

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 1, 2022

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Lisa Brayton, Chris Burns, Lori Knapp, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: City Manager Pat McGinnis, Deputy City Manager Adam Herringa, Deputy City Manager Michael Carroll, 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 gratitude and thankfulness to the community at the beginning of the holiday season. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Spookiest House in Portage: At the invitation of Mayor Randall, City Manager McGinnis presented the first annual award for the winner of Spookiest Home in Portage to "Morton Manor" owned by Dustin Morton at 5816 Iowa Avenue.

Family Court Awareness Month: Kelly Dodge from the Family Court system provided a brief report and read the Family Court Awareness Month proclamation via WebEx.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Motion by Pearson, seconded by Brayton, to approve the Consent Agenda with the addition of the Lung Cancer Awareness Month Proclamation. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Pearson, seconded by Brayton, to approve the City Council Meeting Minutes of the Committee of the Whole of October 18, 2022, and the Regular Meeting of October 18, 2022. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Brayton, to approve the Accounts Payable Register of November 1, 2022, as presented. Upon a roll call vote, motion carried 7 to 0.

2023 Local Streets Reconstruction Program - Bid Tabulation: Motion by Pearson, seconded by Brayton, to award a construction contract to Hoffman Bros., Inc. of Battle Creek, Michigan for the 2023 Local Streets Reconstruction Program in an amount not to exceed \$3,242,645.15 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.

Annual City Council Goal Retreat: Motion by Pearson, seconded by Brayton, to set a special meeting on November 18, 2022, at 10:30 a.m. at the Portage Zhang Senior Center, 203 East Centre Avenue, for the annual City Council Goal Setting Session. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Pearson, seconded by Brayton, to receive the minutes of the Senior Citizen Advisory Board of September 21, 2022. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Pearson, seconded by Brayton, to receive the Materials Transmitted of October 14, 2022. Upon a roll call vote, motion carried 7 to 0.

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

Proclamation for Lung Cancer Awareness Month: Motion by Pearson, seconded by Brayton, to proclaim November as Lung Cancer Awareness Month. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Alan Loveridge (23965 88th Avenue, Marcellus) spoke in favor of electric cars and proper charging station availability.
2. Becket Jones (*Address Redacted - judicial candidate*) spoke regarding his campaign for the 8th District Court in the November General Election.
3. Randy VanAntwerp (6418 Trotwood), Keith Crowell (5709 Robinwood Drive), and Ean Patrice Hamilton (3644 Fleetwood Drive) all spoke regarding their campaigns for positions on the Portage Public School Board as part of the November General Election.

PUBLIC HEARINGS:

Rezoning Application No. 22/23-5 (505 and 515 East Centre Avenue): Mayor Randall opened the public hearing at 7:22 p.m. City Manager McGinnis provided a summary of the proposed rezoning. Councilmember Urban relayed that he had several questions regarding aspects of the rezoning and inquired with Community Development Director Kelly Peterson. He asked how the proposed change in zoning would affect the historically designated property at 515 East Centre Avenue. Director Peterson confirmed there would be no effects or changes concerning the historic property designation.

Motion by Pearson, seconded by Burns, to close the public hearing. Upon roll call vote, motion carried 7 to 0. As there was no additional discussion, motion by Pearson, seconded by Burns, to approve Rezoning Application No. 22/23-5 to rezone 505 and 515 East Centre Avenue from OS-1 Office Service District to B-1 Local Business District. Upon a roll call vote, motion carried 7 to 0.

