

CITY COUNCIL MEETING MINUTES FROM DECEMBER 19, 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 Chris Burns, Victor Ledbetter, Nicole Miller, Terry Urban, Jihan Young, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

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 the value of humanity, good overcoming evil, and the prevailing need for peace. Following the moment of silence, the City Council recited the Pledge of Allegiance alongside Scout Troop #287. At the invitation of the Mayor, Scout leader Dan Bunker spoke about the Troop, the Eagle Scout honor, and introduced the four Eagle Scouts present. Mayor Randall acknowledged the bikeway that had been improved by the Scouts. Mayor Pro Tem Pearson thanked the Troop on behalf of those on the City Council on the Portage Rotary Club, which sponsored the Troop.

PROCLAMATIONS:

Peace Proclamation: Mayor Randall read the proclamation into the record and noted it would be on display in the City Hall lobby through the duration of the new year.

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.3 (Solicitors and Canvassers ordinance amendment). Motion by Pearson, seconded by Urban, to approve 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 December 5, 2023. 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 December 19, 2023, as presented. Upon a roll call vote, motion carried 7 to 0.

2024 Fee Schedules: Motion by Pearson, seconded by Urban, to adopt the: 2024 Cemetery Fee Schedule; 2024 Proposed Freedom of Information Act fees; 2024 Proposed Community Development and Building Permit fees; 2024 Proposed Recreation and Park Facility fees; 2024 Proposed Senior Center Facility fees, and 2024 Proposed Special Assessment Rates. Upon a roll call vote, motion carried 7 to 0.

Lakeview Park Renovation Phase II: Motion by Pearson, seconded by Urban, to approve the continuation of the professional engineering services contract with O'Boyle, Cowell, Blalock & Associates Inc. (OCBA) of Kalamazoo MI, in the amount of \$95,900 for Lakeview Park Renovation Phase II 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 7 to 0.

City Council Retreat Part II: Motion by Pearson, seconded by Urban, to set Tuesday, January 9, 2024 at 4:00 p.m. at City Hall as Part II of the annual City Council Goal Setting Retreat. Upon a roll call vote, motion carried 7 to 0.

2024-2025 City Council Committees: Motion by Pearson, seconded by Urban, to confirm the 2024-2025 City Council Committee assignments. 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 Brownfield Redevelopment Authority of May 19, 2023, and Brownfield Redevelopment Authority of December 8, 2023. 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:

1. Citizens Sy Overmyer (4302 East Centre Avenue), Daniel Smith (3022 Fleetwood Street), Bilinda Straight (5027 Angling Road), Omar Elghawy (3683 Bellflower Drive), Maribeth Henry (2621 Bach Avenue), Seema Tabbara (5532 Cypress Bay, Texas Township), and Hussein Gudah (8440 Valleywood Lane) spoke against the violence and confrontation between Israel and Gaza in the Middle East, and encouraged the City Council to adopt a ceasefire resolution.
2. Michael Cartier (1127 Lakeview Drive) thanked the City Council regarding the city's new proposal to place the future Farmer's Market in the City Centre area. He then spoke regarding the City Housing Task Force and the Lake Center District area efforts to date. Mr. Cartier noted the "reforms" achieved by the Task Force as part of the process. He encouraged continued transparency by the city and future uses of the task force model.
3. Megan Mendham (2151 Stanley Avenue) spoke regarding the planned development between the avenues of Stanley and Woodbine. She expressed concern about motorists speeding along Stanley Avenue and noted prior contact with the Kalamazoo Dispatch to report violators. Ms. Mendham then spoke regarding the Lake Center area development concerning affordable housing, and expressed concern for exceeding student numbers in the local school district.

COMMUNICATIONS:

Eagle Scout Project Presentation: At the invitation of the Mayor, Scout Leader Dan Bunker and Eagle Scout members of Troop #287 were introduced and recognized for their improvement projects for the city.

