

CITY COUNCIL MEETING MINUTES FROM DECEMBER 20, 2022

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM in the Council Chambers at Portage City Hall.

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

ABSENT: Councilmembers Chris Burns and Vic Ledbetter.

ALSO PRESENT: City Manager Pat McGinnis, Deputy City Manager Adam Herringa, Deputy City Manager Michael Carroll, City Attorney Catherine Kaufman, and Deputy City Clerk Tamm Durian.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the experience of the holiday season with generosity and inclusivity. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Safa Mazhar, a 4th-grade student at Moorsbridge Elementary School, read her "I Love Portage" winning essay.

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. City Manager McGinnis removed Item 4F and a member of the audience removed item 4G from the Consent Agenda. Motion by Knapp, seconded by Urban, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 5 to 0.

Approval of Minutes: Motion by Knapp, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of December 6, 2022. Upon a roll call vote, motion carried 5 to 0.

Accounts Payable Register: Motion by Knapp, seconded by Urban, to approve the Accounts Payable Register of December 20, 2022, as presented. Upon a roll call vote, motion carried 5 to 0.

Tentative Plan and Rezoning Application #22/23-6: Motion by Knapp, seconded by Urban, to receive the Tentative Plan and Rezoning Application #22/23-6, from RM-1 Multifamily Residential to PD Planned Development for Kings Landing at 6601 Constitution Boulevard, and set a public hearing for January 24, 2023. Upon a roll call vote, motion carried 5 to 0.

2023 Fee Schedules: Motion by Knapp, seconded by Urban, to adopt the: 2023 Cemetery Fee Schedule; 2023 Proposed Freedom of Information Act fees; 2023 Proposed Community Development and Building Permit fees; 2023 Proposed Public Safety Department fees; and the 2023 Proposed Recreation and Park Facility fees. Upon a roll call vote, motion carried 5 to 0.

Bishop's Bog Floating Boardwalk - Sole Source Purchase: Motion by Knapp, seconded by Urban, to approve the sole-source purchase of floating boardwalk materials for Bishop's Bog from Aggressive Industries of Minneapolis, MN, in the amount of \$997,104, 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 5 to 0.

Bishop's Bog Floating Boardwalk - Installation: Motion by Knapp, seconded by Urban, to award a contract in the amount of \$420,000 to TJM Services for the installation of floating boardwalk materials for Bishop's Bog 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 5 to 0.

Cable Access Professional Services Contract with Overneath Creative: Motion by Knapp, seconded by Urban, to approve a multiple-year contract of two base years and three option years with

Overneath Creative for the continuation of professional cablecast, live stream and videography operations in the two-year amount of \$192,210 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 5 to 0.

Portage Road Residential Planned Development Professional Engineering Services Tabulation of Proposals: Motion by Knapp, seconded by Urban, to award a contract to Wightman & Associates, Incorporated, of Kalamazoo, Michigan in the amount not to exceed \$118,450 to perform design engineering services for the Portage Road Residential Planned Development 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 5 to 0.

Resolution for Use of Purchasing Cards and Adoption of Purchase Card Use Policy: Motion by Knapp, seconded by Urban, to adopt the Resolution for Use of Purchasing Cards and City of Portage Purchasing Card Use Policy. Upon a roll call vote, motion carried 5 to 0.

Proposed Meeting: Motion by Knapp, seconded by Urban, to set a Committee of the Whole Meeting on January 24, 2023, at 6:00 p.m. to review and discuss potential locations and expansion/enhancement of the Portage Farmers Market. Upon a roll call vote, motion carried 5 to 0.

2022 Attainable Housing Plan: Motion by Knapp, seconded by Urban, to receive and approve the proposed 2022 Attainable Housing Plan. Upon a roll call vote, motion carried 5 to 0.

Minutes of Boards & Commissions: Motion by Knapp, seconded by Urban, to receive the minutes of the Zoning Board of Appeals of September 12, 2022, and Environmental Board of November 9, 2022. Upon a roll call vote, motion carried 5 to 0.

Materials Transmitted: Motion by Knapp, seconded by Urban, to receive the Materials Transmitted of December 6, 2022. Upon a roll call vote, motion carried 5 to 0.

Calendar of Meetings: Motion by Knapp, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 5 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: None.

COMMUNICATIONS:

Annual Presentation by the Environmental Board: Environmental Board Member, Jerry Kroehn, reported that more time and further review are needed before presenting updates to the City Council.

REGULAR BUSINESS AGENDA:

Item 4F - Proposed 2023 Senior Center Facility Fee: At the request of City Manager McGinnis, Item 4F was removed from the Consent Agenda and added to the Regular Business Agenda for review. He asked that the proposed 2023 Senior Center fees are reviewed and compared to other facilities, and to move to the January 24, 2023, Council Meeting. Motion by Knapp, seconded by Brayton, to table Item 4F: Proposed 2023 Senior Center Facility fee, and add to the regular Council Meeting on January 24, 2023. Upon a roll call vote, motion carried 5 to 0.

Item 4G - Proposed 2023 Special Assessment Rates: At the request of an audience member, Item 4G was removed from the Consent Agenda and added to the Regular Business Agenda for review.

Mayor Randall invited audience member Scott Cook, 4208 Mahoney, to speak regarding the proposed 2023 Special Assessment rate. Mr. Mahoney shared his concern with the increase and inquired about paying before the first of the year. Manager McGinnis questioned the status of the

special assessment Mr. Cook referenced, and Councilmember Urban further explained the process for special assessment rates.

