CITY COUNCIL MEETING MINUTES FROM MAY 11, 2021

Mayor Patricia Randall called the Regular Meeting to order at 07:03 PM. The regular meeting was held virtually as permitted by PA 228, in accordance with December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Chris Burns, Lori Knapp, Vic Ledbetter, Claudette Reid, and Terry Urban were present. All members participated virtually from Portage, Michigan. 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 reflect on the gratitude for emergency medical services, including the Portage Public Safety Department - Fire Division, as they are vital to the life and safety of Portage. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Mayor Pro Tem Pearson read the National Scleroderma Month 2021 proclamation. Councilmember Knapp read the National EMS Week 2021 proclamation. Councilmember Reid read the National Mental Health Awareness Month 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 Urban removed Item A.5. 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 April 27, 2021; Committee of the Whole Meeting of April 27, 2021, and Pre-Council Meeting of May 11, 2021, as presented. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Reid, seconded by Burns, to approve the Accounts Payable Register of May 11, 2021, as presented. Upon a roll call vote, motion carried 7 to 0.

Adoption of Bond Resolution: Motion by Reid, seconded by Burns, to adopt the Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2021, in an amount up to $15,000,000. Upon a roll call vote, motion carried 7 to 0.

Lakeview Drive Reconstruction Project - Bid Tabulation: Motion by Reid, seconded by Burns, to award a contract to perform engineering services for the reconstruction of Lakeview Drive from South Shore Drive to Lakeview Court to Abonmarche Consultants, Incorporated, of Portage, Michigan, in an amount not exceeding $224,700 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.

Genesis PharmOptima (6710 Quality Way) Tax Abatement Application: Motion by Reid, seconded by Burns, to accept the application for an industrial tax abatement from Genesis PharmOptima for property located at 6710 Quality Way, and adopt Resolution No. 1-20 establishing a public hearing to expand Industrial Development District No. 78, and set a hearing on the Industrial Facilities Exemption Certificate at 6710 Quality Way for June 8, 2021. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Reid, seconded by Burns, to accept the minutes of the Human Services Board of April 1, 2021, and the Planning Commission of April 15, 2021. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Reid, seconded by Burns, to accept the Materials Transmitted of April 27, 2021. 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 as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

Proposed Fiscal Year 2021-2022 Budget: Mayor Randall opened the public hearing and Finance Director Lauren VanderVeen summarized the Fiscal Year 2021-22 Proposed Budget. Director VanderVeen thanked department staff for their efforts in the creation and assembly of the Budget. There being no further comments, motion by Pearson, seconded by Reid, to close the public hearing. Upon roll call vote, motion carried 7 to 0.

Following the close of the public hearing, motion by Pearson, seconded by Burns, to consider adoption of the proposed Fiscal Year 2021-2022 Budget and tax rate at the Regular City Council Meeting on May 25, 2021. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Preliminary Plat of The Oaks (Phase 2), 4800 Bishop Avenue: Councilmember Urban noted the earlier plat of The Oaks Phase 1 on which he voted no citing groundwater concerns at the time and stated he still maintains those same concerns with Phase 2. Mr. Urban expressed hesitancy to support the proposed development because the area still has issues with standing water and expressed his desire to avoid a repeat of the previous issues in the Sprinkle Woods and Black Forest Drive area with water table management and the funds needed to alleviate the issues. He further described concerns with The Oaks Phase 2 design of the storm sewer and infiltration basin system.

Deputy Director Chris Forth explained the background regarding the city engineer's review and approval of the design for Phase 2. Mr. Forth stated the city continually monitors the water table and wells within the subject area and relayed recent efforts by the Kalamazoo County Drain Commission to manage water levels in the area. Mr. Forth also noted the developer's offer to existing residents on Jamaica Lane to connect into the private storm sewer system if needed to allow standing water to flow to the new storm basin to the north and new Kalamazoo County culvert under Bishop Road. Mr. Forth stated the city will be getting soil borings with each lot and relayed the developer's plans to install ground drainage around each foundation, as well as make each foundation waterproof. Transportation and Utilities Director Kendra Gwin provided further background on the recent County Drain Commission efforts to address standing water levels in the area. Councilmember Urban then asked for clarification regarding the responsible party for the maintenance of the private storm drain. Deputy Director Forth responded that the homeowners association will be responsible and the city has previously used private basins in the Osterhout area.

