CITY COUNCIL MEETING MINUTES FROM JANUARY 9, 2024

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM in the Council Chambers at Portage City Hall. City Clerk Eklov made an announcement regarding audio issues for the meeting.

ROLL CALL: Councilmembers Victor Ledbetter, Nicole Miller, Terry Urban, Jihan Young, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: Councilmember Chris Burns.

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 creating an inclusive community. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Mayor Randall and City Manager McGinnis presented awards to the winners of the second Annual "Decked Out" Home Holiday Decorating Contest, with first place going to the owners of 6117 Rothbury Street, second place going to 5807 Copperleaf Trail, and third place going to 7114 Winter Forest Drive.

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.4 (Rezoning Application #23/24-2) and A.5 (9303 Portage Road property). Citizen Mark McKeon removed Item A.2 (Accounts Payable Register).

Motion by Ledbetter, seconded by Young, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 6 to 0.

Approval of Minutes: Motion by Ledbetter, seconded by Young, to approve the City Council Meeting Minutes of the Regular Meeting of December 19, 2023. Upon a roll call vote, motion carried 6 to 0.

Resolution for 2023 Kalamazoo County Hazard Mitigation Plan: Motion by Ledbetter, seconded by Young, to approve the Resolution of Adoption of the 2023 Kalamazoo County Hazard Mitigation Plan. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Ledbetter, seconded by Young, to receive the minutes of the Human Services Board of October 5, 2023. Upon a roll call vote, motion carried 6 to 0.

Materials Transmitted: Motion by Ledbetter, seconded by Young, to receive the Materials Transmitted of December 19, 2023. Upon a roll call vote, motion carried 6 to 0.

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

PETITIONS AND STATEMENTS OF CITIZENS:

1. Said Abubakr (8440 Sierra Madre Trail, Kalamazoo) noted he was a professor of WMU and spoke in support of a ceasefire in the Gaza/Israeli conflict, highlighting his prior comments

before the City Council. He noted the upcoming holiday of Martin Luther King, Jr. Day and cited several of Dr. King's quotes. Mr. Abubakr expressed concern regarding the rising number of deaths in the conflict and urged City Council to act.

2. Steven Goldenbladt (207 and 219 East Milham Avenue) spoke regarding Item A.4, noting he owned the properties adjacent to the proposed rezoning. Mr. Goldenbaldt proposed splitting the topics of rezoning and the future use of the property. He relayed that he had attended the Planning Commission meetings regarding the rezoning and expressed concern about light and sound pollution from the development.
3. Tina Kuchenbuch (2827 East Shore Drive) spoke regarding Item D.1 and stated that she was reading a statement on behalf of several property owners affected by the proposal. She encouraged a buffer along the edges of the properties abutting residential areas and called for the city to reduce the districts by 100 feet adjacent to any properties currently zoned residential to discourage development up to the edge of the property. She encouraged buffers as a beneficial approach for all types of rezoning.
4. Maribeth Henry (2621 Bach Avenue) spoke regarding the City of Kalamazoo's proclamation "Stand for Human Values", a Kalamazoo County resolution, as well as a recent statement by a Kalamazoo Township trustee, all of which called for a ceasefire in Gaza. She encouraged the city to follow suit and support a ceasefire.
5. Mark McKeon (6825 Cromwell Street) spoke on behalf of the Irish American Club of Kalamazoo and the future of the annual St. Patrick's Day Parade in Kalamazoo. He relayed that the continuation of the parade is in question and the Club is seeking outside sponsorship and support.
6. Glen Lufenwel (1805 Lansing Avenue) spoke in opposition to the proposed citywide industrial development district creation, expressing concern for his residence.

COMMUNICATIONS:

Environmental Board Update: Board Chair Lauren Tompkins provided an update on the focus and efforts of the Environmental Board. Mayor Randall asked about Stewardship Day on January 13 at the Gourdneck Game Preserve. Ms. Tompkins noted the event was planned by a different group, but Portage Environmental Board members would be participating.

Motion by Pearson, seconded by Urban, to receive the annual report from the Environmental Board. Upon a voice vote, motion carried 6 to 0.

PUBLIC HEARINGS:

Citywide Industrial Development Districts Proposal: Mayor Randall opened the public hearing at 7:31 p.m. City Manager McGinnis provided a brief summary on the history of industrial development districts in the city and relayed the goal of the City Administration with the current proposal, noting similar practices in other municipalities. At the city manager's request, Deputy Director of Economic Development Jon Hallberg further described the current proposal, clarifying that a rezoning was not being proposed.

1. Glen Lufenwel (1805 Lansing Avenue) asked why his current property and neighborhood are zoned as research and development in a future land use map. He suggested the city slow down on helping businesses and help homeowners.
2. Scott Taylor (10525 Portage Road) noted he owned SWT Excavating and expressed concern that two of the four properties he owns in the proposal were split by a power line easement and district boundary. He was in support of the proposal but was worried that he would have trouble selling his property in the future if split by the districts.

