



# PLANNING COMMISSION

December 3, 2015

# CITY OF PORTAGE PLANNING COMMISSION

## A G E N D A

December 3, 2015  
(7:00 p.m.)

Portage City Hall Council Chambers

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF MINUTES:

- \* November 19, 2015

### SITE/FINAL PLANS:

### PUBLIC HEARINGS:

- \* 1. Final Report: Rezoning Application #15/16-2, 480 Admiral Avenue

### OLD BUSINESS:

### NEW BUSINESS:

- \* 1. Land Division Involving Public Improvements for MLK Drive, 6601 Constitution Boulevard

### STATEMENT OF CITIZENS:

### ADJOURNMENT:

### MATERIALS TRANSMITTED

November 3, 2015 City Council regular meeting minutes  
November 3, 2015 City Council Committee of the Whole meeting minutes  
Summary of Environmental Activity Report – October 2015

Star (\*) indicates printed material within the agenda packet.

## PLANNING COMMISSION

November 19, 2015

DRAFT

The City of Portage Planning Commission meeting of November 19, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eleven citizens were in attendance.

### PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission, staff and citizens in the Pledge of Allegiance.

### IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services; Michael West, Senior City Planner and Randy Brown, City Attorney.

### ROLL CALL:

Mr. Forth called the roll and the following Commissioners were present: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (yes), Somers (yes) and Richmond (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Somers, to approve the roll excusing Commissioners Bosch, Dargitz and Schimmel. The motion was unanimously approved 6-0.

### APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the November 5, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was unanimously approved 6-0. Commissioner Schimmel arrived at 7:07pm

### SITE/FINAL PLANS:

1. Final Plan: Greenspire Apartments (Phase V), 8615 Tozer Court. Mr. Forth summarized the staff report dated November 13, 2015 regarding a request from H & G II, Inc. to construct Phase V of Greenspire Apartments within the Greenspire Planned Development (PD). Mr. Forth stated Phase V proposes construction of three, three-story apartment buildings (two 27,818 square foot buildings with 28 units each and one 15,820 square foot building with 14 units) and associated site improvements on property addressed as 8615 Tozer Court. Mr. Forth indicated future construction of five additional apartment buildings is also planned within the remaining portion of the Phase V area for a total of 168 units on 17 acres of land. Mr. Forth reviewed aspects of the final plan including access, sidewalks, storm water and screening planned along the west side of the property, adjacent the single family residences located along Tozer Court/Shirley Court. Mr. Forth stated the final plan has been designed in conformance with the approved tentative plan/narrative and was recommended for approval subject to finalization of the storm water system design and approval by the MDEQ.

Mr. Greg Dobson representing H & G II, Inc. was present to support the application and explain the development history of the Greenspire PD. Mr. Dobson presented a photograph of the apartment buildings constructed in Phase IV and indicated the same buildings would be constructed in Phase V. Mr. Dobson summarized his conversations with adjacent neighbors along Tozer Court/Shirley Court and discussed proposed screening and signage that will be installed with construction of Phase V. Mr. Dobson indicated a consultant has been hired to work with the MDEQ to determine whether any permitting or approvals would be necessary to discharge storm water into the adjacent wetland area.

Two citizens spoke regarding the proposed development project: 1) Ms. Betty Lee Ongley, 8620 Tozer Court and 2) Ms. Lori Olsen, 3411 Fawn Cove. Ms. Ongley discussed the development history of Greenspire Apartments, expressed concern regarding possible trespassing and privacy issues and asked for consideration of installation of a privacy fence. Ms. Olsen expressed concerns regarding loss of wildlife habitat/woods and ask that as many trees as possible be preserved during construction. Mr. Dobson stated he would be glad to meet with Ms. Ongley and discuss her request. Mr. Dobson also stated the Greenspire development has a long history of

A large, light-colored stamp with the word "DRAFT" in bold, slanted capital letters. To the left of the text is a small icon of a document with a checkmark.

preserving the environment and creating a natural feel for its residents that would continue with construction of Phase V.

After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Somers, to recommend to City Council that the Final Plan for Greenspire Apartments (Phase V), 8615 Tozer Court, be approved subject to finalization of the storm water design, and approval by the MDEQ to discharge into the wetland area. The motion was unanimously approved 7-0.

**PUBLIC HEARINGS:**

1. Preliminary Report; Rezoning Application #15/16-2, 480 Admiral Avenue. Mr. West summarized the preliminary staff report dated November 13, 2015 regarding a request from Chad Scott to rezone 480 Admiral Avenue from RM-1, multiple family residential and I-1, light industry to R-1T, attached residential. Mr. West indicated the applicant was requesting the rezoning to facilitate construction of a four-unit attached residential building along the northern portion of the property, at the eastern terminus of Cameo Avenue. Mr. West discussed the Future Land Use Map designation of single-family detached-medium density residential of the subject parcel and adjacent properties, along with the surrounding zoning and land use pattern. Mr. West then reviewed the split zoning of the subject parcel (RM-1, south portion and I-1, north portion), the irregular shape of the property, access limitations and the presence of potential wetland areas and poor soils, particularly along the southern portion of the property. Mr. West briefly discussed the I-1 zoning designation of the adjacent city owned parcel to the east and south and the rear portion of three parcels on Dorset Street and the inconsistency with the Future Land Use Map and existing zoning/land use pattern. In an effort not to delay the applicant, Mr. West stated it was recommended that the Planning Commission consider a possible rezoning of these properties at a later date, consistent with the approved Work Program.

Mr. Chad Scott (applicant/property owner) and Mr. Greg Radd of Nederveld Associates (applicant's consultant) were present to support the zoning change and to discuss the proposed four-unit attached residential building planned along the northern portion of the property. Mr. Radd stated a preliminary wetland delineation was performed several years ago and the southern portion of the property was found to be wetlands. Mr. Radd stated this delineation would be updated and development would be concentrated to the northern portion of the property, where higher ground and better soils are present. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to adjourn the public hearing for Rezoning Application #15/16-2, 480 Admiral Avenue, to the December 3, 2015 meeting. The motion was unanimously approved 7-0.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**STATEMENT OF CITIZENS:**

None.

**ADJOURNMENT:**

There being no further business to come before the Commission, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Christopher T. Forth, AICP  
Deputy Director of Planning, Development & Neighborhood Services

**TO:** Planning Commission

**DATE:** November 25, 2015

**FROM:** Vicki Georgeau, <sup>VJ</sup> Director of Community Development

**SUBJECT:** Final Report: Rezoning Application #15/16-2, 480 Admiral Avenue

**I. INTRODUCTION:**

An application has been received from Mr. Chad Scott requesting that 480 Admiral Avenue be rezoned from RM-1, multiple family residential and I-1, light industry to R-1T, attached residential. According to the applicant, the rezoning would facilitate construction of a four-unit, attached residential building along the northern portion of the property, at the eastern terminus of Cameo Avenue.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Chad Scott	480 Admiral Avenue	00010-260-O	RM-1/I-1	R-1T
One parcel – 3.0 acres				

**II. EXISTING CONDITIONS:**

Land Use/Zoning	<p><u>Rezoning Site:</u> Vacant land zoned RM-1, multiple family residential (south portion) and I-1, light industry (north portion).</p> <p><u>North:</u> City of Portage storm water retention basin and Consumers Energy Company electrical transformers and overhead transmission lines zoned I-1.</p> <p><u>South/East:</u> Vacant land owned by the City of Portage zoned I-1. Consumers Energy Company overhead electrical transmission lines and railroad tracks (owned by Pennsylvania Lines) are also situated east of the rezoning site.</p> <p><u>West:</u> Single family detached residences, duplexes and four-unit attached residential buildings situated along Cameo Avenue, Dorset Street and Admiral Avenue zoned R-1A, R-1T, RM-1 and I-1 (small section of vacant land).</p>
Zoning/Development History	No rezoning of properties in the surrounding area have occurred in the past 10 years.
Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	Admiral Avenue, Dorset Street and Cameo Avenue are local residential streets and specific traffic counts are not available. While the subject parcel is addressed as 480 Admiral Avenue, the property does not have frontage on Admiral Avenue. The only public street frontage/access to this parcel is at the eastern terminus of Cameo Avenue, along the northern portion of the property
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Natural Resources Map (National Wetlands Inventory) identifies areas of possible forested wetlands encumbering the subject parcel. Additionally, the Soil Survey Map layer identifies Adrian Muck as a predominant soil type on the property. The applicant will need to complete a wetland delineation and soil borings in conjunction with any future development plans for the property.

