

CITY COUNCIL MEETING MINUTES FROM DECEMBER 3, 2024

Mayor Patricia Randall 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, Terry Urban, Jihan Young, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: Councilmember Nicole Miller.

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 Randall, the audience observed a moment of silence to reflect on Dr. Romeo Phillips and his contributions to the community. Following the moment of silence, the City Council recited the Pledge of Allegiance, as led by Boy Scout Troop 211 from St. Monica Church.

PROCLAMATIONS:

Resolution of Respect for Dr. Romeo Phillips: Councilmember Ledbetter read the Resolution of Respect. Following the reading, Dr. Phillips thanked the Council for the recognition, and Councilmembers Urban and Ledbetter and Mayor Randall gave personalized recognitions of Dr. Phillips.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Alan Loveridge (23965 88th Avenue, Marcellus) spoke regarding suggestions for reducing food waste.
2. Judy Kangas Salters (9240 Portage Road) relayed several concerns regarding the Sugarloaf Drain culvert, the Lakeview Park boardwalk, and trash littering the West Lake Drive-In public space. She also asked for additional information regarding the public hearing.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any would like an item removed from the Consent Agenda. Motion by Pearson, seconded by Ledbetter, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

Approval of Minutes: Motion by Pearson, seconded by Ledbetter, to approve the City Council Meeting Minutes of the Committee of the Whole, as well as the Regular Meeting of November 19, 2024. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Ledbetter, to approve the Accounts Payable Register of December 3, 2024, as presented. Upon a roll call vote, motion carried 6 to 0.

Industrial Tax Abatement Application - Summit Polymers, Inc. at 6615 South Sprinkle Road: Motion by Pearson, seconded by Ledbetter, to receive the application from Summit Polymers, Inc. for an Industrial Tax Abatement for the property addressed at 6615 South Sprinkle Road; adopt the Resolution to include Summit Polymers, Inc. as part of existing District #97; and set a public hearing on the proposed Industrial Facilities Exemption Certificate on December 17, 2024. Upon a roll call vote, motion carried 6 to 0.

Amend the General Appropriations Act (Budget): Motion by Pearson, seconded by Ledbetter, to amend the General Appropriations Act for the fiscal year ending June 30, 2025. Upon a roll call vote, motion carried 6 to 0.

Adoption of Reimbursement Resolution: Motion by Pearson, seconded by Ledbetter, to adopt a resolution to authorize the reimbursement of expenses from bond proceeds, not to exceed \$4,000,000, for capital improvement projects expensed in Fiscal Year 2024-2025 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.

City Manager Employment Agreement Extension: Motion by Pearson, seconded by Ledbetter, to approve a three-year extension to the Employment Agreement with Patrick McGinnis and authorize the Mayor to execute the agreement. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Pearson, seconded by Ledbetter, to receive the minutes of the Senior Citizens Advisory Board of October 16, 2024; and Planning Commission of November 7, 2024. Upon a roll call vote, motion carried 6 to 0.

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

PUBLIC HEARINGS:

Lake Center Commercial Corridor Mixed-Use Zoning Districts: Following the introduction by the Mayor, consultant Paul Lippens from McKenna & Associates presented the proposed rezoning and development plan for the Lake Center District area and detailed the process for the development.

At the request of the Mayor, Mayor Pro Tem Pearson spoke on behalf of his position on the Lake Center District Stakeholder Committee. He relayed a brief history of the area and the background to the Committee. Mayor Pro Tem Pearson described the public input sessions and updates to the proposed plans based off public feedback.

Councilmember Urban asked Mr. Lippens to further elaborate regarding minimum commercial parking space allocations. Mr. Lippens was unable to answer off-hand. Councilmember Urban expressed concerns about the amount of parking spaces allocated for commercial vehicles as too few. Chief Development Officer (CDO) Dame responded that it was very minimal, noting that the city's current standards were way too high. He then relayed that the city guidelines were only establishing a minimum and that developers would better understand individual parking needs and apply for more for new projects, as well as move toward a shared parking model along with public parking options, referring to the City of Kalamazoo. Councilmember Urban expressed contention about the current proposal and a lack of parking allocated for business employees. Councilmember Burns asked for clarification regarding the plan of action for the current and January 7th meeting. He then asked about nonconforming uses and their permissions. Mr. Lippens responded with the specifics of the legal nonconforming uses, noting the proposed ordinance was more lenient about vacant non-conforming uses than the remainder of the city ordinances.

Mayor Pro Tem Pearson explained the Stakeholder Committee's approach to extensively review non-conforming, vacant locations. Councilmember Burns then asked about an appeals process should a business seek to alter the property in an unpermitted way.. City Manager McGinnis and City Attorney Kaufman responded with the proper approach. Mr. Lippens also noted that the purpose is to allow current businesses to continue operating, but amend the districts over time to align with the designed uses.

