CITY COUNCIL MEETING MINUTES FROM JUNE 20, 2023

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, Chris Burns, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: Councilmember Lori Knapp.

ALSO PRESENT: City Manager Pat McGinnis, Chief Operating Officer Adam Herringa, Chief Development Officer Peter Dame, 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 summer recreation safety for pedestrians, cyclists, and children. 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. Motion by Pearson, seconded by Brayton, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0. Mayor Randall then reviewed Item A.3 regarding the appointment of various citizen members to the Lake Center District Housing Task Force.

Approval of Minutes: Motion by Pearson, seconded by Brayton, to approve the City Council Meeting Minutes of the Regular Meeting of June 6, 2023. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Brayton, to approve the Accounts Payable Register of June 20, 2023, as presented. Upon a roll call vote, motion carried 6 to 0.

Lake Center District Housing Task Force: Motion by Pearson, seconded by Brayton, to confirm the citizen members of the Lake Center District Housing Task Force. Upon a roll call vote, motion carried 6 to 0.

Committee of the Whole - August 8 (Farmers Market): Motion by Pearson, seconded by Brayton, to set a Committee of the Whole on Tuesday, August 8, 2023, starting at 5:00 PM for the purpose of discussing the Farmers Market. Upon a roll call vote, motion carried 6 to 0.

Delinquent Water and Sewer Bills: Motion by Pearson, seconded by Brayton, to order all water and/or sewer charges remaining unpaid as of June 30, 2023, be transferred to the 2023 city tax roll and assessed against the property on which the services were furnished. Upon a roll call vote, motion carried 6 to 0.

Woodlands at Austin Lake (4301 Branch Avenue) - Tentative Plan Amendment: Motion by Pearson, seconded by Brayton, to accept the Tentative Plan Amendment to modify the previously approved Tentative Plan for the Woodlands at Austin Lake Condominiums at 4301 Branch Avenue, and set a public hearing for July 25, 2023. Upon a roll call vote, motion carried 6 to 0.

Revised Dog Park and General Park Rules: Motion by Pearson, seconded by Brayton, to approve the proposed South Westnedge Dog Park Rules and Revised Park Rules. Upon a roll call vote, motion carried 6 to 0.

Waiver of Cemetery Fee: Motion by Pearson, seconded by Brayton, to approve a waiver of burial rights and grave opening fees. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: None.

Materials Transmitted: None.

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

PETITIONS AND STATEMENTS OF CITIZENS:

1. Patrick O'Brien (1709 Forest Drive) spoke on behalf of East Shore, LLC, and his father's trust. He stated he has been creating a development plan for the area and was told that eminent domain would not be pursued, but was served eminent domain paperwork the prior week. He noted the offer was less than the dollar amount previously discussed with the city. He noted the property in question was related to a city bike path and questioned the amount of property needed for such a path. He asked for a return to negotiations with the city and noted the adjacent residents expressed interest.
2. Thomas Space (1909 Winters Drive) noted he was returning to talk before the City Council regarding his street. He relayed a recent issue with Winters Drive with line painting and chip seal overtop. He states the traffic and speed on Winters Drive are still an issue from the last time his wife pleaded before the Council. Councilmember Brayton asked whether speed bumps were previously part of the discussion. Mayor Randall asked the City Manager to investigate the issue and contact Mr. Space.
3. Dara Konewko (11097 Sprinkle Road, Brady Township) spoke in opposition to the various developments proposed in the city and spoke in support of the residents against the projects. She stated she believes the developments are rooted in greed and disagrees with statements made by the Mayor Pro Tem at the June 6, 2023 meeting regarding information dispersed.
4. Mark Alexander (2630 East Shore Drive) inquired whether the Planning Commission has the wetland boundary delineation maps and stated he would ask the Commission at its next meeting. He also expressed concern/questions regarding the housing statistics previously provided and asked whether the city had discussed housing development with neighboring communities as part of seeking a solution. He stated the developer is focused on monetary gain as opposed to addressing the housing crisis. He asked that the Council not further degrade the quality of life in the city.
5. Doug Vohden (2149 Woody Noll Drive) made several inquiries regarding the water table and wetland impacts. He further inquired about impacts to existing property on the north side of the lake, including financial impacts. He expressed concern about the proposal to narrow the driving lanes of Portage Road to allow for bike lanes and stated the high-density development will overwhelm the traffic capacity in the area. He finally asked what the benefits of the proposed development would provide that aren’t already in place in the city.
6. David Visser (2506 East Shore Drive) spoke regarding the development of a neighborhood group e-mail and website (speakupPortage@gmail.com / SpeakupPortage.com) which will include the questions and answers from the Task Force and a spot for the public to upload additional questions to the Task Force.
7. Keith Newburry (8970 East Shore Drive) began by stating he has been a resident of Portage for many years. He asked anyone in the audience in opposition to the developments to stand, at which time several members of the audience stood. He stated he was not a man of many words but could make a visual argument.
8. Derek Heath (2430 Woodbine Avenue) noted he would be a citizen on the Task Force for the Stanley/Woodbine area. He stated he was pleased about hearing the City Council discussing the business with the public. He encouraged additional transparency in the Task Force work, stating that transparency from the City Manager's Office had been lacking thus far. He noted that the City Council would not just pursue its own plans but listen to the voices of the citizens they represent. He expressed concern about potential future negative side effects.

9. Ruth Beranek (2719 East Shore Drive) noted she lives adjacent to the proposed Austin Landing development and stated that she had heard from the developer of the project about its development before hearing from the city, including the construction of a bike path on a portion of her property.