Mayor Randall then asked Director of Transportation and Utilities, Kendra Gwin, to provide more information and background for the proposed special assessment rate. Director Gwin explained the annual steps taken to get an average cost for installing water and sewer utilities, noting for a water main installation each property is paying a third of the cost, and the frontage for a residential property is capped at 80 feet. Director Gwin also mentioned that the Ramona Park Subdivision (which includes Gray, Mahoney, and Lum Street) is under engineering design and due to the expected construction date, the proposed rates would be in effect at the time of the project. Mayor Randall asked how the rate increase was determined, and the percentage rate from one year to the next. Director Gwin answered that the City of Portage sets the special assessment rate and referenced the attachment to the Special Assessment Rate Resolution that shows the percentage increase. Manager McGinnis asked if the actual numbers presented are based on the experience of the City of Portage's last several projects, and Director Gwin replied yes, and further information was provided. Discussion took place regarding Extension Districts, rate sharing, and assistance options.

At the invitation of the Mayor, audience members provided input.

Scott Cook, 4208 Mahoney Street, shared his concern with the percentage increase and inquired about a repair to his existing driveway.

Gary Tolliver, 5802 Dakota Avenue, is also concerned with the proposed special assessment rate increase, providing numbers based on his property.

Scott Cook, 4208 Mahoney Street, again questioned the percentage increase from last year to the proposed 2023 rate.

Karen Ninke, 4213 Lum Street, is concerned about the proposed rate increase for their utility project compared to the initial project petition 10 years ago.

Voicemails:

Maurine Best, 4208 Gray Street, spoke in opposition to the proposed special assessment rate increase, asking to wait until labor and material prices go down.

Judith Pyle, 4216 Gray Street, also spoke in opposition to the proposed special assessment rate increase, noting the amount of the increase and the timing of the increase before a scheduled project.

Mayor Randall responded to the public, understanding there is an increase, and asked about the possibility of a rate adjustment. Discussion took place, and Attorney Kaufman explained the practice of adopting the special assessment rate, provided options to the council, and explained how rates are set. Councilmember Urban reminded the audience that the proposed special assessment rates that are presented are not just for a specific project or utility, they are for a variety of items and is in favor of adopting the proposed special assessment rate.

Motion by Urban, seconded by Knapp, to adopt the Resolution setting the 2023 proposed Special Assessment Rate. Mayor Randall asked for further discussion by Council. Councilmember Urban commented this is an overall process for several rates and based on current policy, it's appropriate to set the rates for all upcoming projects. Mayor Randall invited comments from the audience. Scott Cook, 4208 Mahoney Street, asked if it was mandatory to hook up to the sewer and for a timeframe. Director Gwin replied. As there were no further comments, upon a roll call vote, motion carried 5 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Brayton gave an Environmental Health Advisory Council (EHAC) update, which included water systems and PFAS. She then provided a Discover

Kalamazoo update, noting a representative from Western Michigan University was present and reported on GPA achievements and recruitment efforts.

Mayor Pro Tem Pearson provided an update for the Central County Transit Authority (CCTA), with a focus on the Metro Comprehensive Operational Analysis (COA) study. Mayor Pro Tem Pearson commented that he and Councilmember Burns were looking forward to the COA study and recommendation, noting the need for a microtransit edition in the City of Portage. He was disappointed that the consultant proposed a limited microtransit in the City of Portage with no service for south Portage residents, as well as the discontinuance of line haul routes 26 and 27 in Portage, considering all precincts in Portage are assessed with the CTA millage. Mayor Pro Tem Pearson is concerned with the recommendations and expressed that they are reviewed, and responses are directed to the County Transit Executive Director. Mayor Pro Tem Pearson reported that he and Councilmember Burns have expressed their concern with the overall transit service reduction to City Manager McGinnis, noting Portage citizens and businesses pay the most of any county jurisdiction for transit service, and asked that council members review the analysis and report to the City Manager. Councilmember Urban commented on the analysis report, pointing out possible errors in the density calculations and map. Mayor Pro Tem Pearson again reminded everyone to respond to the proposed changes as they will be in place for the next several years.

Motion by Knapp, seconded by Brayton, to receive the Council Committee reports as presented. Upon a voice vote, motion carried 5 to 0.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban commented on the special assessment rate and the need to be financially responsible for the entire city. He also wished everyone a safe and happy holiday.

Councilmember Knapp also wished everyone a safe and happy holiday. Councilmember Brayton thanked the Portage Police and Fire for their valiant service to our community, as well as their participation with “stuff a fire truck” at Sam’s Club. She also thanked the 12 Basket Food Pantry for their contribution and wished everyone happy holidays and a Happy New Year.

City Manager McGinnis proudly reported that the National Center for Arts Research does an annual Arts Vibrancy Index and Portage-Kalamazoo made the list of the nation’s top 40 Most Arts-Vibrant Communities in 2022. He also wished everyone a safe and happy holiday.

Mayor Pro Tem Pearson wished everyone a safe and happy holiday.

Mayor Randall reflected on what a great year it’s been and is looking forward to 2023. She also thanked the plow drivers, the Department of Public Works, and wished everyone a happy holiday and safe travels.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:28 PM.

Tammy K. Durian, Deputy City Clerk