CITY COUNCIL MEETING MINUTES FROM DECEMBER 17, 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, 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 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 those isolated or alone during this holiday season. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Park Ranger Recognition: City Manager McGinnis introduced Park Ranger Tiffany Ruby, who recently jumped into the pond at the Celery Flats pavilion to rescue a girl who fell through the ice. Mr. McGinnis noted life rings will be installed to prevent future incidents.

At the Mayor's invitation, City Manager McGinnis also acknowledged Transportation & Utilities Director, Kendra Gwin, for her department achieving two project awards from the American Public Works Association (APWA).

PETITIONS AND STATEMENTS OF CITIZENS:

1. Carol Cormier (136 West Centre Avenue), along with her husband Steve, spoke as the business owner of A'vie Salon, as well as a new business, Stubble and Stache. She promoted their recent liquor license application for Stubble and Stache.

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. Councilmember Urban removed Item A.12 (Quota Liquor License) and Councilmember Burns removed Item A.3 (River Caddis Memorandum).

Motion by Ledbetter, seconded by Miller, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Ledbetter, seconded by Miller, to approve the City Council Meeting Minutes of the Regular Meeting of December 3, 2024. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Ledbetter, seconded by Miller, to approve the Accounts Payable Register of December 17, 2024, as presented. Upon a roll call vote, motion carried 7 to 0.

MDOT Contract No. 24-5479 (West Milham Avenue, South 12th Street to Oakland Drive): Motion by Ledbetter, seconded by Miller, to approve Contract No. 24-5479 between the Michigan Department of Transportation and the City of Portage for the reconstruction of West Milham Avenue from South 12th Street to Oakland Drive and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Park Facilities Janitorial Contract: Motion by Ledbetter, seconded by Miller, to award a one-year contract with five one-year renewals, for a total of six years, in the amount of $388,110 to Clean

Complete Janitorial Services of Kalamazoo, Michigan for cleaning services for Portage Parks Facilities 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.

Purchase and Upfitting of Western Star 47x Dump Truck - Bid Tabulation: Motion by Ledbetter, seconded by Miller, to approve the purchase of one snow plow/dump truck/salt spreader (Western Star 47x) from D&K Truck Company of Lansing, Michigan, and upfitting services from Truck & Trailer Specialties of Dutton, Michigan at a total cost of $327,104 and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Traffic Signal Improvements - Bid Tabulation: Motion by Ledbetter, seconded by Miller, to award a contract for the purchase of traffic signal poles, mast arms and assemblies to J. Ranck Electric, Incorporated, in the not-to-exceed amount of $98,325 and authorize the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Proposed 2025 Fee Schedules: Motion by Ledbetter, seconded by Miller, to adopt the 2025 Proposed Freedom of Information Act fees; 2025 Proposed Community Development and Building Permit fees; 2025 Proposed Recreation and Park Facility fees, and 2025 Proposed Special Assessment Rates. Upon a roll call vote, motion carried 7 to 0.

IFT Rescission - Suite 1 of Depatie Fluid Power, Co. (5870 S. Sprinkle Road): Motion by Ledbetter, seconded by Miller, to rescind the Industrial Facilities Exemption Certificate for Suite 1 of Depatie Fluid Power, Co. at 5870 S. Sprinkle Road. Upon a roll call vote, motion carried 7 to 0.

2021 International Property Maintenance Code Amendment: Motion by Ledbetter, seconded by Miller, to receive for first reading the proposed ordinance to amend the Code of Ordinances and the adopted 2021 International Property Maintenance Code, and schedule the ordinance for final adoption at the regular City Council meeting on January 21, 2025. Upon a roll call vote, motion carried 7 to 0.

Final Preliminary Plat (engineering plans) of Oakland Farms No. 4, 9840 Oakland Drive: Motion by Ledbetter, seconded by Miller, to approve the Final Preliminary Plat (engineering plans) of Oakland Farms No. 4 (Phase 5), 9840 Oakland Drive. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Ledbetter, seconded by Miller, to receive the minutes of the Human Services Board of October 3, 2024; Environmental Board of October 9, 2024, and Board of Review of December 10, 2024. Upon a roll call vote, motion carried 7 to 0.

