

CITY COUNCIL MEETING MINUTES FROM APRIL 13, 2021

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM. The Regular Meeting was held virtually as permitted by PA 228, following the December 2020 Kalamazoo County Emergency Declaration. 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 in honor of the joy in the blooming trees around the City of Portage in light of National Arbor Day 2021. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

National Arbor Day 2021: Councilmember Ledbetter read the Proclamation for National Arbor Day 2021.

CONSENT AGENDA: Councilmember Reid requested the addition of the current ten percent Senior Citizen Water Discount topic to the Regular Meeting agenda under New Business for referral to the Human Services Board for review and report. Motion by Reid, seconded by Urban to add the requested item. Upon roll call vote, motion carried 6 to 0.

Mayor Randall then introduced the Consent Agenda. Councilmember Urban noted the Final Agenda had been revised since the preliminary publication on April 9, 2021. Motion by Urban, seconded by Reid to read the Consent Agenda aloud for the listening public. Upon roll call vote, motion carried 6 to 0.

At the request of Mayor Randall, City Clerk Eklov read the Consent Agenda aloud. Mayor Pro Tem Pearson raised a point of order and questioned whether the recently added New Business would allow for a vote or solely discussion. City Attorney Kaufman responded that the item would be for City Council discussion with the intent to be forwarded to the Human Services Board for review. City Manager La Margo also provided a brief background on Councilmember Reid's request.

Mayor Randall next shared where the public could access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Reid noted the prior removal of the agenda item regarding boulevard landscape beds from the Preliminary Consent Agenda. Motion by Reid, seconded by Ledbetter, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

Approval of City Council Meeting Minutes: Motion by Reid, seconded by Ledbetter, to approve the City Council Minutes of the Regular Meeting of March 23, 2021 and Pre-Council Meeting of April 12, 2021. Upon a roll call vote, motion carried 6 to 0

Accounts Payable Register: Motion by Reid, seconded by Ledbetter, to approve the Accounts Payable Register of April 13, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

2021 Utility Rate Financial Study: Motion by Reid, seconded by Ledbetter, to establish a public hearing on April 27, 2021, to consider resolutions to adopt the: recommendation that the sewer commodity rate be increased from \$4.60 to \$5.06 per 1,000 gallons of metered water; recommendation that the water commodity rate remain at \$3.14 per 1,000 gallons of metered water;

recommendation that the sewer and water base quarterly charges be adjusted as noted in the 2021 Utility Rate Financial Study; recommendation that the new rates become effective on July 1, 2021; and, recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2021 Utility Rate Financial Study. Upon a roll call vote, motion carried 6 to 0.

Bishop's Bog Floating Boardwalk - Sole Source Purchase: Motion by Reid, seconded by Ledbetter, to approve the sole-source purchase of floating boardwalk materials for Bishop's Bog from Aggressive Industries of Minneapolis, Minnesota, in the amount of \$100,000, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Committee of the Whole Meeting: Motion by Reid, seconded by Ledbetter, to set a Committee of the Whole Meeting on Tuesday, April 27 from 4:00-6:00 p.m. for review and discussion of the Draft Final Lake Center District Corridor and Placemaking Study. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Reid, seconded by Ledbetter, to receive the minutes of the Senior Citizens Advisory Board of January 20, 2021; Zoning Board of Appeals of February 8, 2021, as amended; Human Services Board of March 4, 2021; and, Historic District Commission of August 5, 2020. Upon a roll call vote, motion carried 6 to 0.

Materials Transmitted of March 26, 2021: Motion by Reid, seconded by Ledbetter, to receive the Materials Transmitted of March 26, 2021. Upon a roll call vote, motion carried 6 to 0.

Calendar of Meetings: Motion by Reid, seconded by Ledbetter, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

Mary Beth Henry (2621 Bach Avenue) stated she was present to follow up on a March 26, 2021 e-mail she previously sent to members of the City Council regarding discrimination against members of the Asian American Pacific Islanders (AAPI) community. She noted her own local experience with AAPI discrimination and urged Council to issue a statement against such acts and support bystander intervention. Councilmember Burns recommended that City Council refer Ms. Henry's request to the City Administration to review the concerns and best methods to address them. Mayor Randall agreed and requested Ms. Henry to forward her March 26th e-mail to City Manager La Margo. Councilmember Urban noted Ms. Henry's mention regarding bystander intervention and stated his concern with the potential risk of escalation from the city supporting that particular aspect. He stated the City Administration will need to further examine Ms. Henry's request, but expressed support for a proposed resolution for the AAPI community and include Portage in the national discussion on the matter.