### III. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing during the November 19, 2015 meeting. Mr. Chad Scott (applicant/property owner) and Mr. Greg Radd of Nederveld Associates (applicant's engineer) were present to support the rezoning request and discuss the attached four-unit building planned along the northern portion of the property. Mr. Radd stated a preliminary wetland delineation was performed several years ago and the southern portion of the property was found to be wetlands. Mr. Radd indicated this delineation would be updated and development would be concentrated to the northern portion of the property, where higher ground and better soils are present. No additional citizens spoke regarding the proposed rezoning.

### IV. FINAL ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns. Issues to be considered are consistency with the Future Land Use Plan Map and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Map component of the 2014 Comprehensive Plan identifies the rezoning site, along with properties situated to the west and south, as appropriate for Single-Family Detached - Medium Density (SFD-MD) residential land use. The SFD-MD land use designation is intended to provide for a greater diversity in single-family housing development at higher densities (up to 6 units per acre) than allowed under the Low Density Residential designation (1-4 units per acre). Areas planned for SFD-MD land use are often located adjacent to higher intensity uses, such as the Regional Business area, and generally correspond to the R-1A, one family residential and PD, planned development zoning districts. Based on Zoning Code requirements, the R-1A district allows for a maximum residential development density of 4-5 units/acre (detached), while the PD district allows for up to 7 units/acre (detached/attached). For comparison purposes, the proposed R-IT district allows for a maximum residential development density of 7 units/acre (attached). Properties situated north of the rezoning site are identified for Regional Business land use, while properties situated to the east are designated for Park/Recreation land use.

While these designations are intended to serve as a general guide for future development and rezoning considerations, specific zoning district boundaries need to be determined on a case-by-case basis considering overall consistency with the Comprehensive Plan/Future Land Use Map, surrounding land use/zoning pattern, development/redevelopment potential, impacts on adjacent properties and other factors. The proposed R-IT district is generally consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern and represents a lower intensity zoning classification than the current I-1/RM-1 districts.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others) and may suggest incentives to influence community development and adjustments to other policies that influence the use of land for consistency with community development objectives. The proposed R-IT zoning district is generally consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

Suitability of Existing RM-1 and I-1 Zones/Impacts of Proposed R-1T Zone. The subject parcel is irregular in shape, wrapping around the east side of existing single-family and duplex residences located along the east side of Dorset Street. The existing I-1 zone along the northern portion of the parcel, and potential industrial development with access from Cameo Avenue/Dorset Street, would not be compatible with the adjacent residential neighborhood. The southern portion of the parcel, zoned RM-1, has development challenges given the irregular shape of the parcel, presence of potential wetlands/poor soils, topography and access limitations. The proposed R-1T zone and development of a four-unit, attached residential building along the northern portion of the property would constitute a reduction in the intensity of land uses currently allowed under the existing I-1/RM-1 zoning (or a “down zoning”). As information for the Commission, the R-1T zoning district allows for construction of duplexes and attached residential buildings (maximum four connected units) subject to several conditions. While the applicant is proposing only one four-unit attached building at this time, additional duplex and/or four-unit attached buildings could be constructed if the property was rezoned to R-1T, subject to applicable zoning regulations and environmental limitations. Finally, the proposed R-1T zone and construction of duplex and/or four-unit, attached residential buildings at the subject parcel would be consistent and compatible with the existing RM-1, R-1T and R-1A zoning and mixed single-family detached, duplex and four-unit, attached residential buildings currently located to the west, along Admiral Avenue, Dorset Street and Cameo Avenue.

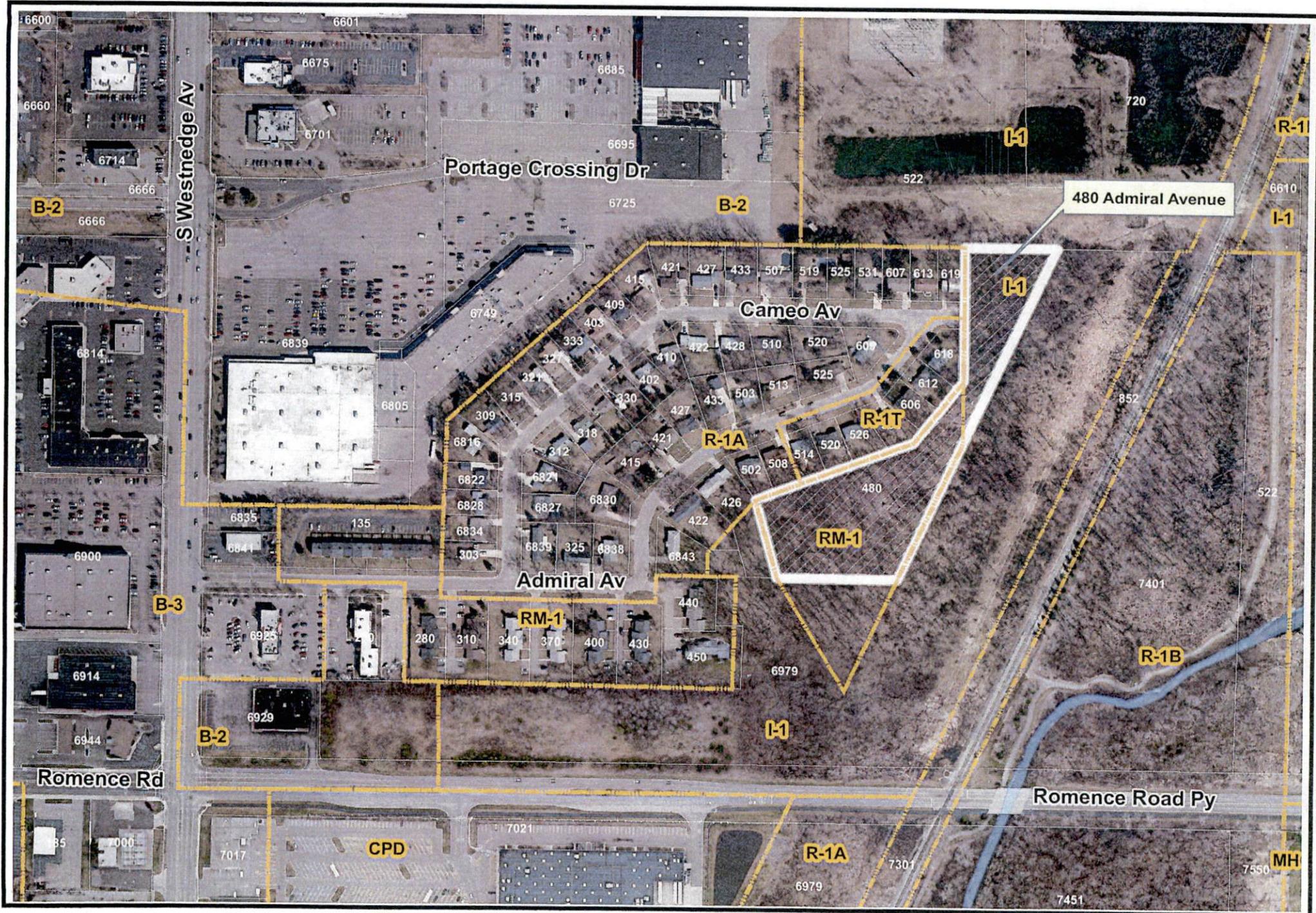
As additional information for the Planning Commission, the I-1 zoning of the city owned property at 6979 South Westnedge Avenue and the rear yard portions of 6843 Dorset Street and 422 and 426 Dorset Street, are not consistent with the Future Land Use Map designations and the existing zoning/land use pattern. In regard to this matter, and in an effort not to delay this rezoning request, staff recommends the Planning Commission consider a possible rezoning of these properties at a later date consistent with the adopted Work Program.

