CITY COUNCIL MEETING MINUTES FROM MARCH 5, 2024

Mayor Pro Tem Jim Pearson called the Regular Meeting to order at 06:00 PM in the Council Chambers at Portage City Hall.

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

ABSENT: Mayor Patricia Randall.

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 Pro Tem Pearson, the audience observed a moment of silence to recognize and prioritize the value of all human life and the prevalence of peace over violence. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Dominic Parsons (310 W. Melody) spoke regarding support for an Israel/Gaza ceasefire resolution. He noted recent developments since his address before the City Council at the February 20, 2024 Meeting.
2. Robert Williams (10930 South Westnedge Avenue) stated his concerns about recent citizen commentators and the requests for a ceasefire resolution. He stressed the City Council's position as local officials.
3. Patrick O’Brien(2212 Broadway, Kalamazoo) presented on behalf of East Shore, LLC. He stated that the City of Portage is trying to steal his family's land under the pretense of a public use trail under eminent domain, offering much less than the value of the land. He noted he had previously offered to donate a portion of the land, which the city has not pursued. He noted several property owners across the street are interested in purchasing the land and said that he would like to work with the city for a fair outcome, but he will fight the eminent domain process.

   Mayor Pro Tem Pearson responded to Mr. O'Brien's comment about the city "stealing" his land. Then, at the Mayor Pro Tem's invitation, City Manager McGinnis provided additional information on the current state of the city in this situation.
4. Ken Ackert (9702 East Shore Drive) stated he was in support of Mr. O'Brien and his family's purchase of the land from the railroad for use by the adjacent residents. He expressed concern about the city's restrictions on Mr. O'Brien's use of the property for parking. Mr. Ackert stated his desire for the trail to continue and not utilize the road and adjacent roundabout, which he considered a safety hazard for cyclists and pedestrians.
5. Richard Nellums (9240 East Shore Drive) spoke via phone regarding the MDNR Trust Fund Grant for the Austin Lake Trail, noting it was not presented as an approval by the Council of the trail itself, rather that the trail's design and the city's intentions for the trail still awaited additional details.

* Comment received via e-mail at 6:01 p.m. from Maribeth Henry (2621 Bach Avenue) thanking Brianna Wurtsmith and Rudy Youssef for an excellent farmer's market meeting the prior week. She also encouraged continued diversity in both the vendors and products.

CONSENT AGENDA: Mayor Pro Tem Pearson shared where the public can access the meeting agenda and asked if any would like an item removed from the Consent Agenda. Councilmember Miller removed Item B.10 (MDNR Trust Fund grant - Austin Lake Trail).

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

Approval of Minutes: Motion by Burns, seconded by Miller, to approve the City Council Meeting Minutes of the Regular Meeting of February 20, 2024. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Burns, seconded by Miller, to approve the Accounts Payable Register of March 5, 2024, as presented. Upon a roll call vote, motion carried 6 to 0.

Equipment Rental Contract for Curbside Collection Programs - Bid Tabulation: Motion by Burns, seconded by Miller, to approve a five-year contract with Fredrickson Supply, LLC, in the amount of $1,036,209.00 to provide two compactor trucks for the Spring Cleanup Program and the Spring Bagged Leaf and Brush Pickup Program and eight compactor trucks for the Fall Leaf Pickup Program, and authorize the City Manager to execute all documents related to this contract and subsequent renewals on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Professional Architectural and Engineering Services for the Portage Farmers Market - Bid Tabulation: Motion by Burns, seconded by Miller, to award a contract in the amount of $126,225 to Abonmarche Consultants of Benton Harbor, Michigan, for Professional Architectural and Engineering Services for the Portage Farmers Market 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 6 to 0.

Regional Industrial Development Districts: Motion by Burns, seconded by Miller, to adopt Resolution No.1 setting a public hearing on April 9, 2024, to create six regional Industrial Development Districts in the City of Portage 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 6 to 0.

Final Plat Approval - The Oaks Phase 2 (7400 Montego Bay Street): Motion by Burns, seconded by Miller, to approve the Final Plat (Public Infrastructure Acceptance) for The Oaks Phase 2, 7400 Montego Bay Street, with the condition that sidewalks, pavement markings, and street trees be installed by March 5, 2026, and subsequently set a public hearing for April 9, 2024, to change a segment of street name from “Live Oak Trail” to “Montego Bay Street”. Upon a roll call vote, motion carried 6 to 0.

