

CITY COUNCIL MEETING MINUTES FROM MAY 25, 2021

Mayor Patricia Randall called the Regular Meeting to order at 7:03 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 renew the City of Portage's commitment to reduce gun violence and encourage responsible gun ownership. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Councilmember Burns read the National Gun Violence 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. Motion by Burns, seconded by Reid, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

Approval of Meeting Minutes: Motion by Burns, seconded by Reid, to approve the Regular Meeting Minutes of May 11, 2021 and Pre-Council Meeting Minutes of May 24, 2021. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Burns, seconded by Reid, to approve the Accounts Payable Register of May 25, 2021, as presented. Upon a roll call vote, motion carried 7 to 0.

Sale of Excess City Property - South Westnedge Avenue and Gladys Street: Motion by Burns, seconded by Reid, to adopt the Resolution to Sell the Excess City Property in the amount of \$250,000 located along the south side of Gladys Street, east of 6405 South Westnedge Ave, place the resolution on file with the Office of City Clerk for 28 days, and take final action on June 22, 2021. Upon a roll call vote, motion carried 7 to 0.

Traffic Signal Maintenance Contract - Bid Tabulation: Motion by Burns, seconded by Reid, to award a 5-year contract to Severance Electric Company, Incorporated, for the maintenance of the city traffic signal system from July 1, 2021 to June 30, 2026 in the base amount not-to-exceed \$340,200 with hourly rates as bid for call-in work and additional intersections as necessary, 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.

CDBG Program 2021-2025 Consolidated Plan and FY 2021-2022 Annual Action Plan: Motion by Burns, seconded by Reid, to approve the Community Development Block Grant (CDBG) Program 2021-2025 Consolidated Plan and FY 2021-2022 Annual Action Plan element of the Consolidated Plan and authorize the City Manager to submit the application to the Department of Housing and Urban Development on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards and Commissions: Motion by Burns, seconded by Reid, to accept the minutes of the Zoning Board of Appeals of April 12, 2021; Environmental Board of March 10, 2021; and, Environmental Board of April 14, 2021. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Burns, seconded by Reid, to accept the Materials Transmitted of May 7 and May 12, 2021. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Burns, seconded by Reid, to accept the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS: Portage Public Schools Superintendent Mark Bielang and Board President Randy VanAntwerp provided a presentation regarding the upcoming August 3, 2021 millage proposal. Councilmember Burns inquired where the Portage City Council should direct inquiring citizens. Mr. Bielang responded that the School Board Office would be best. Councilmember Reid asked Mr. Bielang to further explain safety plans for the schools entailed in the millage proposal and collaborations with the Portage Department of Public Safety. Mr. Bielang noted the collaboration with the city's School Resource Officers and the insight they had been able to provide. Mayor Randall asked whether future taxpayers in 30 to 50 years would be in the same position as the current community with the need to replace five elementary schools at the same time. Mr. Bielang responded that the construction of the new schools would be slightly offset to prevent such an occurrence. Councilmember Urban inquired whether any consideration had been given to building additional schools as opposed to building larger schools. Mr. Bielang responded that the option had been considered but was not ideal because building several small elementary schools alongside the current larger building would create inequity in the district.

PUBLIC HEARINGS:

Dissolution of the Austin Lake Governmental Lake Board: Mayor Randall opened the public hearing. City Attorney Kaufman provided the background regarding the Austin Lake Governmental Lake Board contacting her to express the desire to dissolve. She relayed the guidance provided to the Board under state statutes and the legal requirements the Board had completed to date. Councilmember Reid inquired regarding the Governmental Lake Board's original purpose, asking if the focus of the Board could be re-assigned to a new project. City Attorney Kaufman replied there was currently no case law to provide direction on the matter and explained the original reasons for the establishment of the Austin Lake Governmental Lake Board. Councilmember Urban noted the Austin Lake Governmental Lake Board existed prior to its most recent lake project and confirmed that a Lake Board can have projects re-assigned provided specific project funds are not co-mingled. He highlighted the Long Lake Governmental Lake Board's improvement projects as an example. City Attorney Kaufman stated that the proposal to dissolve was brought to her by the Austin Lake Governmental Lake Board members, including Mayor Pro Tem Pearson and Councilmember Knapp.