Traffic Considerations. Traffic generation associated with a zoning change from RM-1/I-1 to R-1T will not be significant and can be accommodated by the surrounding roadway network. Specific access related issues including driveway locations, shared/cross access connections, etc. will be reviewed at the site plan stage of redevelopment.

## **V. RECOMMENDATION:**

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #15/16-2 be approved and 480 Admiral Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1T, attached residential. The proposed zoning change is generally consistent with the Comprehensive Plan and Future Land Use Map designations and is consistent and compatible with the adjacent mixed single-family detached, duplex and four-unit, attached residential zoning/land use pattern to the west, along Admiral Avenue, Dorset Street and Cameo Avenue.

Attachments: Zoning/Vicinity Map  
Aerial Photo Map  
Future Land Use Map  
Development Guideline Table (R-1T)  
Rezoning Application and Supporting Materials



Legend	
	Zoning Boundary
	Subject Property

## Zoning / Vicinity Map 480 Admiral Avenue



1 inch = 300 feet

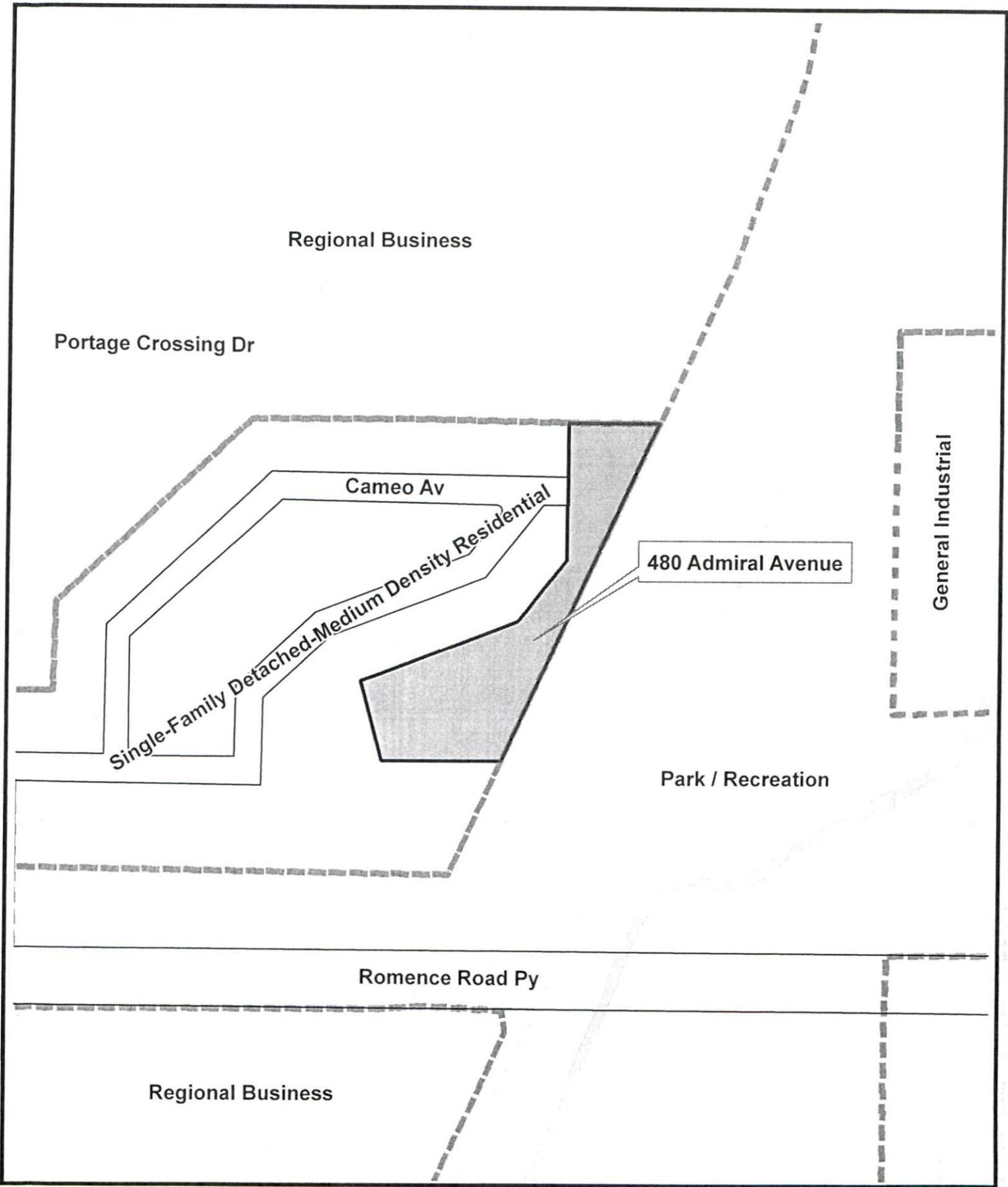


**Legend**  
Subject Property

# Aerial Photo 480 Admiral Avenue



1 inch = 147 feet



**Legend**

-  Future Land Use
-  Subject Property

# Future Land Use Map

## 480 Admiral Avenue



1 inch = 300 feet

## DEVELOPMENT GUIDELINES

### Rezoning Application #15/16-2 (R-1T, Attached Residential)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	<b>See Comment</b>	<p>Future Land Use Map designates the subject property, along with properties situated to the west and south as appropriate for single-family detached – medium density residential land use. This designation is intended to provide for a greater diversity in single-family housing development at higher densities (up to 6 units/acre) than the low density residential designation and generally corresponds to the R-1A and PD zoning districts.</p> <p>Based on Zoning Code requirements, the R-1A district allows for a maximum residential development density of 4-5 units/acre (detached), while the PD district allows for up to 7 units/acre (detached/attached). For comparison purposes, the proposed R-1T district allows for a maximum residential development density of 7 units/acre (attached).</p>
Residential – 2	Residential Development along Arterial Roadways	<b>Yes</b>	Subject parcel only has public street frontage at the eastern terminus of Cameo Avenue (local street) and access to/from South Westnedge Avenue would be provided from Admiral Avenue, via Dorset Street/Cameo Avenue.
Residential – 3	Locational Criteria for Residential Uses	<b>Yes</b>	City of Portage Natural Resources Map (National Wetland Inventory) identifies areas of possible forested wetlands encumbering the subject parcel. Additionally, the Soil Survey Map identifies Adrian Muck as a predominant soil type on the property. Applicant will complete a wetland delineation and soil borings in conjunction with any future development plans.
Residential – 4	Compatibility with Adjacent Uses	<b>Yes</b>	Proposed R-1T zone and associated attached residential development would be consistent/compatible with existing mixed single-family detached, duplex and four-unit attached residential zoning/land use pattern to the west, along Admiral Avenue, Dorset Street and Cameo Avenue.
Residential – 5	Open Space and Natural Resources Protection	<b>Yes</b>	Reviewed at site plan stage of development.
Residential – 6	Street and Pedestrian Systems	<b>Yes</b>	Reviewed at site plan stage of development.
Natural & Historic Resources - 1	Environmental Protection	<b>Yes</b>	See Comment Residential – 3 (above)
Natural & Historic Resources – 2	Floodplain	<b>Yes</b>	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources – 3	Water Quality	<b>Yes</b>	Reviewed at site plan stage of development.
Natural & Historic Resources – 4	Noise	<b>Yes</b>	Reviewed at site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	<b>N/A</b>	Rezoning site is not situated within a designated historic preservation area and does not contain any historic structures.
Natural & Historic Resources – 6	Open Space Protection	<b>Yes</b>	Reviewed at site plan stage of development.

