor Randall followed with a comment regarding the dual applications. Deputy City Manager Herringa said that voters who selected both elections on the dual application will receive a ballot for November. Mayor Randall also asked about the bill that would allow the Clerk's Office to open ballots the Monday before the election and Mr. Herringa replied that has been moved to the Michigan State House Representatives for further action. Mayor Pro Tem Pearson then asked about the process of matching signatures. Mr. Herringa responded that voters' signatures on an application for an absentee ballot are matched to the voter's registration. Voters are notified of any discrepancies with signatures. Councilmember Burns then encouraged voters to read the entire ballot, both sides. He closed with commenting on the Kalamazoo County Housing Proposal.

Councilmember Knapp, along with other Councilmembers, congratulated Lauren VanderVeen on her new position as Finance Director.

Councilmember Reid reminded citizens to complete the survey for the Capital Improvement Program. She also reflected on the Proclamation for COVID and encouraged everyone to continue to wear masks, maintain social distance, and wash hands. She highlighted the Boards and Commissions and encouraged citizens to visit the City website and submit an application if interested, noting it is a great way to get involved with the City.

Councilmember Urban reminded people to register to vote and that citizens can register to vote up until November 3, the day of the election.

City Manager La Margo appreciates the Council approving Lauren VanderVeen as the new Finance Director. He also congratulated Meshia Rose for passing her Level 4 Assessing Certification.

Mayor Pro Tem Pearson welcomed the new Deputy Clerk Tammy Durian. He is looking forward to attending the new Charles and Lynn Zhang Community Senior Center's groundbreaking.

Mayor Randall also congratulated Lauren VanderVeen and Meshia Rose. She announced that Earth Fare is reopening. In addition, she acknowledged the Kalamazoo Bicycle Club, and shared that they received a grant from Bike Friendly Kalamazoo and a memorial gift from the family of Jeremy Smith. The money will be used for a bicycle repair stand on Portage Road, part of the bike trail. The stand will have a plaque in Jeremy's honor. Lastly, she announced she will be requesting an agenda item for the next meeting to discuss the City's stance regarding trick-or-treating due to the Center for Disease Control and Prevention (CDC) strongly discouraging this practice.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:26 p.m.

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Tammy K. Durian, Deputy City Clerk