Austin Lake Governmental Lake Board President Larry Pio spoke in regards to the Lake Board's desire to dissolve as a result of its limited authority and cumbersome requirements. Mr. Pio stated that, following consultation with the City Administration, the Board determined it would be in the riparians best interest to allow the city to pursue lake improvement projects going forward in light of Austin Lake's location entirely within city boundaries. Councilmember Knapp echoed Mr. Pio's comments and stated the Austin Lake Governmental Lake Board had unanimously voted to dissolve. Councilmember Urban cited recent citizen statements regarding a desire for a weed control treatment program and the need for a professional study to address the weeds that would require

funding. He highlighted the discussion from the recent Pre-Council Meeting regarding addressing Austin Lake weeds in 2021 and explained why such a project could not be expedited.

Don McCreery (10319 Woodlawn Drive) cited his long history of residing on Austin Lake and spoke in favor of maintaining the Austin Lake Governmental Lake Board and letting the Board become inactive for a time as had been done previously.

A. J. Spicer (2277 Woody Knoll Drive) spoke as the Austin Lake Riparians Association President. He noted the Riparian Association's longstanding relationship with the Governmental Lake Board. Mr. Spicer stated the Riparian Association simply wants what is best for the health of Austin Lake, whether that happens with a Governmental Lake Board or not.

Motion by Pearson, seconded by Reid, to close the public hearing. Upon roll call vote, motion carried 7 to 0.

Mayor Pro Tem Pearson noted the advantage of a Governmental Lake Board for those lakes that are split between two different jurisdictions but stated Austin Lake is situated entirely within the City of Portage boundaries. He stated West Lake is already functioning without a Governmental Lake Board and supports the dissolution. Councilmember Reid stated she understood the concerns with the complicated nature of a Governmental Lake Board but expressed concerns with unfairness for those Portage citizens under the Governmental Lake Boards for Long Lake and Gourdneck Lake. She asked City Attorney Kaufman whether there was an option to address lakes situated in more than one jurisdiction without a Governmental Lake Board. City Attorney Kaufman responded that each municipality would have to adopt its own special assessment, mirror it with the neighboring municipality by pairing costs and efforts. Attorney Kaufman stated she has clients in smaller jurisdictions who have done this action and noted it is quite difficult to manage.

Councilmember Urban stated a Governmental Lake Board is not only for multiple jurisdiction lakes but a better method for managing lakes. He stated Governmental Lake Boards bring in outside experts such as the Drain Commissioner and acknowledged a lake board can be cumbersome but mostly for the lake board members. Councilmember Urban expressed concern that lake quality concerns would come before City Council if a Governmental Lake Board was not in place to address the concerns.

Motion by Pearson, seconded by Ledbetter, to adopt the Resolution for the dissolution of the Austin Lake Governmental Lake Board in accordance with Public Act 451 of 1994. Upon a roll call vote, motion carried 5 to 2 with Councilmembers Reid and Urban voting no.

REGULAR BUSINESS AGENDA:

Fiscal Year 2021-2022 Budget Approval and Resolutions Adoption: At the invitation of Mayor Randall, City Manager La Margo summarized the Fiscal Year 2021-2022 Proposed Budget, noting the Budget was balanced despite an increase to the sewer rates as a result of the City of Kalamazoo increases and no negative impacts to core services. Mayor Randall highlighted that the upcoming June Portager newsletter would include an article on the new Budget, stating she felt confident in its adoption after numerous discussions and meetings on the topic.

Motion by Burns, seconded by Reid, to approve the Fiscal Year 2021-2022 Proposed Budget and adopt the General Appropriations Act and Salary and Wage Resolutions. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Knapp provided an update on the May 24, 2021 meeting of the Kalamazoo County Public Art Commission.