REGULAR BUSINESS AGENDA:

Closed Session to discuss a personnel matter and to discuss the potential acquisition of property: Motion by Burns, seconded by Brayton, to meet in Closed Session immediately following the regularly scheduled Council Meeting of Tuesday, June 20, 2023, to discuss a personnel matter, and potential property acquisition. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS:

Councilmember Burns relayed an update about the Central County Transportation Authority (CCTA), in tandem with Mayor Pro Tem Pearson, regarding a recent meeting featuring the Senior Traffic Engineer from the City of Kalamazoo discussing the upcoming and future roadwork planned by the City for the next decade.

Councilmember Brayton gave an update regarding the Kalamazoo County Environmental Health Advisory Council (EHAC) including data on the area's tick levels, recent heat waves, and PFAS testing statistics.

Motion by Urban, seconded by Ledbetter, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 6 to 0.

NEW BUSINESS:

Potential Property Acquisition (Closed Session Follow-up): Mayor Randall began by introducing the matter to New Business as subsequent action following the Closed Session discussion. Motion by Burns, seconded by Brayton, to direct the City Manager to move forward with Parcel #2 as discussed in Closed Session. Upon roll call vote, motion carried 6 to 0. Motion by Burns, seconded by Brayton, to direct the City Manager to move forward with Parcel #3 as discussed in Closed Session. Upon roll call vote, motion carried 5 to 0, with Councilmember Urban abstaining. Following the vote, Mayor Randall briefly explained that the subject properties were part of the Kalamazoo County Treasurer's tax foreclosures in which the city has the opportunity to purchase the parcel for the owed tax amounts.

Personnel Matter (Closed Session Follow-up): Mayor Randall explained the personnel matter entailed the City Manager's annual review, as performed by the City Council's City Manager Evaluation & Review Committee, consisting of herself, Mayor Pro Tem Pearson, and Councilmember Knapp. Motion by Pearson, seconded by Burns, to award the City Manager a five percent salary increase (effective July 9, 2023), amend the severance portion of his contract to include one month of additional pay for every year employed, up to 12 months, and award a $7,500 bonus in recognition of several accomplishments including a seamless first transition year, presenting balanced & fiscally responsible budget, and reorganizing the administration with a focus on community development. Upon roll call vote, motion passed 6 to 0.

STATEMENTS OF CITIZENS:

1. Chris Bushardi (8371 Lovers Lane) spoke regarding an upcoming July 15th vintage baseball game event. He also encouraged the city to review the Master Plan in order to focus on environmental impacts, protecting green spaces and wildlife.
2. Debora Goodchild (1624 John Street) asked if there was a way to find out the properties discussed and the planned use. Mayor Randall deferred to the City Attorney.

3. Tina Kuchenbach (2728 East Shore Drive) asked about the Committee of the Whole meeting noted on the Consent Agenda for the Farmers Market. Mayor Randall responded with information about the Committee of the Whole meeting process.
4. Joe Kuchenbach (2728 East Shore Drive) stated an easy method to survey the potential for narrowing Portage Road is to drive the road during the evening rush hour.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER:

Councilmember Urban expressed regret at being unable to attend the Martin Luther King Jr. (MLK) Park ribbon-cutting event on June 16th but expressed appreciation for the creation of the park.

Councilmember Ledbetter noted he had the opportunity to attend the city's first Summer Concert with the Motown band, as well as the MLK Park ribbon-cutting ceremony with Dr. Jumanne and the two youth essay authors. He closed by acknowledging the Parks Department's event efforts.

Councilmember Brayton noted her attendance at the MLK Park ribbon-cutting event, thanking Councilmember Ledbetter and the City Manager, stating it was a great historical event. She also complimented the student essay authors. Councilmember Brayton closed with a late wishing of a Happy Father's Day.

Councilmember Burns thanked the city for sharing more information regarding the development plans in the Lake Center District area and believes the Task Force will be useful going forward. He also alluded to a personal matter which would be addressed by the City Manager. He then spoke regarding the City of Kalamazoo road projects, noted as the "Streets for All" project on the Imagine Kalamazoo web page.

City Manager McGinnis first wanted to make a statement regarding a citizen comment about dais members looking down during comment periods. He also wanted to discuss the June 6th comment from Denise Sokolowski regarding a conflict of interest with Councilmember Burns on the Stanley Avenue area project and property purchase. He relayed the background on the property, including Council action, the City Council Ethics Policy, and Councilmember Burns' advisement of potential conflict. He deferred to City Attorney Kaufman, who also provided an opinion that, upon her review, there was no conflict of interest previously or going forward. City Manager McGinnis closed by advertising the next Concert in the Park event.

Mayor Pro Tem Pearson spoke regarding the June 6th Council meeting and the public in attendance. He stated that the Lake Center District Task Force would be a good way to address citizen concerns and move forward. He closed by noting the MLK Park ribbon-cutting event he was unable to attend in person but watched the Facebook live video. He also mentioned a chance meeting with former Councilmember Dr. Romeo Phillips and Dr. Phillips' photograph of the 1989 naming of the original Martin Luther King, Jr. street dedication.

Mayor Randall began by thanking Councilmember Ledbetter for his efforts regarding the Juneteenth holiday observance and the ribbon-cutting ceremony at the new MLK Park. She noted the remainder of the planned sculptures for the park were an ongoing creation by the artist, with landscaping and signage ready for the public to enjoy. Mayor Randall then expressed sympathy for Public Works Department Director Rod Russell for the recent loss of his son. She also relayed appreciation for the Lake Center District area residents' attendance, their continued interest in the local developments, and efforts with the city to seek a cohesive solution.

ADJOURNMENT: Mayor Randall adjourned the meeting at 09:05 PM.

Erica L. Eklov, City Clerk