

CITY COUNCIL MEETING MINUTES FROM MARCH 25, 2025

Mayor Pro Tem Jim Pearson called the Regular Meeting to order at 6:00 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, Deputy Director of Economic Development Jonathan Hallberg, and Deputy City Clerk Tammy Durian.

At the request of Mayor Pro Tem Pearson, the audience observed a moment of silence to reflect on the wildfires in the Carolinas and the increase of hostilities in the Middle East. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: None.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Carolyn Morin (7341 Quail Street) reported damage done to her property by a neighbor. She expressed fear and asked for assistance in resolving the conflict with her neighbor.
2. Mark Mowery (7402 Quail Street), spoke on behalf of himself and other neighbors present at the meeting. He provided history of the neighborhood and shared his experience that resulted in him being assaulted by the same neighbor. He further discussed other reports regarding the history of said neighbor, including proceedings with the 8th District Court.
3. Charlene Toolles (7417 Quail Street) reported her experience and what she's had to endure with the same neighbor, voicing she is scared.

Mayor Pro Tem Pearson asked the neighborhood to document and collectively discuss the issue with City Manager McGinnis.

CONSENT AGENDA:

Mayor Pro Tem shared where the public can access the meeting agenda and asked if anyone would like an item removed from the Consent Agenda. Motion by Young, seconded by Miller, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

Approval of Minutes: Motion by Young, seconded by Miller, to approve the City Council Meeting Minutes of the Regular Meeting of March 11, 2025. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Young, seconded by Miller, to approve the Accounts Payable Register of March 25, 2025, as presented. Upon a roll call vote, motion carried 6 to 0.

South Westnedge Avenue Reconstruction Project - Bid Tabulation: Motion by Young, seconded by Miller, to award a construction contract for the South Westnedge Avenue Reconstruction project to Rieth Riley Construction Company, Incorporated, Kalamazoo, Michigan, in an amount not to exceed \$1,962,291.15 and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

West Centre Avenue Traffic Signal Improvements - Bid Tabulation: Motion by Young, seconded by Miller, to award a construction contract for the West Centre Avenue Traffic Signal Improvements project to Severance Electric Company, Kalamazoo, Michigan, in an amount not to exceed \$410,379.60 and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

West Lake Weed Management – 2025 to 2029 Application Program: Motion by Young, seconded by Miller, to adopt Resolution No. 4 for the West Lake Management Program Special District No. 025-Q, setting a public hearing on the Assessment Roll for April 15, 2025. Upon a roll call vote, motion carried 6 to 0.

General Permit for the City of Portage Compost Site: Motion by Young, seconded by Miller, to authorize the City Administration to file for a general permit for the City of Portage Compost Site 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.

Minutes of Boards & Commissions: Motion by Young, seconded by Miller, to receive the minutes of the Environmental Board of January 8, 2025; and Historic District Commission of February 5, 2025; and Human Services Board of February 6, 2025. Upon a roll call vote, motion carried 6 to 0.

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

PUBLIC HEARING:

Act 381 Brownfield Plan - Allen Edwin Homes, 9581 Oakland Drive and 8150 Creekside Drive: Mayor Pro Tem Pearson introduced the item and deferred to City Manager McGinnis. Manager McGinnis commented on the Brownfield Redevelopment Financing Act (PA 381 of 1996 as amended), noting the City Council's objective in increasing the housing supply. He highlighted that it is one of the City's first applications using brownfield legislation for housing and provided a summary of the proposed housing developments.

Councilmember Urban asked for further clarification on the brownfield program for residential projects. Jonathon Hallberg, the Deputy Director of Economic Development and staff liaison for Brownfield Redevelopment Authority, provided the history of the legislative amendments which now allow for housing redevelopment activities, including attainable housing investments, and how they relate to the proposed plan. The proposed brownfield plan would allow the developer, Green Development Ventures LLC (dba Allen Edwin Homes) to receive reimbursement for eligible costs related to the redevelopment of two locations as housing developments using tax increment financing (TIF).

Councilmember Urban asked for a summary of financial relief Allen Edwin Homes would receive and asked about the taxing bodies tax revenue through TIF under the Act. Mr. Hallberg further explained tax revenue and TIF-eligible cost recovery items through reimbursement under the brownfield plan, which included site improvements, housing related infrastructure, and affordable housing gap subsidies to allow for controlled rent 21% of the units. Hallberg clarified that School Operating Taxes captured by TIF are recovered through the State School Aid fund so the schools always receive what they would normally receive through the new development.

Mayor Pro Tem Pearson asked to confirm the prescribed parameters with Michigan State Housing Development Authority (MSHDA). Mr. Hallberg explained the MSHDA Housing TIF Program, the calculation to determine rent, as well as the annual approval process and rent certifications that Allen Edwin Homes will follow.

