

CITY COUNCIL MEETING MINUTES FROM JULY 9, 2024

Mayor Patricia Randall was in attendance but due to illness, Mayor Pro Tem Pearson acted as chair for the meeting. Mayor Randall called the Regular Meeting to order at 6:00 p.m. in the Council Chambers at Portage City Hall and then deferred to Mayor Pro Tem Pearson.

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 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 six new Portage Public Safety Officers sworn in today. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PETITIONS AND STATEMENTS OF CITIZENS (3 MINS. PER SPEAKER):

1. Sarah Joshi (6926 Towhee Street) announced her campaign for Kalamazoo County Commissioner for District 4 in the upcoming August 6, 2024 election.
2. Christine Morse (5408 Saddle Club, Kalamazoo) acknowledged her current position as a State Representative and spoke to her campaign for the 9th Circuit Court judgeship in the upcoming August 6, 2024 election.

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 Burns removed Item A.5 (City Hall Roof Replacement). Motion by Young, 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 Young, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of June 25, 2024. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Young, seconded by Urban, to approve the Accounts Payable Register of July 9, 2024, as presented. Upon a roll call vote, motion carried 7 to 0.

Tentative Plan Amendment to amend the previously approved Tentative Plan of a Planned Development for a residential housing project at 8150 Creekside Drive.: Motion by Young, seconded by Urban, to receive the Tentative Plan for a Planned Development for a residential housing project at 8150 Creekside Drive (previously approved as a PD for high-density senior residential housing - StoryPoint South), and set a public hearing for August 13, 2024. Upon a roll call vote, motion carried 7 to 0.

2025-2026 Local Streets Reconstruction Program – Tabulation of Proposals: Motion by Young, seconded by Urban, to award a contract to perform engineering services to Wightman of Kalamazoo, Michigan in the amount not to exceed \$367,715 for the reconstruction of the 2025-2026 Local Streets Reconstruction Program and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Resolution to Vacate Public ROW - Woodland Elementary School Drive: Motion by Young, seconded by Urban, to accept the resolution to vacate the Woodland Elementary Drive ROW, place the resolution on file with the City Clerk for at least 30 days, and take final action on August 13, 2024. Upon a roll call vote, motion carried 7 to 0.

State of Michigan Disaster Relief Application: Motion by Young, seconded by Urban, to adopt the State Disaster Relief Fund Grant Resolution. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Young, seconded by Urban, to receive the Materials Transmitted of June 18, 2024. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Young, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

Update on the State of Michigan Budget by State Representative Christine Morse: Representative Morse began with several statewide highlights regarding the state budget, including \$75 million for a public safety trust fund and \$75 million for a revenue-sharing trust fund, both to further support local municipalities. She then highlighted the continued expansion of certified community behavioral health clinics as part of the state's Health and Human Services Department, as well as autism treatment and opioid settlement funding. Representative Morse then relayed the state's allocation of \$1 million from the Michigan State Police budget for disaster relief following the May 7, 2024 tornado for Portage and its fellow communities. She also noted the state awarded \$5 million to the City of Portage to help finance the mixed-use housing efforts of the city. Motion by Young, seconded by Burns, to receive the update on the State of Michigan Budget and legislative affairs by State Representative Christine Morse. Upon a voice vote, motion carried 7 to 0.

PUBLIC HEARINGS:

Lakefront Neighborhood Ordinance Amendment #23/24-3: At the invitation of the Mayor Pro Tem and the City Manager, Chief Development Officer Pete Dame provided a summary regarding the development of the zoning changes included in the ordinance revisions.

Councilmember Miller asked about requirements in garage re-builds, sizing, and allowed building footprints. CDO Dame confirmed that garages could be built closer to homes under the proposed ordinance.

Councilmember Urban asked about buffers with sub-standard lots and whether all sub-standard lots were receiving relief. CDO Dame responded that all lakeside lots would receive relief, but not all sub-standard lots. Councilmember Urban asked a follow up question to why lakeside lots received special accommodation. CDO Dame responded that there are different development challenges for lakefront properties. Councilmember Urban specified that lakefront properties are not permitted to build accessory buildings on the lakeside.