<b>Guideline</b>	<b>Description</b>	<b>Consistent</b>	<b>Comments</b>
Transportation – 1	Transportation Systems	<b>Yes</b>	See Comment: Residential – 2 (above). Reviewed at site plan stage of development
Transportation – 2	Street Design	<b>Yes</b>	While rezoning site is addressed as 480 Admiral Avenue, the property does not have frontage on Admiral Avenue. The only public street frontage/access is at the eastern terminus of Cameo Avenue. Specific access design will be reviewed at the site plan stage of development.
Transportation – 3	Access Management	<b>Yes</b>	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	<b>Yes</b>	Reviewed at site plan stage of development.
Transportation – 5	Right-of-Way Preservation	<b>Yes</b>	Reviewed at site plan stage of development.
Transportation – 6	Parking	<b>Yes</b>	Reviewed at site plan stage of development.
Municipal Facilities & Services – 2	Sanitary Service	<b>Yes</b>	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	<b>Yes</b>	Reviewed at site plan stage of development.

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COMMUNITY DEVELOPMENT

**APPLICATION FOR ZONING AMENDMENT**

Application number #15/16-2

Date 10-16-15

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

**ZONING MAP AMENDMENT**

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at \_\_\_\_\_ between \_\_\_\_\_ Street and \_\_\_\_\_ Street on the \_\_\_\_\_ side of the street, and is known as Lot Number(s) \_\_\_\_\_ of \_\_\_\_\_ Plat (Subdivision). It has a frontage of \_\_\_\_\_ feet and a depth of \_\_\_\_\_ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

480 Admiral Avenue, Portage, MI 49002      00010-260-O      Approx. 3.86 acres

2. a. Do you own the property to be rezoned? Yes X No \_\_\_\_\_

b. Name of the owner of the property to be rezoned: Chad Scott

Address 6325 East V Ave, Vicksburg, MI 49097

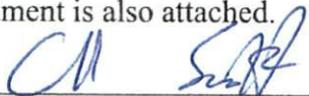
3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: Property owner desires to build one (1) four (4) unit single family, attached homes

4. CURRENT ZONING: Split I-1 and RM-1 PROPOSED ZONING: R1-T

**ZONING TEXT AMENDMENT**

1. The proposed language to be considered is (attach additional sheets as necessary):  
\_\_\_\_\_  
\_\_\_\_\_
2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.  
\_\_\_\_\_
3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.  
\_\_\_\_\_  
\_\_\_\_\_

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

	
(Signature of Applicant)	(Signature of Applicant)
<u>6425 East V Ave</u>	
(Address) <u>Vicksburg 49097</u>	(Address)
<u>(269) 720-7729</u>	
(Phone)	(Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

**ZONE CHANGE DESCRIPTION**  
480 ADMIRAL AVENUE

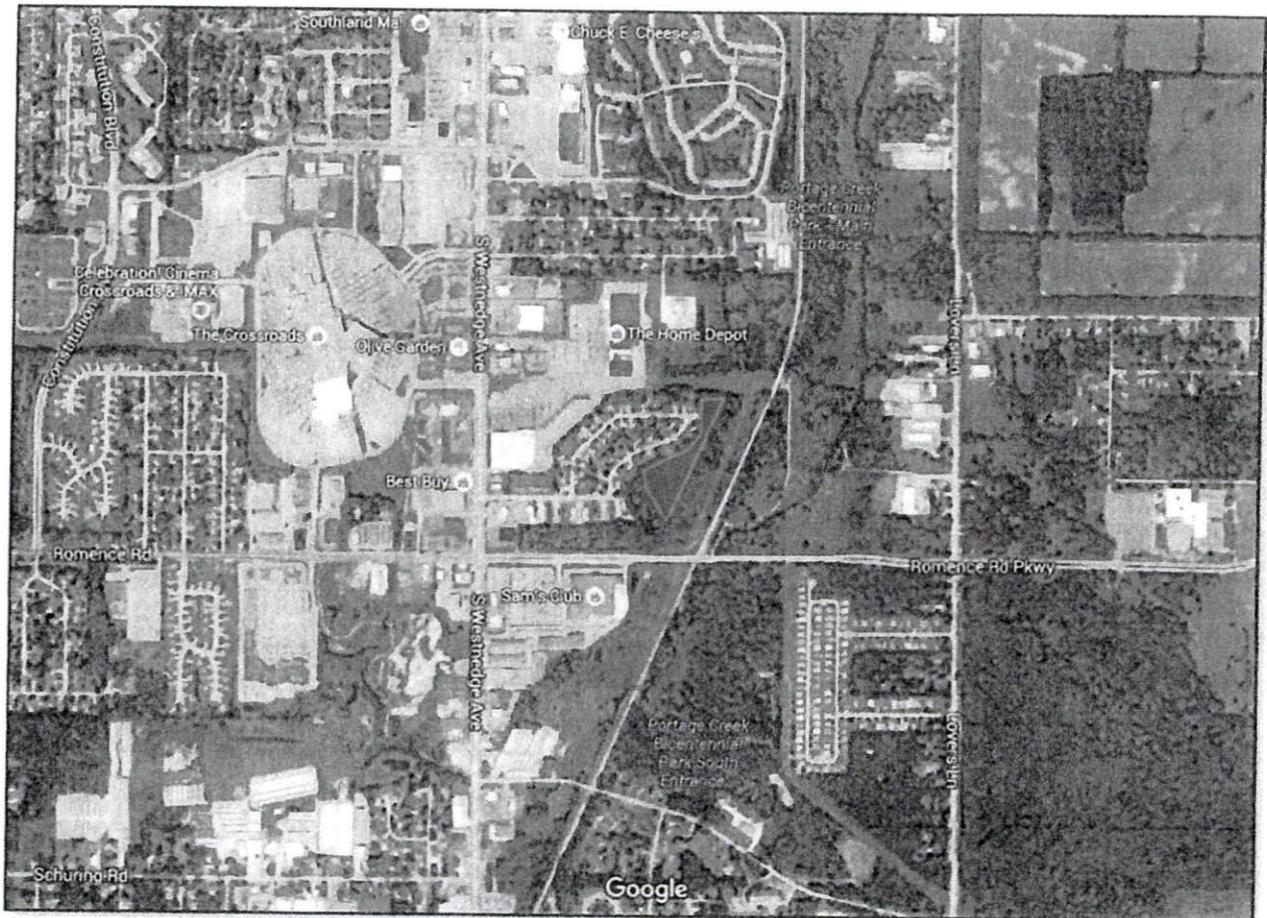
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COMMUNITY DEVELOPMENT

The zone change request at 480 Admiral Avenue would result in the proposed development of one (1) four (4) unit attached single family dwelling. The zone change request is necessary as the current site is split zoned I-1 Light Industrial on the north end of the site and RM-1 Multiple Family Residential on the south end of the site. Due to significant wetlands on the site, there is only a small, unaffected pocket at the northern end of the site, however, since that area is currently zoned I-1 Light Industrial, residential of any kind is not allowed.

In determining the most appropriate zoning district to request, many factors were considered including the impact of the wetlands on developability of the site, the Master Plan and future land use map and existing zoning trends and districts on adjacent properties. The development area of 480 Admiral is actually a small pocket of land on the Northern portion of the site off the East end of Cameo Ave. With the natural impacts and property configuration this small Northern portion is the only likely developable area. Therefore, although the property is future planned to be medium density, detached single family dwellings, the developable area of this site limits this type of development from taking place on the site at the master plan density. The southern end of the site is currently zoned RM-1, Multiple Family Residential, and other RM-1 zoned property exists west of the site. However, rezoning the entire parcel to RM-1 is least consistent with the Master Plan. Adjacent to the currently zoned I-1 portion of the site is property zoned R1-T. The R1-T zone is a down-zone from both of the current classifications of RM-1 and I-1 however more consistent with the surrounding area. Therefore, the R1-T Attached Residential zoning district was determined to be the most consistent, compatible and appropriate for maintaining property rights.