Site Engineer Pat Flanagan provided a summary regarding the engineering efforts with groundwater management in the area and highlighted his firm's prior efforts to remediate the groundwater in the Sprinkle Woods neighborhood following the monumental rainfall in 2008. Councilmember Urban inquired about basement levels in Phase 2 of The Oaks, as well as the scope for the study of the area's water levels. Mr. Flanagan responded with the basement level measurements and stated his firm had reviewed the past eleven years of water levels. Councilmember Urban expressed concern that the water levels are not an annual cycle but instead a decade cycle.

Councilmember Reid inquired about the existing storm pipe in the area and the height of the roads in Phase 1 and Phase 2 of The Oaks as compared to the existing neighborhood. Mr. Flanagan responded that it is a solid, watertight pipe. He further stated that Phase 1 had fill dirt brought in to

provide adequate basement levels and believes the construction of The Oaks development has a positive impact on the Jamaica Lane neighborhood, assisting with standing water management and flow to the north. There was additional debate regarding responsible parties should flooding occur in the future. Councilmember Urban closed by stating his desire that the city utilizes longer time spans to review water level trends in future developments.

Motion by Pearson, seconded by Ledbetter, to approve the Preliminary Plat of The Oaks (Phase 2), 4800 Bishop Avenue, subject to the conditions outlined in the April 9, 2021 Department of Community Development staff report. Upon a roll call vote, motion carried 5 to 2 with Councilmembers Reid and Urban voting no.

COUNCIL COMMITTEE REPORTS:

Councilmember Knapp provided an update regarding the Portage Community Center Board of Directors. She noted the Community Center was in good financial shape, having already received 50 percent of its expected year-end contributions and building renovations completed $30,000 under budget. She also noted the Center had been able to support the first round of water shut-offs in a year by supporting eight households with the assistance of the city's Treasury Office. Councilmember Knapp closed with an update of a recent successful golf tournament held to support the Center.

Councilmember Burns provided an update regarding the Central County Transportation Authority (CCTA) Board. He stated the CCTA Board had recently approved service contracts with the local colleges, highlighting Western Michigan University's move to exclusively utilize Kalamazoo Metro for transportation. He closed by noting the CCTA would be starting its update for the Comprehensive Operational Analysis in August, including public input opportunities, with a completion date of April 2022.

Mayor Pro Tem Pearson supplemented Councilmember Burns' CCTA update and encouraged the Community Development Department to gather current workforce data regarding the Portage Road and Sprinkle Road corridors as support for bolstering additional routes in Portage for the CCTA's Comprehensive Operational Analysis.

Mayor Randall provided an update for the City Council Neighborhood and Housing Sub-Committee. She noted the approved 2020 Kalamazoo County Housing millage of $7.1 million would begin collecting funds in October and encouraged the city to assemble an affordable housing plan funding option in Portage for presentation to the Kalamazoo County Housing Department and Board of Commissioners.

STATEMENTS OF CITIZENS:

Michael Cartier (1127 Lakeview Avenue) noted he was a resident of Portage for the past 22 years and expressed concerns with the Lake Center District Feasibility Study and Steering Committee. He expressed additional concerns with conflict of interest with Mayor Pro Tem Pearson and Councilmember Knapp serving on the Steering Committee and requested the two Councilmembers recuse themselves when the Study comes to a vote before the City Council. Mr. Cartier also noted the Steering Committee Vice-Chair, Danielle Mason-Anderson, has a conflict of interest with the city funding a potential reroute of her driveway for $100,000. He stated there are other conflicts of interest with the other Steering Committee members in real estate, as well as the owner of The Cove restaurant benefitting from the recommended actions in the Feasibility Study. Mr. Cartier expressed concerns that private homeowners and taxpayers had not been included in the Feasibility Study or Steering Committee. He closed by stressing resolution of the conflicts of interest before the City Council vote on the Lake Center District. Mayor Randall thanked him for his comments and invited Mr. Cartier to the Open House for the Lake Center District on May 15, 2021 at Lakeview Park.

Amy Moon (715 Lakeview Avenue) asked City Council to delay the vote on the Lake Center District proposal until such a meeting can be held in person and expressed a desire for public input before the discussion of the Council. She stated there were 238 Lake Center District "Notify Me" website subscribers that had not received ample notification of the April 27 Committee of the Whole meeting. She stated there had been no other citizen interaction regarding the Lake Center District area since February 2020 at which time discussion did not include widening of the channel or drain, as well as boardwalk modifications. Mayor Randall thanked Ms. Moon for her comments and invited her to the May 15 Open House as well.