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

PUBLIC HEARINGS:

Industrial Tax Abatement Application - Summit Polymers, Inc. (6615 S. Sprinkle Road): Mayor Randall introduced the item and asked the City Manager McGinnis to summarize the proposal. City Manager McGinnis relayed the request from Summit Polymers for a six-year real property tax abatement as part of its $3.14 million improvement. He stated that Summit Polymers had begun a 20,000-square-foot addition to their location that would include five new full-time jobs. City Manager McGinnis invited Deputy Director of Economic Development, Jon Hallberg, to provide further information.

Mayor Randall opened the public hearing at 6:12 PM. As there were no comments, motion by Burns, seconded by Ledbetter to close the public hearing. Upon a voice vote, motion passed 7 to 0. Councilmember Burns requested that the applicant also present regarding the project. Chris Bergman, a representative of Summit Polymers, spoke on behalf of the proposal. Councilmember Burns thanked Mr. Bergman for choosing the City of Portage, highlighting the company's local origins and noted that it was the City's third largest employer.

Motion by Burns, seconded by Pearson, to approve the application from Summit Polymers, Inc. for an Industrial Tax Abatement for the property addressed at 6615 South Sprinkle Road; and adopt the Resolution for an Industrial Facilities Exemption Certificate for Summit Polymers, Inc. as part of existing District #97. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Memorandum of Understanding with River Caddis Communities: Councilmember Burns explained his reasoning for removing the item from the Consent Agenda and requested additional information regarding the city's involvement with the $5 million state allocation to support this project and clarification for how the funds would be released.

City Manager McGinnis responded, stating the enhancement grant was intended to facilitate phase one of the River Caddis affordable housing development. He noted the developer desired additional assurance for pass-thru by the city from the State of Michigan so a Memorandum of Understanding (MOU) had been drafted. City Manager McGinnis further stated that the MOU also included a clause ensuring the funding would remain for affordable housing in the City of Portage should River Caddis be unable to secure its other funding.

Councilmember Burns asked for confirmation regarding the number of units. City Manager McGinnis confirmed it was 70 units slated to break ground in 2025.

Councilmember Urban highlighted item C in paragraph 3, inquiring whether guidelines were in the appropriation or if they had yet to be developed. City Manager McGinnis responded that the only guidelines were noted in the communication, but the agreement from the state remained undeveloped. Councilmember Urban then inquired about the timeline, especially surrounding the deadline. Discussion regarding the intent of the deadline language followed. City Manager McGinnis offered to modify the memorandum to note by at least 90 days before any deadline from the State of Michigan as opposed to 90 days "within" any deadline to avoid ambiguity. Councilmember Urban stated he was willing to allow the City Manager and City Attorney to make the noted corrections in their capacity.

Motion by Burns, seconded by Young, to approve a Memorandum of Understanding with River Caddis Communities to award $5,000,000 to a workforce housing development on Shaver Road using funds appropriated by the State of Michigan. Upon a roll call vote, motion carried 7 to 0.

Requests for On-Premise Quota Liquor License: Councilmember Urban noted the history of the state's quota liquor licenses and expressed uncertainty as to why the applications went to the City Council's Small Business Committee for review, as not all the applicants were small businesses. He noted his tenure on the Council and the city's prior handling of the license. He expressed wariness regarding the target audience for each business and the goal of the proposal. He close by expressing his inability to support the recommended applicant or any of the applicants at hand.

Mayor Randall noted that the Small Business Committee had reviewed all the liquor license applications over the past year. She then deferred to the City Manager to discuss the review processes as part of the Small Business Committee. City Manager McGinnis explained, noting his concern about interactions with the Michigan Liquor Control Commission (MLCC) communication to applicants, as well as the timeline of being five years into the decade under this quota license allocation.

Councilmember Young responded as a member of the Small Business Committee. She spoke regarding the uniqueness, innovation, and longevity aspects considered. She noted the applicant's target audience and business plan could adapt over time.

Councilmember Miller, who also serves on the Small Business Committee, noted the Council's Goal Setting Session from 2023 had allocated liquor license review to the Small Business Committee. She then elaborated on the recent review of the three applications.

