

## **CITY COUNCIL MEETING MINUTES FROM APRIL 9, 2024**

**CALL TO ORDER:** Mayor Pro Tem Jim Pearson called the Regular Meeting to order at 6:01 p.m. in the Council Chambers at Portage City Hall.

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

**ABSENT:** Mayor Patricia Randall and Councilmember Terry Urban.

**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 reflect on the value of all life and urged diplomacy. Following the moment of silence, the City Council recited the Pledge of Allegiance.

### **PROCLAMATIONS:**

**2024 Community College Month (KVCC):** Dannie Alexander, KVCC Vice President for Campus Planning and Operations, read the proclamation.

**2024 Fair Housing Month:** Pat Maye from the Fair Housing Center of Southwest Michigan read the proclamation.

### **PETITIONS AND STATEMENTS OF CITIZENS:**

1. Caroline Pesheck (6745 Shoreham Street) spoke in relation to the Fair Housing Month proclamation and congratulated the city's award to the TC Scott Construction Company for the low-income housing development.
2. Les Minor (2514 East Shore Drive) noted he had been residing in Florida for the last three months and apologized as he was catching up on city business. He asked whether the road connection from Portage Road with Forest Drive would eventually be taken all the way to East Shore Drive. He then asked about Stanley Drive and whether the property at the north end of Austin Lake was a "done deal." He closed by asking about a letter he had received the day prior regarding the city's proposed Future Land Use Map. At the request of the Mayor Pro Tem, the City Manager gave brief answers to each of Mr. Minor's questions. The Mayor Pro Tem also asked Mr. Minor to contact the City Manager's Office to get a detailed update on each of the matters.
3. Mary Wieplowski (8836 East Shore Drive) provided comments in follow up to the Public Participation Plan on the Planning Commission agenda from April 4, previously approved by the City Council. She expressed concern about the Commission's efforts to alter the Plan despite the Council's unanimous approval, as well as surprise for the Commission's desire to remove an aspect of the Plan. Mayor Pro Tem Pearson briefly responded to Ms. Wieplowski's concerns.
4. Tim Keck (7551 Montego Bay Street) asked whether the railroad crossing along Romence Road was slated to be improved, and noted the Autumn Street intersection with Tiffany Avenue featured obscuring landscaping for motorists. He urged the city to change the intersection to a stop sign layout.
5. Pamela Humes (329 Connecticut Drive) stated that she was in attendance to represent the nonprofit group ReGen Next. She relayed her address to the Youth Advisory Committee during

the Committee's April 8 meeting about a community clean-up event on April 20 for the West Fork Portage Creek park location. She urged the city to focus on keeping the city clean.

**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. Motion by Young, seconded by Burns, to approve the Consent Agenda as presented. Upon a voice vote, motion carried 5 to 0.

**Approval of Minutes:** Motion by Young, seconded by Burns, to approve the City Council Meeting Minutes of the Regular Meeting of March 19, 2024. Upon a roll call vote, motion carried 5 to 0.

**Accounts Payable Register:** Motion by Young, seconded by Burns, to approve the Accounts Payable Register of April 9, 2024, as presented. Upon a roll call vote, motion carried 5 to 0.

**Partial Refund of Liquor License Application Fees:** Motion by Young, seconded by Burns, to approve a refund in the amount of \$350 each to the following liquor license applicants for a portion of the application fee: Mr. Ronald Hotrum (SoccerZone); Mr. Jaspal Singh (Que Buenos); and, Ms. Balwinder Kaur and Mr. Atinderpal Singh (Indian Delight). Upon a roll call vote, motion carried 5 to 0.

**Revised PA 198 Industrial Tax Abatement Incentive Policy:** Motion by Young, seconded by Burns, to adopt the Revised PA 198 Industrial Tax Abatement Incentive Policy. Upon a roll call vote, motion carried 5 to 0.

**Resolution Opposing HB 4965 Video Streaming Franchise Fees:** Motion by Young, seconded by Burns, to approve the resolution to oppose HB 4965 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.