Rezoning Application No. 22/23-3 (4670 Fox Valley Drive): Mayor Randall opened the public hearing at 7:27 p.m. She relayed that the City Council had received several citizen comments both in opposition and support of the proposed rezoning that had been included in the agenda packet for the Council to review. This included a statement of support from Kalamazoo County Commission Chair Mike Quinn. The following people made comments:

1. Ron Pelak (5135 Chasemoor Court), Fox Valley Homeowners Association President, spoke in opposition to the proposed rezoning.
2. John Hagenbarth (4673 Chasemoor Drive) spoke in opposition to the rezoning, noting he lives adjacent to the subject site.
3. Tim Earl (6862 Shallowford Way) spoke in opposition to the proposed traffic roundabout, noting difficulty with navigating the existing roundabout on 12th Street near his home.
4. Francis Vicioso stated she was not a city resident but highlighted the approval of the 2020 Homes for All county millage by over 40 percent in Portage, especially for the voting precinct in which the proposed rezoning is located. She spoke in favor of the proposed rezoning.
5. Stephanie Hoffman (Kalamazoo City Commissioner) spoke in favor of the rezoning, noting her efforts with the Kalamazoo County Housing millage and the need for affordable housing in the area.

6. Amy and Dan Kornowicz (5306 Barrymore Street) are aware of the county housing disparity but spoke in opposition to the proposal stating the plan does not fit the planned site.
7. Marilyn Longjohn (4011 Burkwood Drive) noted her long tenure in the city, including as a former teacher for Portage Public Schools. She spoke in favor of the proposed project, stating the housing option would suit starting teachers and school support staff.
8. Tobi Hanna-Davies (723 Edgemoore, Kalamazoo) from ISAAC, spoke in favor of the proposed project, citing the Upjohn Institute study published in the Kalamazoo Gazette. She had two requests: first, should the rezoning be approved then implore the developer to include a margin of lower income options, and if not passed, then requested approval of a developer that would cater to first-time homeowners.
9. Joe Kucharski (4573 Chasemoor) spoke in opposition to the rezoning. He noted the housing proposed is at market rate, not affordable. He highlighted that the rezoning proposal was voted down by the Planning Commission, noting Commissioner Adams works for the Upjohn Institute, and stated this proposal wasn't appropriate and not what the Upjohn study had in mind. He then relayed several other Planning Commissioners' prior reasons for denying the proposed rezoning. Mr. Kucharski then highlighted the Mayor's housing needs article in the October *Portager*, which encouraged homeownership, which is contrary to the proposed rental units.
10. Matt Quardokus (4783 Idlewood) expressed his frustration with various efforts to promote the rezoning as an affordable housing proposal and the inconsistency with existing city plans. He noted impacts on surrounding properties of single-family homes. He favored the project as a more medium-density proposal.
11. Chris Wendling (4662 Chasemoor) spoke in opposition to the proposed rezoning and echoed several prior concerns regarding traffic and the suitability of the location.
12. Lynnae Stankus (4759 Chasemoor) spoke in opposition to the project as a high-density proposal in comparison with the surrounding complexes in the area. She stated traffic would be an issue similar to Winters Drive and traffic issues in the area already exist with present multi-family housing. She expressed concern regarding bus stops, children's safety, and increased service vehicles.
13. Charles Mosser (8839 Waruf) spoke in favor of the proposed project as a way to attract new residents without the burden of homeownership.

14. Voicemails

- a. Fran Bruder Melgar (6130 Rothbury Street) County Commissioner, spoke in favor of the project, noting the need for additional housing growth in the County, including Portage. She noted the 2020 countywide housing millage passage and available dollars.
- b. Mary Balkema (1131 Whites Road, Kalamazoo) Kalamazoo County Housing Director, spoke in favor of the proposed project as it would address a lack of housing in the county and assist talent attraction to the area. She noted the award-winning record of Edward Rose as a multi-family housing developer and its contribution to the region's taxes.

- c. Lauren Carney (3316 Hoover) noted she was not a resident of the city but a proponent of housing provision and stated many of the citizens' concerns could be addressed with innovative thinking.

At the invitation of the Mayor, Kirsten Rimes, the representative for Edward Rose, spoke regarding the company's history, as well as project records. She noted traffic was a definite concern and that Edward Rose would work with the Road Commission of Kalamazoo County to address and improve the area's intersections. She agreed suitable locations for needed projects in the county are dwindling.