Councilmember Pearson noted that, in both his and Councilmember Urban's experience as former chairs to the Zoning Board of Appeals, almost one-third of everything that came before the Zoning Board of Appeals was related to lakefront properties.

Mayor Pro Tem Pearson opened the public hear at 6:26 p.m. There were no comments in Council Chambers or phone line.

Motion by Burns, seconded by Urban, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Urban, seconded by Young, adopt the Lake Neighborhood Ordinance Amendment #23/24-3: Ordinance to amend City of Portage Chapter 42 Land Development Regulations relating to the Lake Neighborhood Zoning Amendments. Upon a roll call vote, motion carried 7 to 0.

Ordinance Amendment - National Flood Insurance Program: At the invitation of Mayor Pro Tem Pearson, CDO Dame explained the City Administration's reason for amending the flood plain ordinance, noting the city's membership in the National Flood Insurance Program and the associated requirement to adopt the new federal flood plain new maps and associated ordinance language before July 31, 2024 to continue the membership. Mayor Pro Tem Pearson then opened the public hearing at 6:32 p.m.

Mark Boardman (3091 Rolling Hill) noted he lived on the south end of Sugarloaf Lake and his property has a portion included in the area denoted as "hazardous". He requested an explanation of the hazardous designation.

CDO Dame responded to Mr. Boardman at the request of the Mayor Pro Tem. As there were no additional comments, motion by Burns, seconded by Urban, to close the public hearing. Upon a roll call vote, motion carried 7 to 0.

Motion by Burns, seconded by Young, to accept an ordinance amendment incorporating the updated FEMA flood plain map to the City of Portage Code of Ordinances. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

City Hall Roof Replacement: Councilmember Burns explained his rationale for removing the item from the Consent Agenda, expressing concern about the city receiving a single bid for the project. City Manager McGinnis and Public Works Director Rod Russell responded that many local roofing companies are likely busy with the work generated by the May tornado and, as such, did not respond to the call for bids. Mayor Pro Tem Pearson asked if the city would benefit from postponing the roofing project and potentially garnering more bids. Director Russell stated that delaying would not help and the single bidder's quoted price from the was fair.

Councilmember Urban asked if the solar panel project had already been awarded by the Council. Director Russell confirmed that it had and the two projects were inter-related and made timing a factor.

Motion by Burns, seconded by Young, to award a contract in the amount of \$216,000 to KJP Roofing for City Hall roof replacement construction 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.

UNFINISHED BUSINESS::

Ordinance Amendment to Chapter 24 Article 5 Safety, Sanitation, and Health relating to the Lake Neighborhood Zoning Amendments: CDO Dame relayed that this ordinance amendment to Chapter 24 was related to the amendment for Chapter 42 regarding driveway regulations. He confirmed that the revisions to Chapter 42 now fully defined "driveways" and as such, any mentions of driveways needed to be removed from Chapter 24.

Motion by Urban, seconded by Burns, to adopt the Ordinance Amendment to amend City of Portage Chapter 24 Article 5 Safety, Sanitation, and Health relating to the Lake Neighborhood Zoning Amendments. Upon a roll call vote, motion carried 7 to 0.

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

Councilmember Ledbetter had no comment.

Councilmember Miller acknowledged the six new Portage Public Safety police officers and firefighters sworn in earlier in the afternoon, as well as several Public Safety promotions. She then advised regarding the upcoming visit by the Michigan Small Business Association.

Councilmember Young advertised the upcoming Fleetwood Mac cover band slated for the Overlander Bandshell. She also encouraged using patience with safe driving in the area, especially in light of the concert. Councilmember Young closed with an advisement about a new app offered by the Portage District Library.

Councilmember Burns joked with the City Manager to maintain good weather for the upcoming concert, citing that the cover band's lead singer was a neighbor of his and he recommended the show.

City Manager McGinnis also spoke regarding the upcoming concert, including alternative arrangements should the Bandshell still be sodden. He also spoke regarding the Small Business Association arrival.

Mayor Pro Tem Pearson noted his topics had already been covered and relayed the written comments from Mayor Randall had also been noted.

ADJOURNMENT: Mayor Randall adjourned the meeting at 6:52 p.m.

Erica L. Eklov, City Clerk