Lauren McMullan (1522 Schuring Road) spoke in support of Ms. Henry's concerns with AAPI discrimination and recommended action by the City Council.

REGULAR BUSINESS AGENDA:

Presentation of 2021-2022 Fiscal Year Proposed Budget: Mayor Randall asked the City Manager to summarize the proposed 2021-2022 Fiscal Year Budget. City Manager La Margo reviewed highlights of the proposed budget, including the effects of the COVID-19 pandemic. Mr. La Margo concluded by providing the upcoming City Council Budget Review Session dates. Mayor Randall expressed appreciation for a balanced budget. Councilmember Reid requested that the City Council Budget Review Sessions be added to the city's website calendar.

Motion by Pearson, seconded by Reid, to receive the presentation of the 2021-2022 Fiscal Year Proposed Budget. Upon a roll call vote, motion carried 6 to 0.

Closed Session: Mayor Randall introduced the item and explained that the Regular Meeting would resume with Agenda Item E. 3 following the proposed Closed Session. Motion by Burns, seconded by Pearson, to go into Closed Session to: consider the lease or purchase of real property; and, consider material exempt from disclosure by State Statute, Section 13(1)(g) of the Freedom of Information Act, being a letter from its attorney dated April 9, 2021, for the reason that the letter is exempt from disclosure under State Law due to the attorney-client privilege. Upon a roll call vote, motion carried 6 to 0.

Adjourned to Closed Session at 8:31 p.m.

Resumed the Regular Meeting at 10:30 p.m.

RESUMPTION OF OPEN SESSION: Motion by Pearson, seconded by Reid, to reconvene the Regular Meeting of April 13, 2021. Upon a roll call vote, motion carried 6 to 0.

Property Matter (Closed Session): Motion by Burns, seconded by Reid, to authorize the City Manager to pursue the purchase or lease of real property and to retain special Legal Counsel capable of advising on this purchase or lease as discussed in Closed Session. Upon a roll call vote, motion carried 6 to 0.

Freedom of Information Act Appeals (Closed Session): Motion by Burns, seconded by Reid, to uphold both Freedom of Information Act (FOIA) productions of the FOIA requests as produced except page five of the packet discussed during Closed Session, which shall be reversed and produced. Upon a roll call vote, motion carried 5 to 0 with Mayor Randall abstaining.

COUNCIL COMMITTEE REPORTS:

Councilmember Burns provided a Central County Transportation Authority (CCTA) Board update. He relayed that the CCTA had received audit reports during its April 12, 2021 meeting, which contained no issues and showed the CCTA in a good financial position. Mr. Burns noted the CCTA also discussed the millage rate to be levied in light of the successful 2020 ballot question with the Board deciding to pursue the millage rate at its current level despite the effects of COVID-19 on ridership.

Councilmember Burns also provided an update regarding the City Council Housing and Neighborhoods Committee, highlighting its recent meeting with Kalamazoo County Housing Director Mary Balkema to discuss the 2020 housing millage. Mr. Burns noted that the County Housing Department is working to align its funding evaluation schedules with that of the Michigan State Housing Development Authority (MSHDA) grant deadlines to maximize funding opportunities for local applicants. He then relayed that the City of Portage will be considered for single-family housing in response to a visioning study completed by the County and the Committee is working to prepare

viable project options for the funding. Councilmember Reid inquired about the County's housing funds concerning Portage's identified low walkability score. Councilmember Burns responded that the walkability score relates to MSHDA and its funding rubric, not the County.

NEW BUSINESS:

Proposal to refer the Senior Citizen Water Discount to the Human Services Board for review and report: Mayor Randall introduced the New Business agenda and asked Councilmember Reid to elaborate on her new item. Councilmember Reid explained she was reconsidering the discount as part of her review of the 2021 Utility Rate Study. She provided a summary of the background of the discount program and its aim to provide financial relief. Ms. Reid highlighted that the discount only applies to those over the age of 65 but stressed there are citizens under the age of 65 who would also benefit from the discount program. She expressed her desire to refer the discount program to the Human Services Board for additional review and feedback regarding the future of the discount.