Councilmember Knapp asked Ms. Rimes why Edward Rose is proposing high density for the site as opposed to medium density, which would match the city's land use plan. Councilmember Knapp asked whether Edward Rose would consider lowering the density. Ms. Rimes replied that the high-density model made business sense, especially in light of Edward Rose's adjacent apartment complex. She stated high-density was the desired use but would consider medium density if it was the only choice. Councilmember Urban asked for clarity on Councilmember Knapp's density question. Ms. Rimes confirmed that Edward Rose would consider medium density if their current proposal was unsuccessful.

Councilmember Urban asked if Ms. Rimes knew the width of the access point. She responded that she did not but confirmed it was wide enough for a road. City Manager McGinnis confirmed the access point is 45 feet wide. Councilmember Urban asked about the jurisdiction of the Fox Valley roads. Staff confirmed jurisdiction belonged to the Road Commission of Kalamazoo County. Councilmember Burns questioned rent assistance and low-income options. Ms. Rimes responded that Edward Rose maintains market-rate units and does not participate in government housing programs, but in turn, does not request tax abatements or other government assistance. Mayor Pro Tem Pearson asked for clarity regarding traffic counts with housing density. Ms. Rimes confirmed that data showed multi-family housing makes fewer trips per day than single-family housing.

City Manager McGinnis provided additional information in response to some of the citizens' concerns and comments. Community Development Director Peterson also provided information about the Master Plan process, as well as the city's administrative review process. City Manager McGinnis highlighted the difference between the rezoning proposal at hand as opposed to the subsequent site plan review process.

Mayor Randall stated the apartment complex developer is one of the few that has not requested an abatement as part of the project and noted existing ownership of the adjacent parcel. She spoke of using the development as a catalyst to improve other concerns in the area, including the roads, sight lines, landscape berms, and traffic issues. Mayor Randall also clarified tax revenue statistics.

Councilmember Knapp and Councilmember Urban asked the City Attorney about conditional rezoning. City Attorney Kaufman confirmed that it was an option. Mayor Pro Tem Pearson asked about the option for Planned Development. Councilmember Knapp asked about the RM-2 zoning designation for the subject parcel as is noted in the proposed Master Plan update and urged finding a more balanced proposal to address the housing shortage, as well as meshing within the current setting. Director Peterson responded to both, noting such an alternative had been explored and would significantly reduce the number of housing, but that Planned Development would allow for more units than R1-C.

Councilmember Burns spoke regarding median housing values when he moved into the community, as opposed to the present and the unattainability of housing in the current market. He relayed concerns about the reduction of units, which would affect the profitability of the project for the developer and would only marginally help the traffic concerns. Councilmember Burns then stated that renters tend not to attend and comment at public meetings and relayed a prior discussion with a renter in need of housing during prior campaigning.

City Manager McGinnis then asked Deputy Director Jon Hallberg to speak regarding research on existing market-rate housing and the impact on housing values with adjacent apartment complexes, with results indicating a less than one percent difference in State Equalized Value between the control group and sample groups. Transportation Engineer Muhammad Arif then spoke regarding the traffic impacts of the subject area and similar developments. Mr. Arif relayed discussions with the Road Commission of Kalamazoo County regarding the proposed site. Mayor Randall asked about the recommended berm adjustments, as well as timing and expenses for a correction. Mr. Arif said an improvement is already needed, regardless of the proposed development. Councilmember Burns inquired about crash statistics for the location. Mr. Arif noted he had acquired crash data from the county, which showed four crashes in five years that were not bad but could use improvement.