The R1-T Attached Residential zoning district allows the desired construction of one (1) four (4) unit attached single family dwelling which maximizes the available developable space. In maximizing the available developable space, the property owner's rights to construct single family dwellings on the property is maintained. The R1-T is a down-zone from the current zoning classifications. Lastly, the requested zoning district is consistent and compatible with existing zoning as adjacent property to the west is currently zoned R1-T.

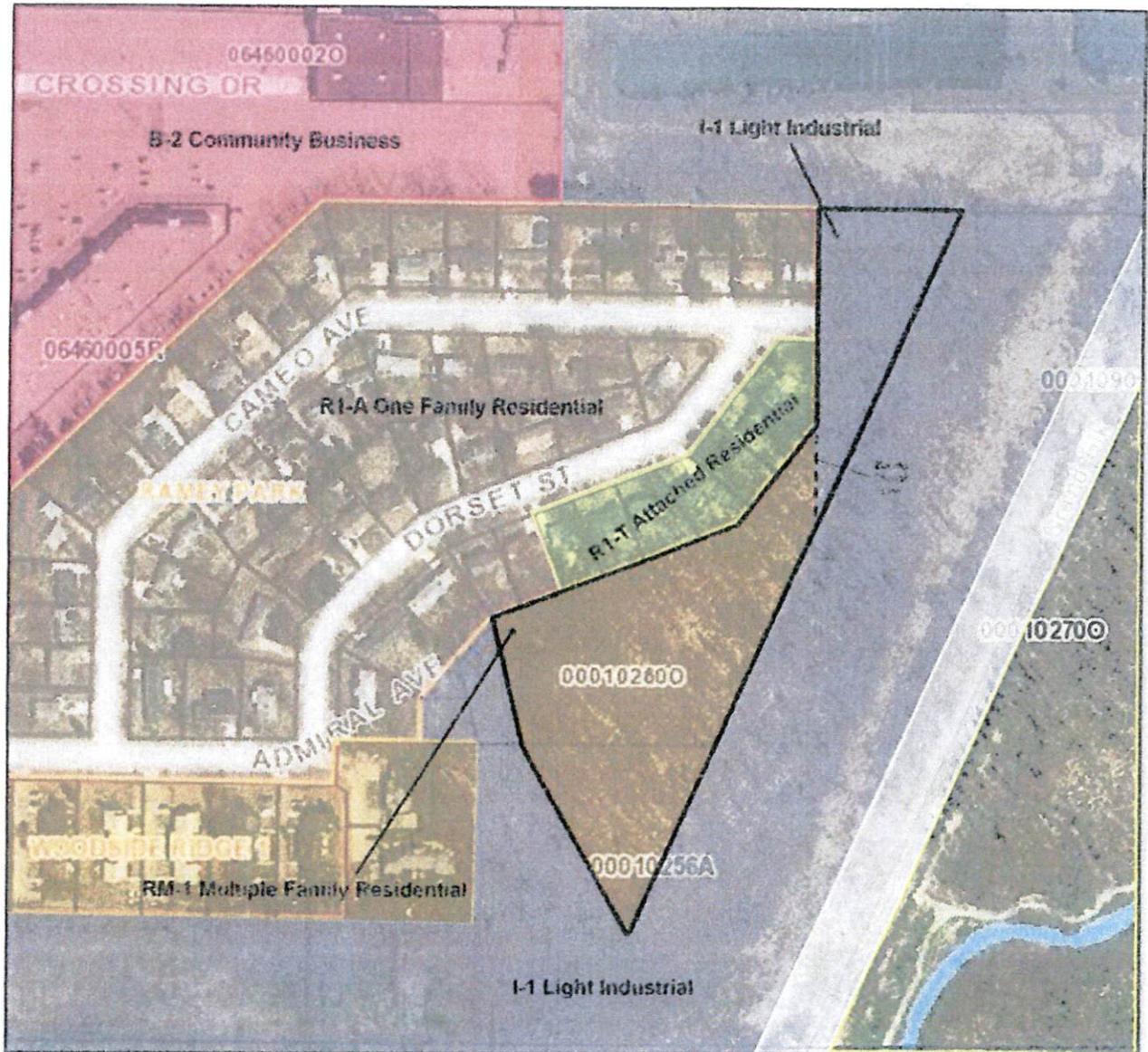
PROJECT LOCATION  
480 ADMIRAL AVENUE



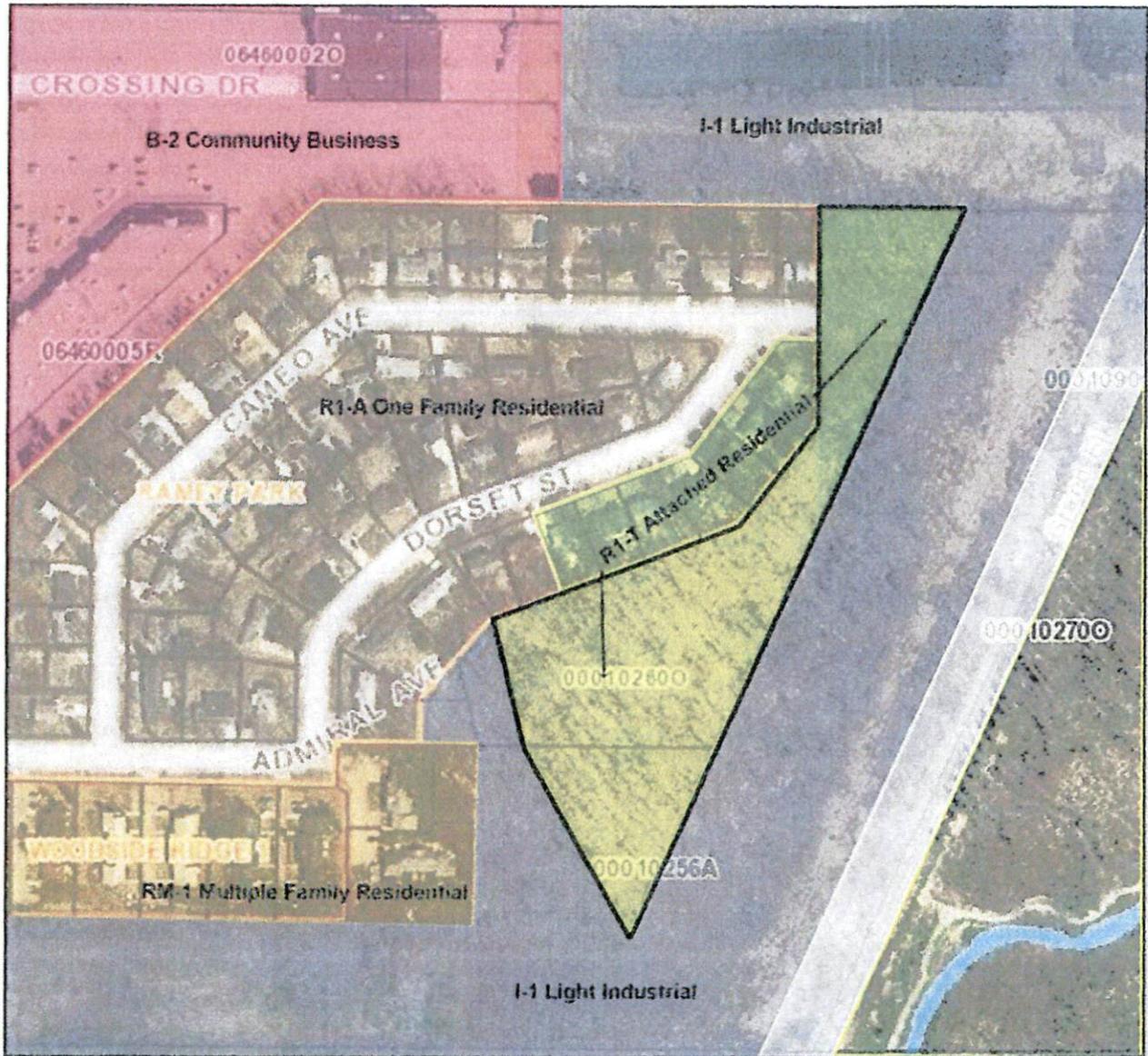
LEGAL DESCRIPTION  
480 ADMIRAL AVENUE

SEC 10-3-11 BEG AT NE COR LOT 31 RECD PLAT OF RAMEY PARK TH S ALG E LI SD PLAT 320 FT TH S  
37 DEG 52 MIN W 190 FT TH S 68 DEG 52 MIN W 420 FT TH SE 192.61 FT TH E 294.88 FT TH N 24 DEG  
15 MIN E 869.4 FT TH S 89 DEG 13 MIN W 180 FT TO PL OF BEG.