Mayor Pro Tem Pearson asked Councilmember Reid to clarify whether she desired the Human Services Board to determine which segment of the population should receive the current 10 percent discount or if she desired a separate discount to be offered to those in financial hardship. Councilmember Reid responded that she envisioned the Human Services Board review of the discount program to be broad and provide options to City Council. Mayor Pro Tem Pearson asked the City Manager to clarify whether the city currently participated with the Portage Community Center for customer billing support. City Manager La Margo confirmed that a portion of the funding provided to the Portage Community Center by the City of Portage is intended to assist citizens with payment of water bills to prevent undue water utility shut-offs. Mr. La Margo then asked City Attorney Kaufman for her opinion on the Senior Discount program. Attorney Kaufman noted the program pre-dated her tenure with the city and requested additional time to review the program if it was to be referred to the Human Services Board before the matter returned to City Council.

City Manager La Margo highlighted that the proposed 2021-2022 city utility rate increase only applies to the sewer portion, whereas the Senior Discount program is only for the water utility. Mayor Pro Tem Pearson noted that the current ten percent discount is minimal. He expressed concern with a review by the Human Services Board and the potential for the program to become income-based. Mayor Pro Tem Pearson elaborated that such a discount program would require the discount structure to be re-evaluated each year, similar to the Poverty Exemption Guidelines. He recommended that City Attorney Kaufman provide her opinion on the Senior Discount and then have City Council review the program at its next Retreat Session, noting that the program had been in place seven years without being re-evaluated. Councilmember Reid agreed with Mayor Pro Tem Pearson and stressed her desire for billing assistance to be provided to citizens truly in need.

Following discussion, City Council agreed to take no further action on the ten percent Senior Discount program at this time.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER.

Councilmember Burns noted the Senior Discount Program and expressed interest in shifting the program to a needs-based focus. He highlighted Portage Public Schools data regarding 23 percent of single-parent families with a median income of around \$30,000.

Councilmember Reid highlighted Ms. Henry's earlier citizen comment regarding Asian America Pacific Islander discrimination and noted Ms. Henry's involvement with a group of social justice demonstrators that has been meeting for the last 44 weeks at the intersection of West Centre Avenue and South Westnedge Avenue. Councilmember Reid expressed appreciation for those shedding light on social justice issues in Portage. She then provided an update on COVID-19

vaccinations and rising case numbers in the State of Michigan. Councilmember Reid relayed the Governor's recent request that all Michiganders take a voluntarily two-week pause on activities and encourage the continued practice of safety protocols.

Councilmember Urban relayed that he has two children attending Portage Public Schools and expressed disappointment that the Portage School District did not follow Governor Whitmer's request for a two-week pause on in-person learning. He encouraged continued enforcement of safety protocols and stressed caution for those who have been vaccinated.

Councilmember Ledbetter began by acknowledging the recent start of the Ramadan holiday and celebrations. He then noted Ms. Henry's efforts to address Asian America Pacific Islander discrimination and highlighted recent national events that also continue to cause racial trauma for Black Americans. Councilmember Ledbetter urged the public to gain a better understanding and appreciation for racial trauma and thanked the Portage Police Division for their professionalism. He closed by noting the number of citizen e-mails he had received regarding a boulevard landscaping item initially on the Preliminary Meeting Agenda and recommended allowing a citizen adoption program for ongoing maintenance of the city's boulevards.

City Manager La Margo responded to Councilmember Ledbetter, confirming that the City Administration would review the potential for adopting boulevards. Mr. La Margo then thanked everyone for their support and condolences with the recent passing of his father-in-law due to COVID-19. He encouraged everyone to appreciate the seriousness of the disease.

Mayor Pro Tem Pearson commended Councilmember Ledbetter's boulevard maintenance adoption suggestion.

Mayor Randall also commended Councilmember Ledbetter's boulevard maintenance adoption suggestion and thanked everyone for a great meeting. She closed by reminding the public about the ongoing Wyland National Mayor's Water Challenge.

ADJOURNMENT.

Mayor Randall adjourned the meeting at 11:05 PM.

Erica Eklov, City Clerk