**Final PD Site Plan for a senior housing facility at 732, 810, 830, and 906 E. Centre Avenue:** Motion by Young, seconded by Burns, to approve the Final PD Site Plan for a senior housing facility at 732, 810, 830, and 906 E. Centre Avenue with the condition that the applicant shall submit the completed and recorded storm water agreement to the City. Upon a roll call vote, motion carried 5 to 0.

**Minutes of Boards & Commissions:** Motion by Young, seconded by Burns, to receive the minutes of the Planning Commission of February 1, 2024; and, Park Board of March 3, 2024. Upon a roll call vote, motion carried 5 to 0.

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

#### **PUBLIC HEARINGS:**

**Brownfield Redevelopment Plan Amendment No. 12 - TST Portage, LLC, 5870 and 5960 South Sprinkle Road:** Chief Development Officer (CDO) Pete Dame provided a summary regarding the subject location, the nature of brownfield developments, as well as the proposed project. CDO Dame also noted the efforts of Deputy Director of Economic Development, Jon Hallberg, in light of the time-sensitive tax year implications.

Councilmember Burns asked for the applicants to come forward and present the project from their perspective.

Joe Agostinelli of Michigan Growth Advisors (1906 Forest Drive) introduced himself as the consultant for the project and the technical advisor on the brownfield application.

Ryan Thomas, president of Depatie Power Fluid, noted the various Depatie locations in the area, as well as surrounding states, and the desire to headquarter the company at the new Portage location.

Councilmember Burns asked for the number of new employees expected for the job impact of

the project. Mr. Thomas noted an additional 53 new jobs would be created. Mayor Pro Tem Pearson opened the public hearing at 6:26 p.m.

Mark McKeon (6825 Cromwell Street) noted the existing bus stop in the area, but also a lack of sidewalks for employees to complete the route to work. Mayor Pro Tem Pearson noted that Kalamazoo County maintained Sprinkle Road and inquired whether the city could mandate sidewalk construction. City Manager McGinnis responded that he would research the matter further and would have the city advocate for sidewalk installation nonetheless.

Motion by Burns, seconded by Young, to close the public hearing. Upon a roll call vote, motion carried 5 to 0. Motion by Burns, seconded by Young, to adopt the City of Portage Brownfield Redevelopment Plan Application, Development Agreement and Brownfield Reimbursement Plan, and Brownfield Redevelopment Plan Amendment No. 12, TST Portage, LLC, 5870 and 5960 South Sprinkle Road. Upon a roll call vote, motion carried 5 to 0.

**Regional Industrial Development Districts:** City Manager McGinnis provided a brief explanation regarding the history of the proposal from the City Administration, as well as revisions by staff following responses from area residents during the initial round.

Councilmember Miller asked for a more detailed explanation regarding the difference between industrial zoning and the proposed district. City Manager McGinnis responded.

Mayor Pro Tem Pearson invited members of the public to comment. Dan Wood stated his business is situated across from Depatie on South Sprinkle Road and is also in the process of developing his property. He thanked the City Council for their additional explanation, then asked about the brownfield area and the purpose of the designation. City Manager McGinnis provided a brief response.

As there were no additional comments, motion by Young, seconded by Burns, to close the public hearing. Upon a voice vote, motion carried 5 to 0. Motion by Burns, seconded by Young, to adopt Resolution No. 2 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 5 to 0.

**Proposed street name change from "Live Oak Trail" to "Montego Bay Street":** At the request of the Mayor Pro Tem, Chief Development Officer (CDO) Dame presented the item, highlighting that this matter related to approval of Phase Two of The Oaks residential plat. He relayed that a resident brought forth the question regarding the street name change with the new phase, at which time staff began the process of continuing the original Montego Bay Street. Mr. Dame stated part of the city's efforts to make a cohesive plat included changing the street name, and staff had made contact with the three occupied homes currently on Live Oak Trail regarding the proposal.