**EXISTING ZONING EXCERPT**  
480 ADMIRAL AVENUE



**PROPOSED ZONING EXCERPT**  
480 ADMIRAL AVENUE

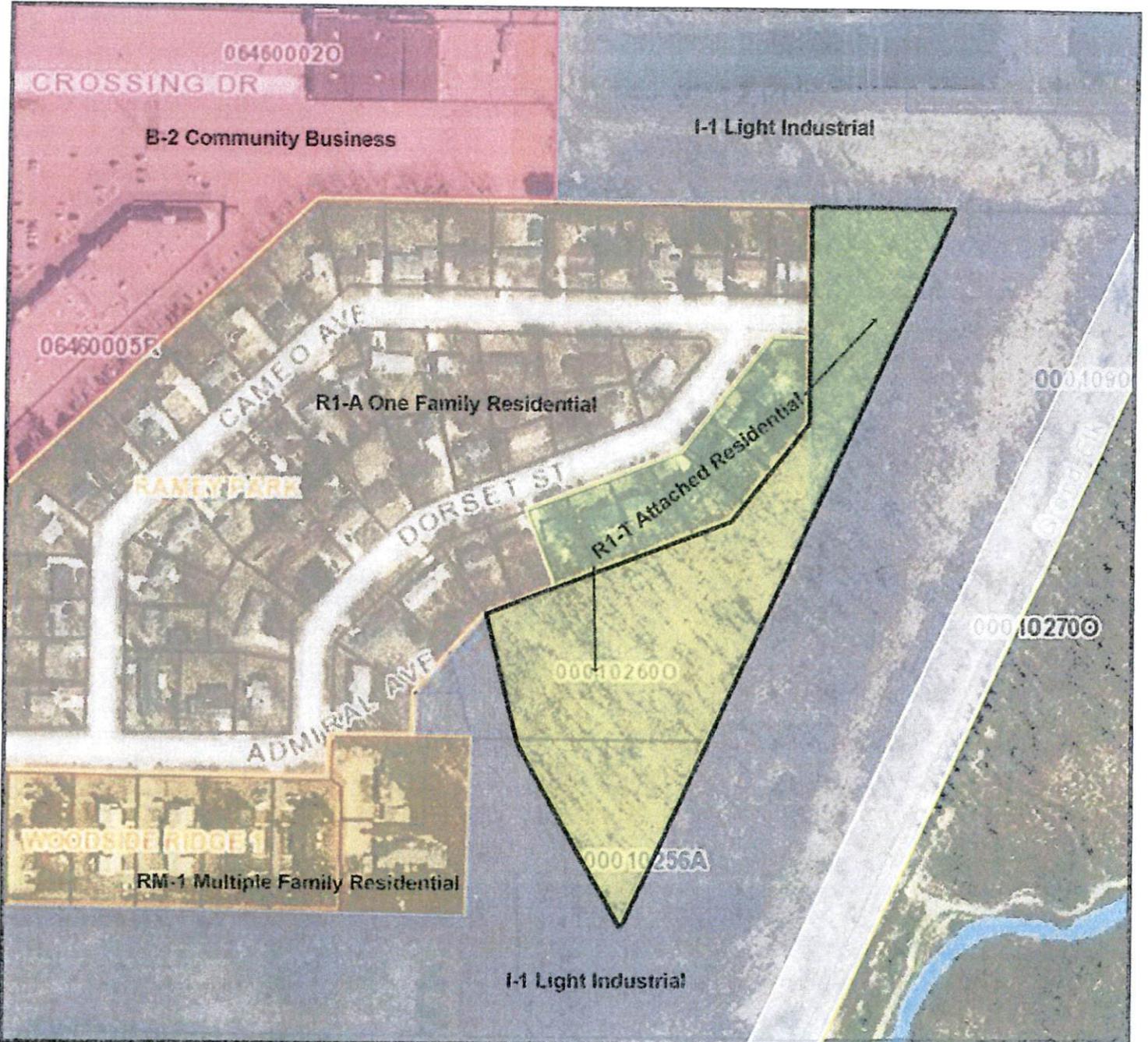


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OCT 16 2015

COMMUNITY DEVELOPMENT

480 ADMIRAL AVENUE  
ZONING AMENDMENT REQUEST



**TO:** Planning Commission

**DATE:** November 25, 2015

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Martin Luther King Drive, land division with public improvements, 6601 Constitution Boulevard

## **I. INTRODUCTION:**

An application has been submitted by Meyer C. Weiner Company to divide the property at 6601 Constitution Boulevard into three new parcels: one parcel defining the boundaries of Martin Luther King Drive, which is currently a private street, and one new parcel to the north, and one new parcel to the south of Martin Luther King (MLK) Drive. This land division application is unique in that it represents a public-private partnership that proposes the following:

- The land division with public improvements is proposed to facilitate the reconstruction of MLK Drive according to public street standards. Upon the completion of the reconstruction project, it is proposed that MLK Drive be accepted by the City of Portage as a public street. As discussed in more detail below, because MLK Drive is an existing private street and due to surrounding development patterns, some exceptions to the public street standards are requested as part of this application.
- To facilitate the financing of the reconstruction of MLK Drive, a special assessment district has been petitioned by the following property owners adjacent to the current private street:
  - ✓ Meyer C. Weiner Company (Village Green Properties LTD, 6601 Constitution Boulevard; Portage Central Limited Partnership, 6500 Ring Road);
  - ✓ Celebration Cinema (Jackson Entertainment, LLC, 6600 Ring Road);
  - ✓ Brann's (Sizzlin Five, LLC, 700 Martin Luther King Drive); and
  - ✓ General Growth Properties (Kalamazoo Mall, LLC, 6500 South Westnedge Avenue).
- As part of the special assessment proposal, the city will undertake the design and reconstruction of MLK Drive and Meyer C. Weiner will contribute funding to pay the city-share of the special assessment project via a development agreement with the City of Portage.

The attached maps illustrate the boundaries of the existing 6601 Constitution Boulevard parent parcel, the three resulting parcels proposed with the land division with public improvements, and the parcels to be included in the proposed special assessment district. As additional information for the Planning Commission, the proposed development agreement, land division with public improvements, initiation of the special assessment district process, and the design engineering contract for the reconstruction project are planned to be reviewed by City Council on December 15, 2015.

## **II. BACKGROUND INFORMATION:**

MLK Drive was partially constructed as Weiner Court in approximately 1982, and then extended in 1987 to connect with Constitution Boulevard, which was also constructed in 1987. MLK Drive is a private street with a 36-foot right-of-way and a corresponding 36-foot pavement width. The private street was

constructed with standard curb on both sides and has several storm water leaching basins located within the street to facilitate drainage. A sidewalk is located on private property along the north side of MLK Drive, which extends from Constitution Boulevard to Ring Road. A private sidewalk exists from the east access drive of Celebration Cinema to Ring Road on the south side of MLK Drive. Other than this segment of sidewalk, there is no sidewalk located on the westerly remainder of the Celebration Cinema frontage, nor the vacant land on the southeast corner of MLK Drive and Constitution Boulevard.

As shown on the attached zoning map, the properties adjacent to MLK Drive are zoned B-2, Community Business, with the exception of the vacant parcel at the southeast corner of MLK Drive and Constitution Boulevard, which is zoned RM-1, multi-family residential. It is noted that the front yard setbacks for the B-2 zoned properties that front on MLK Drive will be increased from 30 feet to 75 feet when the street is dedicated as a public street. This change in setback may impact future development of the B-2 zoned properties, which is understood by the adjacent property owners.