Councilmember Miller asked for clarification on the annual rent certification to continue qualifying for TIF, verifying a 15-year timeline for Oakland and 10-year timeline for Creekside. Mr. Hallberg confirmed. Councilmember Ledbetter followed with an inquiry about benefits the developer will receive following the end of the timelines. Brian Farkas, Allen Edwin Homes, explained the terms of the TIF and generated tax revenue and how they determined the differences between the developments.

Manager McGinnis commented on the incentives and asked if Allen Edwin Homes has done other Brownfield Housing TIF projects. Mr. Farkas explained the projects would be unable to go forward without such incentives and confirmed Allen Edwin Homes had prior experience of building in Michigan under Brownfield Housing TIF.

Councilmember Urban inquired about the approval of site plans and construction, along with the rent difference between 90% Area Median Income (AMI) and market rate. Mr. Farkas replied with a breakdown between MSHDA control rent, project rent for workforce housing, and the market rent.

Councilmember Miller asked for elaboration on communication with renters. Mr. Farkas explained the annual recertification and tenant income verification process.

Mayor Pro Tem Pearson opened the Public Hearing at 6:45 p.m.

1. Mark Mowery (7402 Quail Street) asked about brownfield development safety for commercial versus residential developments.

Manager McGinnis explained brownfield legislation has been expanded to revitalize non-contaminated properties allowing for the use of TIF for housing developments.

Motion by Councilmember Urban, seconded by Miller, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Young, seconded by Ledbetter, to adopt the City of Portage Brownfield Redevelopment Plan Application, with Brownfield Redevelopment Plan Amendment No. 13, Green Development Ventures, LLC, 9581 Oakland Drive and 8150 Creekside Drive. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Legal Services Bid Review: At the request of Mayor Pro Tem Pearson, Manager McGinnis highlighted that a review of attorney services was part of the City Council's 2025 Goals. He provided a brief overview of City Attorney services and the bid process. He emphasized the City Attorney serves as the legal advisor at the pleasure of the City Council and the Council is responsible for selecting the City Attorney. The current legal service contract is set to expire, and the City Administration has received five bids for services and seeks direction from the Council. Mayor Pro Tem Pearson asked for comments from councilmembers. Councilmember Urban noted the weight of the decision. Discussion ensued, and it was agreed that a review of bids be done by the Committee of the Whole (COW). Councilmember Urban requested staff perform a comparison analysis between the various proposals. Manager McGinnis agreed and invited councilmembers to submit questions and concerns.

COUNCIL COMMITTEE REPORTS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban commented on his absence from recent council meetings, and his review of actions taken while absent.

Councilmember Ledbetter reacted to the residents that spoke during the Statement of Citizens and expressed his concern with discrepancies and follow-up. He is hopeful for future improvements and to find a community resolution.

Councilmember Miller began with an update regarding the Michigan Municipal League Capital Conference (CapCon 2025) in Lansing, Michigan, that she and other councilmembers and staff attended. She noted various state level happenings that will impact the city. She also shared she attended a Purse Bingo event in Parchment and highlighted potential for a similar event in the Portage community.

Councilmember Young extended a thank you to Moosebridge Elementary for having her perform the morning announcements for Women's History Month and to Haverhill Elementary for allowing her to represent the City for March is Reading Month. She expressed gratitude for the City partnering with Portage Public Schools for continuous engagement with young people. She then commented on CapCon 2025, noting Portage's growing role as an example for other communities for redevelopment, giving kudos to city management staff for their efforts. Lastly, she thanked the citizens who came forward and shared their story and assured them steps would be taken so they could feel safe and secure.

Councilmember Burns also thanked the neighbors who spoke tonight and shared a related incident in his own neighborhood and the Council's role in such situations. He encouraged the neighbors to assist law enforcement by keeping good documentation and asked for an update following the City Manager's meeting with the concerned neighbors.

City Manager McGinnis thanked the elected officials who attended the CapCon 2025. He then announced that on Wednesday, April 9, 2025, the City of Portage, along with Western Michigan University and other public entities, will participate in the annual Respecting Differences event. This year's theme is Embracing Neurodiversity in the Workplace. He closed with recognizing Councilmember Young who was featured by Haverhill Elementary social media for reading *How I Met My Monster* by Amanda Noll and Howard McWilliam.

Mayor Pro Tem Pearson underlined the approval of over 2 million dollars in contracts, which would provide for road and storm drain improvements, new sidewalks, and traffic and pedestrian signal upgrades in addition to regular road maintenance. He urged residents to get ready for "spring, summer, and construction season."

ADJOURNMENT: Mayor Pro Tem Pearson adjourned the meeting at 7:27 PM.

Tammy Durian, Deputy City Clerk