Councilmember Urban asked for clarification regarding the expansion of a non-conforming use. CDO Dame responded that a non-conforming use cannot alter its existing footprint.

Councilmember Urban then asked if a non-conforming building was damaged or destroyed and whether it could be rebuilt. CDO Dame confirmed that a non-conforming use was permitted to be rebuilt as long as it matched the prior building footprint and site plan.

Councilmember Burns then asked about maintenance on a non-conforming use. Mr. Lippens confirmed maintenance was permitted but not expansion.

Mayor Randall summarized the goal of the plan, noting the current funding allocated for the project toward redefining the area. Mayor Randall opened the public hearing at 7:10 PM.

1. Judy Kangas Salters (9240 Portage Road) began with comments regarding parking suggestions. She then spoke regarding changes to the proposed sidewalk routes, and suggested the installation of a multi-purpose lane for the Lake Center District school as well as a pedestrian island adjacent to Lakeview Park that served alongside her proposed multi-purpose lanes.
 - a. CDO Dame invited Ms. Kangas Salters to the public input meetings for the Portage Road design process slated for January 2025.
2. Blake Crocker, Attorney on behalf of Crystal Car Wash (8387 Portage Road), expressed concern about the limits on non-conforming uses for businesses, highlighting the organic nature of business serving the public's needs and interests may require them to alter their footprints and designs in ways beyond what the proposed ordinance permitted. He relayed that his client had invested in the location for the past 18 years with the expectation of it as a business-zoned district. Mr. Crocker stated that his client is not opposed to the project but wants to fit within the proposal and not be pushed out. He highlighted recent meetings with city staff that have been positive and hoped the constructive efforts would continue.
 - a. Mayor Randall and City Manager McGinnis responded to Mr. Crocker and his client's concerns. City Manager McGinnis relayed the long-term plan for the area, and encouraged all interested parties to come to the City Manager's Office with concerns in the interim.

As there were no additional comments or discussion, motion by Pearson, seconded by Burns, to adjourn the public hearing regarding Rezoning Ordinance #24/25-3 to the January 7, 2025 regular City Council meeting for continuation at that time. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Closed Session - FOIA Appeal: Mayor Randall introduced the item, noting the receipt of a withdrawal of the appeal by the petitioner shortly before the meeting. She then asked the City Attorney whether official action by the Council was still required. Attorney Kaufman responded that she had decided the Council should officially vote on releasing the material. Councilmember Urban disagreed with Attorney Kaufman, noting he was uncomfortable voting on documents and a matter he was not fully versed in. Attorney Kaufman replied that the Council's receipt of the written withdrawal from the requester would suffice. There was no additional action or discussion.

COUNCIL COMMITTEE REPORTS: Councilmember Urban provided an update regarding his attendance at a recent Eagle Scout Court of Honor ceremony on December 1, on behalf of the Mayor. Motion by Burns, seconded by Young, 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 advised of the city's upcoming annual tree lighting ceremony, relaying how his daughter had performed the lighting as an infant 18 years prior. He continued to look forward to the ceremony. Councilmember Urban closed with a reminder to check on neighbors during the winter weather.

Councilmember Ledbetter thanked city staff for assembling the Resolution of Respect for Dr. Phillips following the Thanksgiving holiday to acknowledge Dr. Phillips' significance, especially from his personal regard as a Black Councilperson, highlighting Councilmember Young as well. He encouraged the public to support the increase of diversity of the Council as representatives of the city, stating he was happy with the progress to date, and noted there would be a reception honoring Dr. Phillips at the Douglass Community Center in Kalamazoo on December 5. He closed with a reminder of safety in light of the forecasted winter weather.

Councilmember Young provided a reminder of the city's annual "Decked Out Home" holiday home decorating contest in collaboration with the sponsorship by Consumers Energy and encouraged residents to participate in decorating and voting. She then detailed the Yiftee eGift Card service titled "Portage Pocket Pay," partnering with various local Portage businesses to purchase gift cards for local services. She reminded drivers to provide extra space to snowplows and school buses.

Councilmember Burns thanked staff for their efforts on the Lake Center District rezoning ordinance amendments. He then congratulated the University of Michigan for its recent football win over Ohio State University.

City Manager McGinnis began with a follow-up mention of the Yiftee program. He then announced the Portage partnership with My Green Michigan for a food compost pilot program launching in 2025. City Manager McGinnis closed with a reminder about the Portage Business Directory, noting it had achieved 100 business listings.

Mayor Pro Tem Pearson stated he had nothing to add to the existing updates.

Mayor Randall highlighted the December Portager newsletter articles and upcoming programs, as well as events, in addition to the Mayor's column. She expounded upon safe winter travels and the holiday season. After a brief reminder regarding overnight parking during winter, Mayor Randall closed with an encouragement of partnership with businesses and efforts in the Lake Center District zoning update.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:42 PM.

Erica L. Eklov, City Clerk