CITY COUNCIL MEETING MINUTES FROM JUNE 28, 2022

Mayor Patricia Randall called the Regular Meeting to order at 07:01 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Lisa Brayton, Chris Burns, Lori Knapp, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: Acting City Manager Adam Herringa, City Attorney Catherine Kaufman, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the upcoming Independence Day celebrations and the qualities of liberty and freedom in the community. 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. Councilmember Urban removed Items A.8 (Liquor Resolution) and A.10 (Woodway Condominiums). Motion by Pearson, seconded by Urban, to adopt the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Pearson, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of June 14, 2022. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Urban, to approve the Accounts Payable Register of June 28, 2022, as presented. Upon a roll call vote, motion carried 7 to 0.

Purchase of Combination Jet/Vac Truck - Sole Source Purchase: Motion by Pearson, seconded by Urban, to authorize the single source purchase of one GapVax combination jet/vac truck at a total cost of $509,975 from MTech and authorize the Acting 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.

Financial Auditing Services: Motion by Pearson, seconded by Urban, to award a six-year (one base term year and five one-year option renewals) financial auditing services contract to Yeo & Yeo, PC of Portage, Michigan, at a total amount not to exceed $253,575, and authorize the Acting 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.

Consolidated Drain Rehabilitation: Motion by Pearson, seconded by Urban, to award a contract to perform design and construction engineering services for the Consolidated Drain Rehabilitation to Eng., Incorporated in the amount not to exceed $147,970 and authorize the Acting 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.

Portage Police Officers Association Collective Bargaining Agreement - July 1, 2022, to June 30, 2025: Motion by Pearson, seconded by Urban, to approve the Portage Police Officer Association, a Unit of the Fraternal Order of Police, Kalamazoo Lodge #98 Collective Bargaining Agreement for the period of July 1, 2022, to June 30, 2025, and authorize the Mayor and City Clerk to sign the same. Upon a roll call vote, motion carried 7 to 0.

Budget Amendment for Property Purchases: Motion by Pearson, seconded by Urban, to approve a fiscal year 2021-2022 budget amendment for the purchases of 9303 Portage Road, 9617 Portage Road, and 2010 Woodbine Avenue in the amount of $640,000. Upon a roll call vote, motion carried 7 to 0.

Alternate Meeting Dates for July and December Board of Review Meetings: Motion by Pearson, seconded by Urban, to adopt a resolution allowing for the setting of alternative meeting dates for the July and December Board of Review meetings. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Pearson, seconded by Urban, to receive the minutes of the Zoning Board of Appeals from May 9, 2022, and Planning Commission from June 2, 2022. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Pearson, seconded by Urban, to receive the Materials Transmitted of June 14, 2022. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Pearson, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Alan Loveridge (23965 88th Avenue, Marcellus) provided a prepared statement regarding the removal of coins from circulation.

COMMUNICATIONS: Park Board Chair Tara Gish provided an update regarding the Parks Board's 2022-2023 Fiscal Year goals and objectives. Councilmember Knapp asked for an additional explanation for the Parks Art Subcommittee. Mayor Randall inquired about the community feedback received by the Parks Board as part of their Picnic in the Park events. Councilmember Urban requested a copy of the Parks Board's annual goals and objectives report to be provided at a later date for further review. Motion by Brayton, seconded by Urban, to receive the Annual Park Board Update. Upon a voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

New Class C Liquor License Application: At the invitation of Mayor Randall, Councilmember Urban explained that he had removed the item from the Consent Agenda due to questions and concerns he had regarding the application. Councilmember Urban stated Mr. Greg Bennett's proposal was too vague in his opinion and cited the prior city practice with new quota liquor licenses. Mr. Bennett stated his desire to build a bar, similar to the Buffalo Wild Wings model, at the end of the Crossroads Mall food court in the previous location of the Carousel, but admitted he rushed his application when he noticed the new licenses listed online. Councilmember Urban commended Mr. Bennett for his pursuit while expressing concern for the applicant's desired location at the distressed mall location and its lack of security.

Mayor Randall asked staff whether there had been other interested applicants. Staff responded that there were none for the quota licenses, only an inquiry for a Downtown Development Authority license. Councilmember Ledbetter asked Mr. Bennett whether he could utilize the former Olga's restaurant location in the mall. Mr. Bennett responded that the space was too small for his planned operation.

Mayor Pro Tem Pearson also expressed concern about Mr. Bennett's proposal in light of the desired mall location and the poor track record of the new mall property owner. He asked Acting City Manager Herringa regarding the cost of selling a liquor license and potential next steps should the Council desire to reject Mr. Bennett's proposal. Acting City Manager Herringa responded that liquor licenses can cost from $50,000 to $70,000, if available, and stated the quota licenses will remain available at the State level until the Council awards them. Councilmember Burns asked the City

Administration to work on creating guidance for applicants regarding the type of proposal the city desires going forward. Mayor Randall thanked the applicant for his proposal and asked him to return should his plans become more formal, but stated she couldn't support his proposal at that time.

