CITY COUNCIL MEETING MINUTES FROM DECEMBER 1, 2020

Mayor Patricia Randall called the Regular Meeting to order at 7:08 p.m. following the virtual Tree Lighting Ceremony. The regular meeting was held virtually as permitted by Senate Bill 1108. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Chris Burns, Vic Ledbetter, Claudette Reid, and Terry Urban were present. All members participated virtually from Portage, Michigan. Councilmember Lori Knapp was absent with excuse. Also in attendance were City Manager Joe La Margo, City Attorney Catherine Kaufman, Deputy City Manager Adam Herringa, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to honor all denominations and reflect upon hope in the COVID-19 vaccine creation by Pfizer Inc. and the vital role the Portage workforce has in the global solution. 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 Burns, 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 Burns, to approve the minutes of the Regular Meeting of November 17, 2020, and Pre-Council Meeting of November 30, 2020. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 1, 2020: Motion by Reid, seconded by Burns, to approve the Accounts Payable Register of December 1, 2020. Upon a roll call vote, motion carried 6 to 0.

HEALTH INSURANCE CONTRACT RENEWALS: Motion by Reid, seconded by Burns, to approve: one-year contracts with Blue Cross Blue Shield of Michigan, Blue Care Network for employee health insurance; and, maintaining current employer/employee cost-sharing practices by taking action to exempt the city from requirements of P.A. 152 for the 2021 medical benefits plan year, and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

APPOINTMENT OF KELLY PETERSON AS DIRECTOR OF DEVELOPMENT SERVICES: Motion by Reid, seconded by Burns, to confirm the appointment of Kelly Peterson as Director of Development Services. Upon a roll call vote, motion carried 6 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Burns, to receive the minutes of the Construction Board of Appeals of September 15, 2020. Upon a roll call vote, motion carried 6 to 0.

CALENDAR OF MEETINGS: Motion by Reid, seconded by Burns, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: No citizens attended the meeting in-person or called into the meeting.

PUBLIC HEARINGS:

REZONING APPLICATION #20/21-2, 4627 S. LONG LAKE DRIVE: Mayor Randall opened the public hearing. Interim Community Development Director Chris Forth summarized the proposed rezoning, noting that the designation had been revised to R1-A since the initial reading instead of R1-B. Councilmember Urban inquired as to which zoning designation was more restrictive. Interim Director Forth responded that R1-B was more restrictive due to yard dimension requirements. Councilmember Reid asked whether the applicant had requested the zoning designation revision. Interim Director Forth responded that city staff had proposed the option and the applicant agreed that R1-A was a better designation. As no one was present in Council Chambers or on the phone line, Mayor Randall requested a motion to close the public hearing.

Motion by Pearson, seconded by Burns, to close the public hearing. Upon roll call vote, motion carried 6 to 0.

Mayor Pro Tem Pearson expressed his support for rezoning the lot to allow for redevelopment. Councilmember Reid relayed her appreciation for city staff working with the applicant for the optimal zoning option.

Motion by Burns, seconded by Pearson, to approve Rezoning Application #20/21-2 for 4627 S. Long Lake Drive, changing the zoning from B-1, local business to R-1A, single-family residential. Upon roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

ORDINANCE AMENDMENT #20/21-A, GRADING AND SOIL EROSION CONTROL: Mayor Randall introduced the item, noting that the ordinance amendment was first introduced at the November 17th Regular City Council Meeting. City Manager La Margo and Interim Director Forth summarized the item, noting the recommended amendments were intended to bring the city's existing Soil Erosion Ordinance in line with state requirements. Councilmember Burns reiterated the concern discussed at the November 17th meeting regarding the administering entity. He noted the County would be charged with oversight of the permitting process should the city choose not to adopt the ordinance amendments and asked Interim Director Forth which option would be in the city's best interest. Interim Director Forth responded that Portage citizens would best be served by the city administering the soil erosion permitting process, citing increased customer service and responsiveness.

Motion by Burns, seconded by Reid, to adopt Ordinance Amendment #20/21-A, Grading and Soil Erosion Control. Upon roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Reid provided an update of the I Love Portage Essay Review Committee including Councilmembers Burns and Urban. She summarized the Councilmember review process, essay contest basis, and the range of students that provided submissions. Councilmember Burns expressed appreciation for both the quality of the essays and the viewpoints of the local students. He thanked everyone who submitted an essay and

encouraged the students to maintain the good work. Councilmember Urban noted the annual essay contest is a long-standing tradition that is enjoyable. He reminisced that he encouraged his daughters to submit essays, as well as receive assistance with reviewing.
Motion by Reid, seconded by Burns, to accept the Council Committee Reports as presented. Upon roll call vote, motion carried 6 to 0.