Final Plat Approval - Oakland Farms No. 3 (9840 Oakland Drive): Motion by Burns, seconded by Miller, to approve the Final Plat (Public Infrastructure Acceptance) for Oakland Farms No. 3, 9840 Oakland Drive, with the condition that sidewalks and street trees be completed by March 5, 2026, 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 6 to 0.

Waiver of Water and Sewer Municipal Connection Fees: Motion by Burns, seconded by Miller, to approve a waiver of Water and Sewer Municipal Connection Fees for an affordable housing project at 10506 Oakland Drive in an amount not to exceed $10,000 as a local contribution for a Kalamazoo County Housing for All Millage application 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 6 to 0.

Housing for All Grant Agreement: Motion by Burns, seconded by Miller, to approve the Housing for All Grant Agreement between Kalamazoo County and the City of Portage 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 6 to 0.

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

REGULAR BUSINESS AGENDA:

Austin Lake Trail - MDNR Trust Fund Grant Application: At the request of Mayor Pro Tem Pearson, Councilmember Miller relayed her reasoning for removing the item from the Consent Agenda, citing citizen confusion over what the item was approving. She highlighted that the item approved arranging funds for the trail but did not approve any plans for the trail itself. Councilmember Burns also noted that the public had contacted him with concerns about the proposed trail, including a desire for public input on the final design, tree preservation, road noise from Sprinkle Road, increased traffic, and parking/amenity locations. He noted he is in support of the item, encouraging as much outside funding as possible. Councilmember Burns asked the City Manager about the trail project's expected time frame to ascertain when additional information that may affect public response would be available. Mayor Pro Tem Pearson confirmed the city's inability to know the scope of the project without knowing the entirety of the funding entailed and also asked the City Manager to elaborate.

City Manager McGinnis began by noting his recent relocation to the city and his appreciation for the city's trail infrastructure. He noted the city's expected construction start date is 2026. He then asked Chief Operating Officer (COO) Adam Herringa to discuss the city's public meeting regarding the trail's grant proposals. COO Herringa summarized the input received at the public meeting, which matched the concerns mentioned by Councilmember Burns. COO Herringa relayed that the purpose of the meeting was to gain insight into the trail's design, noting that the city's trail system has consistently been rated as one of its best features. City Manager McGinnis then noted a town hall-type meeting was planned once the city had conceptual designs for the public to examine.

Councilmember Urban asked COO Herringa to relay why the public input meeting was conducted. COO Herringa stated that the meeting was a prerequisite for the grant applications being pursued by the city. Councilmember Burns finished the discussion with a summary of the status of the project to date and future plans.

Motion by Miller, seconded by Urban, to approve the Resolution of Support for Local Match for the MDNR Trust Fund grant for the Austin Lake Trail 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 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided an update regarding the Central County Transportation Authority's February 26 special meeting regarding the new microtransit system, which will be called "Meto Link". Councilmember Miller asked for a start date. Councilmember Burns noted potentially April.

Councilmember Young provided an update regarding the Portage Community Center Board of Directors. She relayed a reminder regarding the upcoming May golf outing fundraiser.

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

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

Councilmember Ledbetter highlighted Women's History Month, as well as the upcoming Daylight Savings Time. He then responded to an earlier citizen comment regarding concerning statements made during a prior meeting. He also noted a recent development at the federal level, with the Biden Administration seeking a ceasefire between Israel and Gaza.

Councilmember Miller spoke regarding National Literacy Month, including her recent reading to a class of third graders at Portage Public Schools.

Councilmember Young thanked the City Clerk's Office and election workers for a successful election, as well as the citizens who came out to vote. She also noted National Literacy Month and congratulated Amberly Elementary for winning a large book donation from the Kellogg Company. She closed with a reminder to motorists about increased crosswalk use with the warmer weather.

Councilmember Burns had no comment.

City Manager McGinnis noted the veteran's memorial banner program would be returning for the summer and relayed that the proceeds contributed to the veterans' programs at the Portage Zhang Senior Center. He then highlighted the return of the citywide Industrial Development District project excluding the residential properties that had previously caused questions. City Manager McGinnis closed by noting the adoption of the revised property maintenance code would be returning at the next City Council meeting instead of the present one as expected.

Mayor Pro Tem Pearson also highlighted the Industrial Development District update and addressed the specific residential areas that had been removed from the original citywide proposal. He then highlighted three other items approved under the Consent Agenda, including two new residential plat approvals and a grant-funded design contract for the new Farmer's Market.

ADJOURNMENT: Mayor Pro Tem Pearson adjourned the meeting at 6:41 PM.

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Erica L. Eklov, City Clerk