Adam Bucher (2611 Woodbine) expressed his support for the city efforts to slow down traffic in the Lake Center District area, as well as strides towards Complete Street designs and the effort to address blight. However, Mr. Bucher stated he does not support the widening of the drain between the lakes and is concerned with the traffic that will be created in the surrounding area. He also expressed concern with the wetlands in the area and wishes that the wetland near Stanley and Woodbine streets be preserved. He also opposed any forceful takings of property and strongly opposed any changes to Lakeview Park.

Mary Beth Henry (2621 Bach) thanked the City Manager and his team, including Community Outreach Coordinator Bobby Boyd, on the Hate Condemnation Resolution and wanted to relay that May is Asian American Pacific Islander month and provided history on the development of that recognition.

Adam Edlefson (912 Forest Drive) clarified Mr. Bucher‘s location on the lakes for the City Council and noted conversations with city representatives from the Lake Center Committee of the whole has created confusing talking points, notably with the drain. He also expressed concerns about the costs for future generations. He stated he believes the road safety improvements will be surpassed by boat traffic safety issues and expressed disappointment answers from staff and City Council thus far. Mr. Edlefson stated he felt the community members had been left out of discussions to date. He further inquired why the Steering Committee appears to be presenting the Lake Center District Feasibility Study as an all-or-nothing proposal like the decision has already been made.

Pat Cavalier (7146 Oakland Drive) highlighted three prior workshops hosted by ISAAC (Interfaith Strategy for Advocacy & Action in the Community) on the topic of the Latinx community and thanked Public Safety Chief Armold for his attendance at those events. She then invited City Council members to attend a subsequent upcoming workshop regarding the Latinx community matters.

Julie Cartier (1127 Lakeview Avenue) stated she wanted to clarify to Mayor Randall that the Lake Center District matter is not an emotional issue for lake residents but a taxpayer issue for the entire community. Ms. Cartier echoed the earlier concerns regarding the "Notify Me" contacts and expressed additional concerns with the members of the Lake Center District Steering Committee. She relayed recent difficulty in her efforts to get feedback from staff and asked why the public comment period on the Study has a deadline of May 17, only two days after the May 15 Open House. She closed by requesting City Council extend the deadline on public comment.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER.

Councilmember Burns began by congratulating the City Clerk's Office on a successful May election. He then echoed the frustrations of those citizens calling to comment regarding the notifications of city meetings and expressed a desire to improve that feature with the city. He closed by stating the Lake Center District Feasibility Study was an exciting proposal that needs better public collaboration and he hopes to improve citizen input.

Councilmember Reid thanked Finance Director VanderVeen for her work on the proposed budget in light of the second City Council Budget Session having been completed earlier that

night. Ms. Reid highlighted the evening's comments regarding fair housing and public transit encouraging collaboration with the city's Human Services Board for those matters. She then highlighted the Governor's recent announcement regarding the 55 percent state COVID-19 vaccination rate, while expressing concern with the remaining 45 percent. Councilmember Reid stressed continued caution regarding COVID-19.

Councilmember Knapp thanked the Lake Center District citizens and issued a reminder regarding the May 15th Lake Center District Open House at Lakeview Park.

Councilmember Urban assured citizens with Lake Center District concerns that the steps in the Feasibility Study are not an "all or none" endeavor and will be decided on piece-by-piece including issues such as Portage Road safety. He stated that the City Council also needed to address how to make the Lake Center District business more viable and vibrant, similar to the South Westnedge Avenue corridor but with its own Lake Center area style. Councilmember Urban then relayed that his concerns with The Oaks development due to concerns that building on every area in the city as it ages is not a viable option and there are additional issues to address.

Mayor Pro Tem Pearson echoed Councilmember Knapp's comments regarding the Lake Center District and highlighted Councilmember Urban‘s comment regarding the 20-year Lake Center District plan that will occur in phases over several years and that the city is simply at the feasibility stage with future City Council’s deciding the next steps.

Mayor Randall began by highlighting Governor Whitmer‘s May 11th visit to Portage. She then complimented the Parks Department for its Friday at the Flats events and invited everyone to the Mayors' Bike Ride the morning of May 15 as part of Kalamazoo Bike Week. Mayor Randall also thanked the City Council for their efforts with the recent long meetings and closed by discussing the citizen comments regarding Lake Center District.

ADJOURNMENT. Mayor Randall adjourned the meeting at 09:03 PM.

Erica L. Eklov, City Clerk