Councilmember Urban stated it wasn't guaranteed that the business would succeed and remain open, which could allow the applicant to re-sell the license. City Manager McGinnis discussed the possibility of instituting a MOU with the applicant to ensure the license is not re-sold within a certain amount of time. He then relayed the conversations he'd had with each applicant to explain the process and the potential of their applications. Councilmember Urban appreciated the City Manager's efforts with the applicants during their application process, stating that he hoped the City Administration paused cashing the check during that time.

Mayor Randall noted the license issuance complications from the prior 2010 quota period, expressing her support for the current proposal.

Councilmember Urban asked the City Attorney if the city was permitted to limit the license once it was issued by the state. Attorney Kaufman responded that she was unsure but could research the matter further.

Councilmember Urban motioned to table the item until the January 7, 2025 Regular City Council Meeting. Councilmember Ledbetter seconded. Upon a roll call vote, motion failed with Councilmembers Miller, Young, Mayor Pro Tem Pearson, and Mayor Randall voting no.

Mayor Pro Tem Pearson stated that he desired future applications for liquor licenses to be brought to the entire Council for review to ensure a cohesive position prior to a regular meeting.

Councilmember Burns noted the ability for a license transfer at the state level and encouraged the City Administration to direct future interested applicants to the MLCC for that option. He noted that larger businesses had a better capability to acquire a license from escrow, by transfer, or sale, as opposed to smaller businesses, noting a benefit for the Council to favor smaller entities.

Councilmember Urban responded, agreeing with Councilmember Burns while expressing concern about the community impact for the Stubble and Stache business as opposed to a larger entity with a more comprehensive audience. He then inquired whether the Stubble and Stache business included a cigar-smoking lounge. The applicant gestured in the negative from the audience.

Motion by Burns, seconded by Young, to grant the applicant Stubble and Stache the remaining City of Portage On Premises quota liquor license from the Michigan Liquor Control Commission, adopt the Local Government Approval Resolution for the desired applicant and location, and grant a refund in the amount of $350 each to the remaining two applicants. Upon a roll call vote, motion carried 5 to 2, with Councilmembers Ledbetter and Urban voting no.

COUNCIL COMMITTEE REPORTS: Councilmember Young provided an update regarding the Kalamazoo County Environmental Health Advisory Council, as well as the Council's Small Business Committee. Topics included a state presentation on Air Quality and various Committee projects.

Councilmember Burns provided a Central County Transportation Authority update, discussing a mobility grant and the MetroLink service.

(Councilmember Young exited at 7:03 PM.)

Motion by Miller, seconded by Urban, 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 wished everyone a joyous time of year, and encouraged people to reach out to those who may be feeling lonely or isolated during this time of year.

Councilmember Ledbetter expounded upon Councilmember Urban's comments, encouraging those finding themselves alone during this holiday season to seek out community meals and volunteering opportunities, noting several in the area. He closed his comments with a note about keeping live Christmas trees watered to prevent fire danger.

Councilmember Miller thanked various staff, including Clerk Erica Eklov, Assistant to the City Manager Justin Williams, Parks and Recreation Director Kathleen Hoyle, as well as the entire Parks Department for their recent efforts with various special events, city programs, and endeavors. She then highlighted the upcoming Board and Commission interviews, followed by several Portage businesses from the Portage Business Directory.

Councilmember Burns recommended the new Portage Pocket Pay program as a holiday gift option, noting he would be gifting it to family who do not stream or attend City Council meetings.

City Manager McGinnis asked the Council to confirm individual responses regarding the Council's annual goal rankings. He then highlighted the annual "Decked Out Home Decorating Contest", relaying the receipt of 16 entries, with the winners determined via the city's Facebook page. City Manager McGinnis closed with a mention of the staff department door holiday decorating contest, encouraging everyone to see the decorations.

Mayor Pro Tem Pearson stated he was hopeful for an early spring, relaying that he had recently observed a jet ski on Austin Lake despite the winter season.

Mayor Randall began by thanking everyone for a good year. She then echoed Councilmember Miller with a reminder about the upcoming board and commission interviews and encouraged people to apply. Mayor Randall also thanked the Public Safety Department staff, as well as the Park Rangers for working during the holidays. She closed by wishing everyone happy holidays and safe travels.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:14 PM.

Erica L. Eklov, City Clerk