City Manager McGinnis then asked Public Safety Director Nick Arnold to discuss the traffic feedback and crime statistics. Chief Arnold discussed the current call for service levels and the lack of data showing that multi-family housing increases such calls. City Manager McGinnis then asked the Chief to discuss the comparison of Winters Drive to the Fox Valley area. Chief Arnold relayed that the two streets differ in that, Winters Drive was designed as an alternate route that has been exacerbated by Portage Road construction. Councilmember Ledbetter asked for clarification on calls for service. Chief Arnold responded that calls would increase for all types but there is no data to show apartments increase crime. Councilmember Burns asked about apparatus access. Chief Arnold confirmed access would not be an issue. City Manager McGinnis asked about evacuation concerns for a higher-density site. Chief Arnold confirmed the Fire and Police Divisions' plan and prepare for such scenarios.

City Manager McGinnis then invited Emily Petz of the Upjohn Institute to expound on the Institute's housing study and application to Portage. Ms. Petz spoke regarding the need for housing and Kalamazoo County's development rate does not meet the demand.

Motion by Burns, seconded by Brayton, to close the public hearing. Upon roll call vote, motion carried 7 to 0. Councilmember Urban requested clarity regarding the site plan standards and options for conditions with Planned Development or Conditional Zoning at the Planning Commission level. There was additional discussion regarding intergovernmental cooperation to address identified roadway, landscape, and traffic concerns. Mayor Randall asked if existing sight lines for Fox Valley Drive could be immediately addressed. There was additional discussion regarding the next steps and legal requirements to begin remediation.

Motion by Ledbetter, seconded by Burns, to approve Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Councilmember Urban asked to hear from other Councilmembers regarding their willingness to stipulate conditions, citing a prior mention of the Valley Family Church traffic management. He expressed concerns about the Council's ability to mandate stipulations from developers and ensure follow-through. Ms. Rimes confirmed Edward Rose's interest in addressing the landscape berm at the Fox Valley and 12th Street intersection and was open to discussing additional measures. Councilmember Burns responded to Councilmember Urban with his interest in approving the development. Councilmember Knapp expressed concerns with the proposal, citing a lack of discussion on the environmental impacts of developing the vacant lot and potential effects on neighboring residents, noting the county housing shortage issue should not be the sole focus. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: None.

STATEMENTS OF CITIZENS: Kimberly Larson (10527 S. Westnedge Avenue) discussed her campaign for the Portage Public School Board in the November General Election.

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

Councilmember Ledbetter offered his condolences to former Councilmember Romeo Phillips on the passing of his wife. He then asked the City Manager to review the arrangements of the citizen comment voicemail line hours, citing citizen interest to leave comments at different times.

Councilmember Ledbetter closed with a recognition of National Native American Heritage Month.

Councilmember Knapp had no comment.

Councilmember Brayton recognized the Zhang Portage Community Senior Center for its receipt of two American Institute of Architect awards. She then highlighted the ribbon-cutting event of a new infusion business on West Centre Avenue. She closed with a birthday wish for Councilmember Urban.

Councilmember Burns expressed his appreciation for the City Council's efforts and discussion regarding the Fox Valley rezoning. He also recognized former County Commissioner Larry Provancher in light of his recent passing.

City Manager McGinnis thanked city staff for a safe and quiet Halloween. He then asked Deputy City Manager Adam Herringa to present the recent American Institute of Architects (AIA) awards received by the city for the Zhang Portage Community Senior Center. Deputy City Manager Herringa also highlighted that the city had received \$500,000 in American Rescue Plan Act (ARPA) funding via the County Commission that evening. City Manager McGinnis then closed with a recognition of the November 5 Senior Center Bazaar and November 11 Veteran's Day Breakfast.

Mayor Pro Tem Pearson had no comment.

Mayor Randall commended the length of the meeting to fully review the Fox Valley rezoning proposal. She then recognized the recent passings of Larry Provancher and the wife of Dr. Phillips. Mayor Randall also congratulated the Parks Department for a successful Monster Mash event and encouraged citizens to vote in the upcoming November 8th General Election.

ADJOURNMENT: Mayor Randall adjourned the meeting at 10:31 PM.

Erica L. Eklov, City Clerk