Motion by Burns, seconded by Urban, to receive the Eagle Scout presentation regarding the Angling Road boardwalk project. Upon a voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Amendment to Section 14, Article 4 (Solicitors and Canvassers): Councilmember Urban explained that he removed the item from the Consent Agenda due to several concerns about certain ordinance provisions he had expressed in preparation for the meeting. He noted that the City Administration had made an effort to address his concerns through revisions, but two issues remained. Councilmember Urban suggested stricter hours of operation, as well as ensuring excepted groups are held to the operating hours. Councilmember Burns asked if Councilmember Urban intended to offer amendments, to which Councilmember Urban indicated willingness. Councilmember Burns then asked the City Manager to remind the Council of the reasons for the suggested ordinance changes. City Manager McGinnis responded that the annual city fees review prompted the update, as well as a desire to incorporate other best practices. Councilmember Burns expressed support for the stricter

operating hours and asked Councilmember Urban to repeat his second concern. Councilmember Urban confirmed his desire to have the organizations noted in the ordinance's exceptions be subject to the operating hours.

Councilmember Miller expressed concern about terminating the hours of operation at sunset, noting that winter daylight hours would greatly reduce opportunities for some businesses. Councilmember Young agreed with Councilmember Miller, as well as Councilmember Urban, and recommended permitting operations between 9 a.m. and 8 p.m. Councilmember Urban agreed that the original termination at sunset was not desirable.

Motion by Urban, seconded by Burns, to accept for first reading an amendment to Section 14, Article 4 (Solicitors and Canvassers) of the Portage Code of Ordinances, and set the second reading with adoption for January 9, 2024, to include adoption of the associated Fee Resolution, with the following changes to the ordinance as presented, changing Section 14-143(d) to read "Soliciting and canvassing are not permitted within the City of Portage between the hours of 8:00 p.m. and 8:00 a.m., and change Section 14-148, Exceptions, with the exception of Section 14-143(d) to apply Hours of Operation. Councilmember Urban asked the City Clerk to opine on his proposed amendments. City Clerk Eklov responded that staff had no stipulations regarding hours of operation, only that they be codified. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Urban provided an update regarding the Lake Center Housing Task Force and the final efforts of the group.

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

STATEMENTS OF CITIZENS:

1. Carolyn Pesheck (6745 Shoreham Street) spoke regarding the Lakeview Park renovation project included in the Consent Agenda. She stated she did not see a landing for personal, non-motorized watercraft in the proposed plan. Ms. Pesheck encouraged including a lake landing for citizen use and safety reasons.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Young wished everyone a blessed, safe, and happy holiday season. She then expressed gratitude to Portage citizens, as well as her family. Councilmember Young encouraged compassion, giving, and recognition to the community.

Councilmember Burns extended wishes for happy holidays and a happy New Year to fellow Councilmembers and city staff.

Councilmember Urban stated his personal opinions regarding the strife in the Middle East and the position of representation of the City Council for the entire citizenry of Portage.

Councilmember Ledbetter expressed support for peace and humanity, wishing everyone a safe and happy holiday season for all celebrations. He closed with a reminder of compassion.

Councilmember Miller advised that Berries Pancake House would be offering complimentary meals for the upcoming holiday. She then recognized the Portage Public Safety Department for their social media public engagement effort with a holiday game to find the Grinch.

City Manager McGinnis offered thanks and gratitude on behalf of the city staff, as well as a happy, safe, and peaceful holiday season.

Mayor Pro Tem Pearson began by thanking the citizens who spoke at the beginning of the meeting for their comments about the Israeli/Gaza conflict. He then thanked the Mayor and city staff for creating the Peace Proclamation. Mayor Pro Tem Pearson closed by wishing everyone a happy and safe holiday season, and a blessed New Year.

Mayor Randall stated that the Peace Proclamation was her offer of compromise between the

City Council and citizens asking for a ceasefire resolution. She further stated that the Council is not uncaring and promotes peace. Next, she issued a reminder regarding the upcoming holiday closures for city offices and advised about the poinsettia tree giveaways. Mayor Randall closed by wishing everyone a safe and happy holiday season while thanking those emergency personnel working during the holidays.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:19 PM.

Erica L. Eklov, City Clerk