Concurrent with the street reconstruction, the following improvements will be made:

- Storm water: The existing storm drainage leaching basins will be relocated outside of the existing roadway, with several new basins constructed near Ring Road to prevent run-off from entering the Crossroads Mall property.
- Fire protection: Five fire hydrants will be installed along the public street at 300-foot intervals, consistent with International Fire Code standards. The fire hydrant extensions will be made from the existing water main adjacent to MLK Drive.
- Curb and gutter: The existing curb and gutter will be primarily retained. However, approximately 25% of the existing curb is sunken, broken or damaged and will require replacement.
- Street lighting: Street lights will be installed along MLK Drive, consistent with public street standards.
- Sidewalks: The existing sidewalk along the north side of MLK Drive is satisfactory, but will require the installation of barrier free access at the public street intersection of Constitution Boulevard and Ring Road. In addition, the existing timber retaining wall that overhangs the sidewalk south of Brann's will need to be removed and replaced with a modular block wall, similar to the one on the south side of MLK Drive. Finally, an easement for the sidewalk located on private property will be required prior to acceptance of MLK Drive by the city. The sidewalk along the south side of MLK Drive owned by Celebration Cinema will remain private, and a new sidewalk will be constructed from Constitution Boulevard to the westerly edge of the Celebration Cinema parking lot as part of the project. An easement will also be required for the new sidewalk on the south side of MLK Drive as part of the project.
- Street trees: Approximately 15 trees will be planted on the north side, and 10 trees on the south side of MLK Drive, consistent with city standards.

In order for the city to accept the MLK Drive right-of-way and initiate the special assessment district, a land division with public improvements must first be reviewed by the Planning Commission and approved by the City Council. Certain aspects of the proposed project will not meet the public street standards specified in Section 42-803, Streets, of the Subdivision and Land Development Regulations and variances from City Council will be required. These standards are as follows:

1. 60-foot street right-of-way width, and 44-foot pavement width for a collector street;
2. Sidewalks on the south side of the street in front of Celebration Cinema;

3. Cul-de-sac turnaround at Ring Road; and
4. Public water, sanitary sewer and storm sewer disposal facilities.

As noted above, the private street was constructed over 20 years ago and providing additional right-of-way concurrent with the proposed reconstruction project is impractical giving the existing development pattern. While the pavement width does not meet the standard for a collector street, the 36-foot width for the subject three-lane collector is sufficient to safely and efficiently move motorized and non-motorized traffic. As noted above, pedestrian and other non-motorized traffic can utilize the existing sidewalk on the north side of the street and the proposed sidewalk on the south side of the street extending east to the Celebration Cinema parking lot. With regard to the sidewalks on the south side of the street in front of Celebration Cinema, the existing development pattern and change of grade on the east side of the property are significant and present challenges with the provision of a public sidewalk that will meet accessibility standards for a public sidewalk. With regard to sidewalk installation between the westerly access drive and west property line, installation of a sidewalk would necessitate removal of the existing trees or encroachment into the off-street parking lot. As noted above, the project will include the construction of a sidewalk on the south side of the street from Constitution Boulevard to the west edge of the Celebration Cinema parking lot. In addition, the Northwest Portage Bikeway is available directly south of the cinema property and provides a multi-use trail to the vicinity.

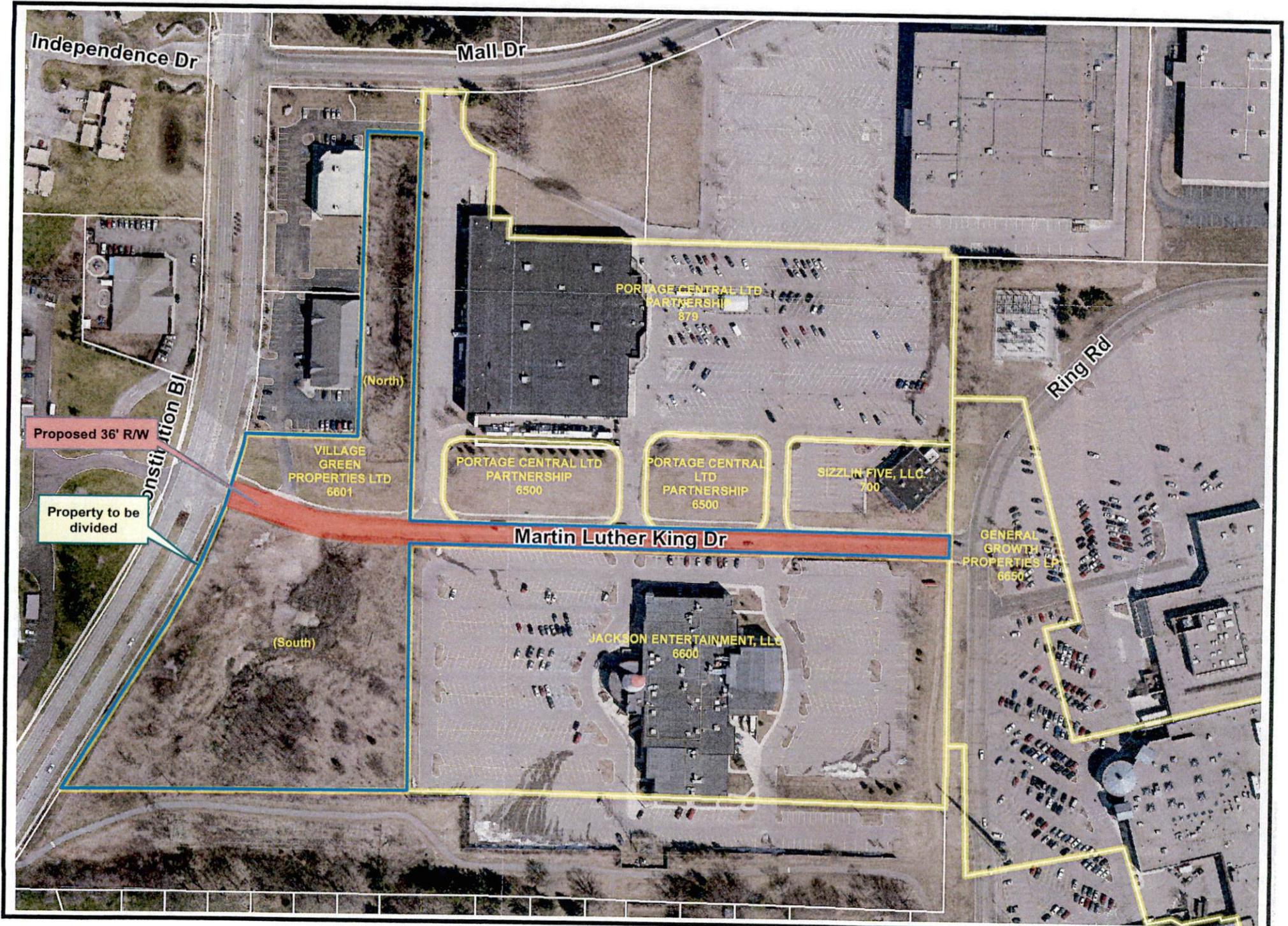
With regard to the cul-de-sac turnaround required for public streets that terminate at private property, MLK Drive terminates at Ring Road, which is a private drive. There are existing cross access agreements between the private property owners of MLK Drive and Ring Road, which will be conveyed to the City of Portage prior to the acceptance of MLK Drive as a public street.