Motion by Urban, seconded by Pearson, to reject the Resolution of Local Government Support for Bennett Investment Group, LLC to obtain a new Class C Liquor License from the Michigan Liquor Control Commission for a location at 6650 S. Westnedge Avenue (Crossroads Mall), Suite FC7. Upon a roll call vote, motion carried 7 to 0.

Rezoning Application #21/22-2 and Tentative Plan, from R-1B to Planned Development for Woodway Condominiums, 7425 Oakland Drive: Councilmember Urban began by stating he had removed the item from the Consent Agenda due to concerns he had with the proposal about the setback and prior history with the unique shape of the lot. He also referenced the surrounding residential zoning and concerns with the proposed Tentative Plan in relation. Councilmember Urban stated he supported the proposed re-zoning for the site but would not support the proposed development of the site due to the density.

Acting City Manager Herringa stated that the current proposal was recommended by the City Administration and Planning Commission as a collaborative project between the city and the developer, creating workforce-type housing. Community Development Director Kelly Peterson provided additional details regarding the city staff's efforts to collaborate with the developer regarding his proposal. Debate regarding the specifications of the proposed site and plan followed. Councilmember Knapp commended the discussion but noted it would best wait for the public hearing in light of the Action Recommended that was the first step in the rezoning process. Mayor Randall expressed support for the proposal and the tax base increase that would result from developing the long-standing vacant lot.

Motion by Knapp, seconded by Brayton, to accept the Rezoning Application #21/22-2 from R-1B to Planned Development and Tentative Plan for Woodway Condominiums,7425 Oakland Drive, for first reading and set a public hearing for July 26, 2022; and subsequent to the public hearing, consider approving Rezoning Application #21/22-2 from R-1B to Planned Development and Tentative Plan for Woodway Condominiums, 7425 Oakland Drive. Upon a roll call vote, motion carried 6 to 1, with Councilmember Urban voting no.

COUNCIL COMMITTEE REPORTS: Councilmember Knapp provided an update regarding the Portage Community Center Board, relaying that such recent fundraising activities as the e-mail campaign and golf outing were successes. She also noted the return of the Peacock Strut event in September. Councilmember Knapp closed her update with information regarding the full re-opening of the food pantry and increased demand in the prior two months.

Councilmember Brayton provided an update on the Discover Kalamazoo Advisory Board. She stated that the group recently held a roundtable discussion with area communities and organizations to receive input on why the Kalamazoo-Portage area was preferred. Councilmember Brayton stated the feedback would be used by Discover Kalamazoo in its branding campaigns.

Motion by Burns, seconded by Urban, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban had no comment.

Councilmember Ledbetter related the recent celebrations regarding the Juneteenth holiday and the new City of Portage Martin Luther King, Jr. (MLK) Park. He stated his appreciation for the park and the opportunity to share his point of view at the dedication ceremony.

Councilmember Knapp noted it was the last City Council meeting for Acting City Manager

Herringa and thanked him for his efforts over the last few months. She then wished everyone a Happy Fourth of July and issued a reminder about the fireworks ordinance.

Councilmember Brayton echoed Councilmember Ledbetter's statements regarding Juneteenth and the new MLK Park. She also thanked Acting City Manager Herringa for his leadership and his welcome to her as a new Councilmember. Councilmember Brayton closed by wishing everyone a Happy Fourth of July.

Councilmember Burns shared a recent experience with the Family Health Center's free "Dental Day of Caring," recommending the service for those that might need it and commended the valuable community resource. He then acknowledged the upcoming August 2nd State Primary Election that includes both partisan and judicial candidates. Councilmember Burns closed with a recognition of the upcoming Independence Day holiday.

Acting City Manager Herringa thanked the City Council for their support in his position as Acting City Manager. He stated he looks forward to continued progress with the new City Administration.

Mayor Pro Tem Pearson also thanked Acting City Manager Herringa, noting his efforts made the new City Manager search process easier. Mayor Pro Tem Pearson closed with a reminder that the new City Manager starts July 12.

Mayor Randall stated the new MLK Park was long-overdue and was proud of the dedication ceremony and Juneteenth observances. She then relayed a recent trip to Grand Haven with County Housing Director Mary Balkema to meet with Pat McGinnis for a review of affordable housing. Mayor Randall then noted Mr. McGinnis will start as the new Portage City Manager on July 12 with an open house scheduled for July 28. She thanked Acting City Manager Herringa for his leadership while the City Council searched for the next City Manager. Mayor Randall closed by wishing everyone a Happy July Fourth holiday.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:29 PM.

Erica L. Eklov, City Clerk