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

NEW BUSINESS:

Appointments to Boards and Commissions: Mayor Randall invited City Clerk Eklov to read the appointments to the various Boards and Commissions. Motion by Urban, seconded by Reid, to appoint Tavishi Budagavi, Grace Decker, Laura Durant, Alex Durian, Grace Freed, Amiti Goel, Aaron Henry, Madeline Herringa, Genevieve Kim, Janelle Little, Una Metzger, Jacob Misejka, Anna Rachowicz, Jaime Sackett, Anna Sunday, Hannah Srackangast, Conor Sullivan, Riley Thomas, Natalia Verdin, Joseph Zou, James Asher, Deshana Betala, Ashlyn Haigh, Drew Lawler, Eliza Phares, Fayyaz Razi, Mason Teachman, and Noura Warsi with terms ending June 30, 2022, to the Youth Advisory Committee; reappoint Danny Corradini and Paul Pezzoli, as well as appoint Lee Adams to terms ending May 31, 2024, to the Planning Commission; appoint Laura Glass to an unfulfilled term ending December 31, 2022 to the Historic District Commission; appoint Dawn Smith to an unfulfilled term ending October 1, 2021, and appoint Dustin Black to an unfulfilled term ending October 1, 2022, to the Park Board; appoint Donald Platt to the unfulfilled term ending February 28, 2023, to the Zoning Board of Appeals; reappoint Gary Roberts with a term ending October 1, 2028, and appoint Ryan Thomas with a term ending October 1, 2027, to the Local Officers Compensation Commission; and, reappoint Todd Gasaway (Master Electrician) and Gary Gilchrist (Building Contractor) to terms ending June 1, 2024, to the Construction Board of Appeals. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS:

Michael Cartier (1127 Lakeview Avenue) spoke regarding the Lake Center District Area Feasibility Study. He thanked the City Council for hosting the May 15th Open House and modifying the proposal following citizen concerns but stated additional collaboration with the public is still needed and through an in-person meeting format.

Maribeth Henry (2621 Bach) spoke regarding the first anniversary of the death of George Floyd and urged City Council to continue its efforts with inclusion and condemning violence.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER:

Councilmember Burns expressed pride regarding the response by the City of Portage to events over the past year and City Council's continued commitment to its ideals. He closed by thanking citizens and staff for the May 15th Lake Center District Open House.

Councilmember Ledbetter acknowledged the first anniversary of the death of George Floyd and the local memorial events. He also acknowledged the upcoming 100th anniversary of the Tulsa, Oklahoma massacre. Councilmember Ledbetter relayed personal concerns regarding racism and urged everyone to be mindful of the past, understand each other's roles and work toward a better future. He expressed pride for the efforts of the cities of Kalamazoo and Portage in this regard, especially the Portage Police Division policies.

Councilmember Knapp echoed Councilmember Burns' comments. She also thanked Development Services Director Kelly Peterson and Public Information Officer Mary Beth Block for their efforts with the May 15th Open House.

Councilmember Reid thanked the citizens who applied for, as well as participated in the city's Advisory Boards and Commissions, noting it was interesting to hear each applicant's reason for seeking involvement with the city. She expressed appreciation for the diverse viewpoints, noting it was the reason for having City Council Advisory Boards and Commissions. Councilmember Reid then provided an update regarding COVID-19.

Councilmember Urban also acknowledged the first anniversary of the death of George Floyd. He stated racism persists, citing recent events, but that people can still strive to

improve. Councilmember Urban expressed pride for the Portage community and City Council for their efforts on the subject.

City Manager La Margo thanked City Council for the unanimous approval of the proposed budget, highlighting the addition of the Community Outreach Coordinator position. He stated he was happy with the outcome of the May 15th Lake Center District Open House and promised the City Administration would continue to promote Lake Center Area news.

Mayor Pro Tem Pearson echoed the earlier comments of other Councilmembers and stated he was proud to serve with the fellow City Councilmembers. He agreed with earlier statements that the May 15th Open House was a good event.

Mayor Randall noted the upcoming July 13th City Council meeting concerning the Lake Center District Feasibility Study and expressed hope for meetings in person. She relayed the cancellation of the Memorial Day Parade but encouraged continued observation of the holiday. Mayor Randall then relayed the recent outreach efforts by staff and thanked them for their work. She closed by announcing her renewed campaign for Mayor and encouraged fellow Councilmembers to also renew their positions.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:52 PM.

Erica Eklov, City Clerk