3. Jeff Sackett (2212 Lansing Avenue) inquired whether the districts were already in existence or if the public was being asked to support the creation of the districts.
4. Jill Bland (Southwest Michigan First) spoke in support of the proposed Industrial Development Districts, citing current hindrances to business attraction in the area. She noted the consolidated districts would present the city as favorable toward businesses.
5. Susan Sackett (2212 Lansing Avenue) noted she and her neighbors were concerned that their neighborhood was fully engulfed in the proposal.
6. Tammy Leffingwell (1806 Lansing Avenue) stated that the current proposal with its industrial nature seemed to contradict the Environmental Board presentation provided earlier. She expressed displeased with the new Stryker building between Lovers Lane and Portage Road adjacent to her neighborhood, as well as the Stryker complex in the "Quad" along Romence Road Parkway. Ms. Leffingwell stated these areas had been developed, creating additional light pollution, and then usage curtailed following the pandemic, while the residents remained.
7. Tina Kuchenbuch (2827 East Shore Drive) asked for an estimate of the time savings realized by implementing this proposal and clarification on the time frame for business development using industrial development districts.
8. Mark McKeon (6825 Cromwell) asked for this item to be postponed in order to allow for additional citizen input. He noted that the larger districts being proposed included several neighborhoods that have become engaged with this project.

Motion by Ledbetter to close the public hearing. Councilmember Urban asked that the hearing remain open to allow for answers to citizen questions. As there was no second, Mayor Randall asked staff to provided responses. Deputy Director Hallberg utilized the Zoning Map and Future Land Use Maps to provide additional clarification between the topics of rezoning and incentive districts. Deputy Director Hallberg relayed that the Future Land Use designations were different from the industrial development district proposal, and highlighted the current updates of the city's Master Plan and upcoming open house event. There was additional discussion between the audience and staff regarding questions and clarifications about land use, zoning, and tax abatement districts. City Manager McGinnis proposed revising the boundaries of the proposed districts to extract the subject neighborhood. Deputy Director Hallberg and City Manager McGinnis reviewed additional citizen questions posed. Councilmember Urban made an effort to explain the nature of industrial development districts and their benefits.

Mayor Randall asked Deputy Director Hallberg whether the current proposal for the six citywide districts was time-sensitive, citing the various resident concerns and technical issues during the meeting, and asked if the process could be paused while the City Administration reviewed the boundaries of the districts. Deputy Director Hallberg agreed to a pause. Clerk Eklov asked the City Attorney to opine on the state requirements for district creation and public notification. Attorney Kaufman confirmed any modifications to the districts would require a new public notification process. Mayor Pro Tem Pearson polled those present regarding their address locations, then asked Deputy Director Hallberg to consider excluding the neighborhood of those present. Deputy Director Hallberg agreed. Clerk Eklov recommended that the City Council close the current public hearing, reject the districts as currently proposed, and ask the City Administration to revise the proposal in order to re-start the district update process.

Motion by Urban, seconded by Young, to close the public hearing. Upon a voice vote, motion carried 6 to 0. Next, motion by Urban, seconded by Pearson, to not adopt Resolution No. 2 to create six regional Industrial Development Districts in the City of Portage and direct city staff to revise the district to bring back to the City Council at a future date for reconsideration. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Accounts Payable Register: Mark McKeon asked about the line item for over $11,000 at the Mackinac Island Grand Hotel, expressing concern about the cost and potential use of taxpayer dollars for the endeavor. City Manager McGinnis responded that he would inquire with staff and provide Mr. McKeon a response the following day. Councilmember Urban expressed support for the city's financial review process, as did Mayor Pro Tem Pearson, with both recommending approval of the agenda item while the City Administration clarified for Mr. McKeon.

Motion by Urban, seconded by Ledbetter, to approve the Accounts Payable Register of January 9, 2024, as presented. Upon a roll call vote, motion carried 6 to 0.

Rezoning Application No. 23/24-2 (6008 and 6018 Chelsea Lane): Councilmember Urban explained his removal of the item from the Consent Agenda, noting that he had recently asked the City Administration to consider providing an option that eliminates the possibility of commercial driveways from the P1 zoning onto Chelsea Lane, leaving a strip of residential zoning next to the side street. Councilmember Urban noted that the city had previously utilized this option at the old Center Street Market where Beacon Point is currently located on East Centre Avenue. He asked that staff consider this alternative for the upcoming public hearing on the matter.

Mayor Randall asked for clarification that the action recommended before the City Council was not to approve the rezoning but only to set the public hearing date on the matter. City Manager McGinnis confirmed.

Motion by Urban, seconded by Pearson, to receive rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking District to facilitate future commercial development, and set a public hearing for February 6, 2024.

Mayor Pro Tem Pearson noted support of Councilmember Urban's comments, noting the popularity of the proposed restaurant location in other states. Councilmember Miller and Mayor Randall expressed additional concerns about traffic movements in the subject area in light of the adjacent residential areas. Councilmember Urban noted the current proposal focused on the rezoning and not a proposed site plan, and control of site planning through zoning. He cited prior city actions on the former Beacon Pointe property on East Centre Avenue, which may no longer be feasible.
Upon a roll call vote, motion carried 6 to 0.