Councilmember Burns asked what measures with future plat proposals could avoid this issue in the future. CDO Dame responded. Councilmember Burns then asked how many additional houses were located on the existing Montego Bay Street to the south. CDO Dame relayed there were 12 homes at present. He further explained the prior plat reviews preceded the majority of current Community Development Department staff, but noted the existing GIS Specialist relayed that there was no understanding that there was an extension planned for the first phase of The Oaks plat. Councilmember Burns then asked about one of the resident requests for the city or the developer to provide monetary remuneration. CDO Dame relayed his recent relocating experiences and the inconvenience with address changes, but the inability of the city to calculate costs, noting that it does not cost money to update a mailing address with the U.S. Postal Service, and other issues prevented the city from providing compensation.

Councilmember Miller asked whether there were additional changes required by homeowners,

including their deeds or mortgages. CDO Dame confirmed that staff had researched and found no additional costs. Councilmember Burns asked the City Clerk about changes to voter registration. The Clerk confirmed it could be easily handled administratively.

Tim Keck (7551 Montego Bay Street) expressed displeasure with the creation of the new street with the potential for increased flooding for both Live Oak Trail and the adjacent Jamaica Lane. He relayed that he had no position regarding the proposed street name change, but had made contact with neighboring residents on Live Oak Trail regarding the change, receiving mixed responses.

Motion by Young, seconded by Burns, to close the public hearing. Upon a voice vote, motion carried 5 to 0. Motion by Burns, seconded by Young, to approve the change of street name from "Live Oak Trail" to "Montego Bay Street" in the Oaks plat 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.

#### **REGULAR BUSINESS AGENDA:**

**Presentation of 2024-2025 FY Proposed Budget:** City Manager McGinnis began by noting the availability of the Fiscal Year 2024-2025 proposed Budget on the OpenGov website for review, to which a link had been forwarded to all Councilmembers prior to the meeting. He further relayed that he had e-mailed the line item budget file to the City Council as well for information. City Manager McGinnis highlighted the first scheduled Budget Review Session slated for April 23 and encouraged the Council to forward any questions ahead of the meeting for preparation.

Councilmember Miller asked for clarification regarding the Budget Review Session plans, to which the City Manager elaborated on the schedule.

Councilmember Burns relayed that two links posted on the OpenGov website remained "grayed out", including staffing and debt service. City Manager McGinnis responded that those would be finalized that week.

Motion by Burns, seconded by Young, to receive the presentation of the Fiscal Year 2024 - 2025 proposed Budget. Upon a roll call vote, motion carried 5 to 0.

**COUNCIL COMMITTEE REPORTS:** Councilmember Burns provided an update regarding the City Council Utility Rate Committee, as well as an update on the Central County Transportation Authority. He relayed the vendor for the new microtransit service, MetroLink, with the program launch scheduled for April 15.

Motion by Ledbetter, seconded by Young, to receive the Council Committee Reports as presented Upon a voice vote, motion carried 5 to 0.

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Ledbetter noted two women-owned businesses in the Crossroads Mall, the Simply Elegant Banquet Center and Imagine Art. He then noted April 4, 2024 was the 56th anniversary of the assassination of Dr. Martin Luther King, Jr. and his disappointment in the local news failing to cover the anniversary.

Councilmember Burns thanked Western Michigan University for an invitation to the local government panel discussion. He closed by highlighting the MetroLink article in the Portager newsletter with information on the new service.

Councilmember Miller issued a reminder about the upcoming opening of the current Farmer's Market season. She then noted her upcoming attendance at the Governor's conference on tourism, including the Wheel of the World organization focusing on accessibility in collaboration with the Disability Network of SW Michigan.

Councilmember Young thanked those citizens who attended and provided comments. She closed with a reminder to share the road in light of the warmer weather with increased pedestrian and cycling traffic.

City Manager McGinnis followed up on the Earth Day announcements, noting the citizen comment about the April 20 cleanup, as well as the annual tree planting event at Portage Northern in honor of Earth Day on April 22 and the Tree City USA designation.

Mayor Pro Tem Pearson highlighted the April 26 deadline to apply for Hometown Heroes veteran banner program and his efforts to select a banner for his wife in 2023.

**ADJOURNMENT:** Mayor Pro Tem Pearson adjourned the meeting at 7:17 PM.

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Erica L. Eklov, City Clerk