NEW BUSINESS:

IDD NO. 90 FOR 6501 PORTAGE ROAD (KENCO) - IFT TRANSFER: Mayor Randall introduced the item and asked city staff to summarize the matter. Interim Director Forth responded that Stryker was in the process of acquiring the property at 6501 Portage Road where Kenco Logistics currently operates, noting the matter had been recently added to the agenda due to a time-sensitive property sale. He highlighted that Stryker was also seeking to transfer the Industrial Facilities Tax Exemption Certificate previously granted to Kenco as part of the transaction. Mr. Forth relayed that PA 198 permitted such a transfer, pending a hearing for the affected taxing jurisdictions to be heard on the matter to City Council approval.

Councilmember Reid asked how such a tax abatement transfer was anticipated to be carried out. Interim Director Forth responded that the abatement would continue as originally approved by Council and operations would remain status quo, but the owner of the certificate would be transferred from the current property owner to Stryker. Councilmember Reid then inquired how long was left on the abatement period. Interim Director Forth responded he was unsure but stated that supplemental information would be provided at the next City Council meeting for the hearing on the matter.

Mr. Matt VanDyke, legal representative from Miller Canfield spoke on behalf of the Stryker Corporation and summarized Stryker's plan for the business arrangement. Following his statements, Mayor Randall inquired whether Kenco Logistics would still be involved. Mr. VanDyke answered that the current operation would continue with Kenco Logistics leasing the building; the only change would be with the actual property owner. He stated that the current property owner is a real estate firm known as JDK Logistics with Kenco leasing the building for its operations at 6501 Portage Road. Under the current proposal, Mr. VanDyke stated Kenco would remain the lessee with Stryker assuming ownership of the property and abatement.

Councilmember Burns inquired regarding the provision in the Action Recommended noting "or as soon thereafter as may be heard". City Clerk Eklov responded that such language is included in notices because the hearing would occur later in the Regular Meeting on December 15th and not the beginning.

Motion by Burns, seconded by Reid, to set a hearing at City Hall on December 15, 2020, at 7:00 p.m. or as soon thereafter as may be heard, and provide the City Assessor and a representative of each of the taxing units which levies ad valorem taxes in the City of Portage an opportunity to be heard on the question of the transfer of the Industrial Facilities Tax Exemption Certificate from Scannell Properties (corrected to Kenco Logistics) to Stryker Corporation for Industrial Development District No. 90 at 6501 Portage Road. Upon a roll call vote, motion carried 6 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER:

Mayor Randall began City Council statements by noting the Consent Agenda had included an item to appoint Kelly Peterson as the new Director of Development Services and asked her to introduce herself. Ms. Peterson briefly summarized her background and expressed her excitement as she begins with the city.

Councilmember Reid commented on the recent unusual Thanksgiving holiday due to COVID-19, noting that she and her husband had stayed home, participating in many virtual gatherings. She thanked local families for making safe accommodations during these difficult times and encourage everyone to maintain safe habits. Councilmember Reid closed with a reminder of Small Business Saturday, stressing the need to continue supporting local businesses during the 2020 holiday season.

Councilmember Burns highlighted Kalamazoo County's guide for insight on safety measures during COVID-19, expressing concern with increasing positive cases nationwide. He then thanked Interim Director Forth for his time, efforts, and knowledge in working for the city, and welcomed incoming Director Peterson. Councilmember Burns noted the day was also known as Giving Tuesday nationally, encouraging local donations to Kalamazoo Loaves and Fish, as well as the Portage Community Center. He closed by announcing the name of his new puppy was Murphy.

Councilmember Urban began by welcoming Ms. Peterson to her new role. He then noted celebrating the Thanksgiving holiday during COVID-19 was difficult, especially in light of rising cases, but encouraged everyone to continue to stay careful and socially distant.

Councilmember Ledbetter also welcomed Ms. Peterson. He highlighted that the day was also the 65th anniversary of Rosa Parks' bus boycott, noting that 65 years is still quite recent.

City Manager La Margo thanked Interim Director Forth for his leadership and welcomed Ms. Peterson, noting he looked forward to her input. Mr. La Margo also thanked Parks and Recreation Director Kathleen Hoyle for the Tree Lighting event and other holiday programs efforts.

Mayor Pro Tem Pearson expressed appreciation for Councilmember Burns' naming of his new dog. Mr. Pearson then thanked Interim Director Forth for his efforts, as well as welcomed Ms. Peterson, noting he was also looking forward to her ideas and input on city projects.

Mayor Randall began by congratulating Councilmember Burns on his new dog's name. She also thanked Interim Director Forth and welcomed Ms. Peterson. Mayor Randall then thanked Director Hoyle for her modified Tree Lighting Ceremony to accommodate COVID-19 and encouraged everyone to visit the holiday light displays in Portage. She also highlighted the upcoming visits by Santa Claus to the local parks for the upcoming weekend and associated safety measures. Mayor Randall then spoke of the upcoming ice rink opening at Millennium Park, pending further directives from the State of Michigan Health and Human Services Department. She closed by noting daily business at City Hall was currently via appointment only as a COVID-19 safety measure.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:54 p.m.

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Erica L. Eklov, City Clerk