Property Acquisition – 9303 Portage Road: Councilmember Urban explained his rationale for removing the item from the Consent Agenda, noting his preference for the alternative action noted in the City Manager's Report that detailed demolishing the house and combining the property into the Lakeview Park parcel. Councilmember Miller agreed with Councilmember Urban, but also expressed a desire to utilize the residence in response to the regional housing shortage, either on-site or relocating the structure. Mayor Pro Tem Pearson asked whether rezoning the property could be rezoned for business use at a future time. Chief Development Officer (CDO) Pete Dame responded, relating that a business had been on the property had a before the current home. He further cited the zoning of the surrounding area, acknowledging the city’s planned rezoning effort for the area. Mayor Pro Tem Pearson expounded on CDO Dame's mention of the upcoming rezoning and associated redevelopment efforts in the Lake Center District area, including upgrades to Lakeview Park. He expressed support for selling the property with the goal of future redevelopment. Councilmember Urban noted the city also owned the land north of the lake drain on the subject property, adjacent to Dixie Drive, and highlighted potential complications with selling, designating the parcel as parkland, or renting the property.

Mayor Pro Tem Pearson expressed interest in listing the property to gauge market interest with the option to change course if there are no offers. Mayor Randall expressed concerns about demolition in light of the current housing crisis, as well as the potential for redevelopment with the restrictive nature of the property. She proposed renting the property to provide a residence, as well as a revenue option for the city. Councilmember Urban noted the various alternatives that had been proposed during the discussion and proposed tabling the matter for additional staff feedback. Mayor Pro Tem Pearson noted his support of Councilmember Urban's suggestion.

Mayor Randall asked staff to provide the property tax amounts for a calendar year, as well as the potential rental income including city costs, and the fair market value.

Motion by Pearson, seconded by Urban, to table the matter and direct the City Manager to address the possible uses discussed during the current meeting for the property addressed as 9303 Portage Road and come back to the Council with a decision or options at the Regular Meeting on March 19, 2024. Upon a roll call vote, motion carried 5 to 1, with Councilmember Urban voting no.

UNFINISHED BUSINESS:

Amendment to Section 14, Article 4 (Solicitors and Canvassers): At the invitation of the Mayor, City Manager McGinnis provided the background on the proposed ordinance update, including the changes discussed at the first reading. Mayor Randall asked for clarification on whether campaign canvassing was included in the non-profit exemption. City Manager McGinnis responded that election canvassing did not entail the sale of a product and as such, was not included in the ordinance update. Councilmember Urban noted he had recently requested a correction to the associated Fee Resolution to better reflect the ordinance regarding non-profit groups.

Motion by Urban, seconded by Young, to adopt the amendment to Section 14, Article 4 (Solicitors and Canvassers) of the Portage Code of Ordinances, and the Fee Resolution. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Mayor Pro Tem Pearson provided an update regarding both his and Councilmember Burns' activities within the Central County Transit Authority (CCTA).

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

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Young thanked the citizens for engaging with the city. She then thanked Public Safety personnel for working during the holidays and thanked the Public Works staff for their current and upcoming snow plowing efforts. Councilmember Young closed with a reminder of the upcoming Martin Luther King, Jr. holiday and encouraged a day of service.

Councilmember Urban had no additional comment.

Councilmember Ledbetter acknowledged the upcoming Martin Luther King, Jr. holiday in honor of Dr. King and spoke regarding his legacy. Councilmember Ledbetter then responded to the earlier citizen concerns about Israel and Hamas, asking those knowledgeable about the matter to contact him for additional information and background before he could consider a ceasefire resolution.

Councilmember Miller began by wishing everyone a Happy New Year. She then issued a reminder regarding the upcoming Board and Commission Interviews scheduled for January 23 and encouraged citizen participation.

City Manager McGinnis echoed the Council comments regarding Martin Luther King Jr. Day and highlighted the City Hall lobby display. He then responded to Mr. McKeon's earlier inquiry regarding the Grand Hotel expenditure on the Accounts Payable Register, noting it was for a May 2024 Senior Center trip and did not entail city tax dollars.

Mayor Pro Tem Pearson also spoke regarding the Accounts Payable Register, thanking citizens for their additional review of city expenditures, and was pleased to understand the background. He closed by acknowledging the continuation of the City Council Goal-Setting Session held earlier that evening.

Mayor Randall began by thanking both the Councilmembers and staff for their efforts during the earlier goal-setting session. She then provided a reminder regarding the volunteer Stewards Day event on January 13. Mayor Randall also highlighted the MLK exhibit in the Portage District Library featured in this month's local Encore magazine. She then spoke regarding the various citizen pleas to the Council regarding global conflicts and the citywide representation of the Portage City Council. Mayor Randall closed by thanking the residents who attended the meeting to relay concerns regarding their neighborhood.

ADJOURNMENT: Mayor Randall adjourned the meeting at 9:04 p.m.

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Erica L. Eklov, City Clerk