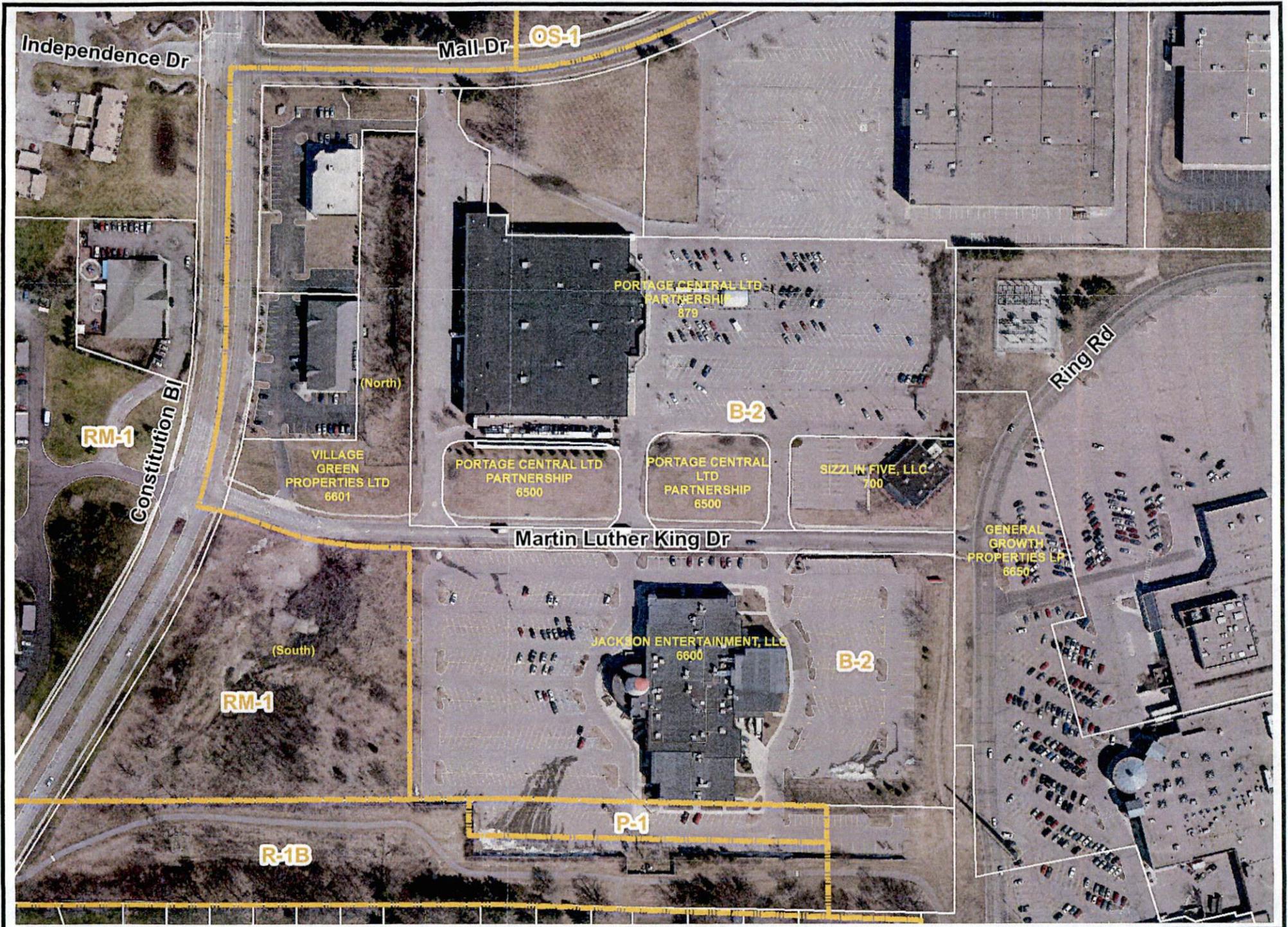
Finally, all adjacent properties are served by public water and sanitary sewer, as shown on the attached water and sanitary sewer map. Therefore, extension of these utilities along MLK Drive is not necessary to properly serve existing and future development. With regard to storm sewer facilities, as noted above, storm water drainage will be provided through a series of leaching basins that will be designed and constructed to properly handle storm water runoff.

#### **IV. RECOMMENDATION:**

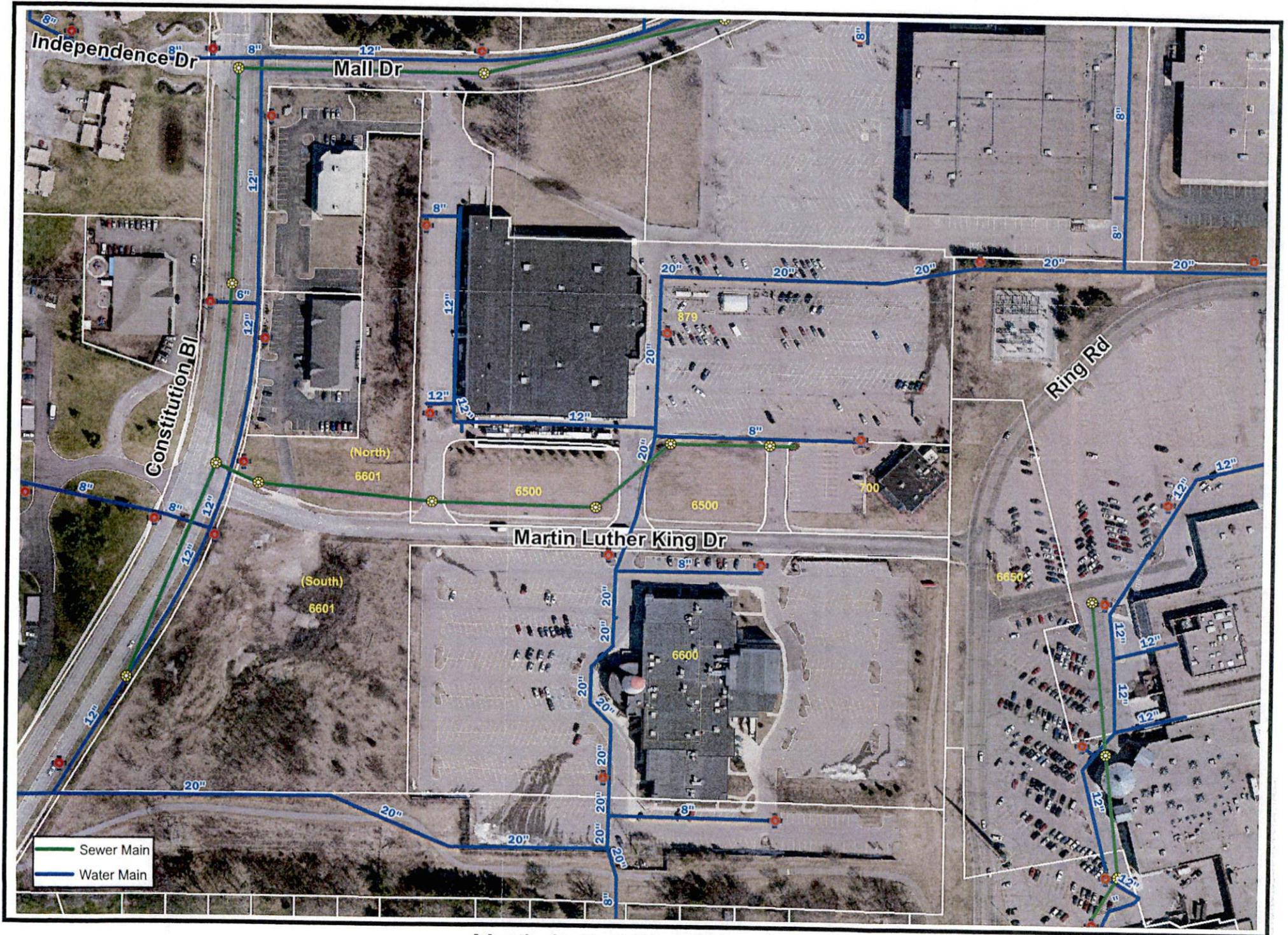
The City Administration has developed the above described public-private partnership over the past several months, which will result in a long-term solution to the maintenance of this key collector street to various regional shopping facilities within the community. Based on the above, staff advises the Planning Commission recommend to City Council approval of the Martin Luther King Drive, land division with public improvements, 6601 Constitution Boulevard, including the variances noted in items 1-4 above.

Attachments:            Location map  
                                 Zoning map  
                                 Water and sanitary sewer map  
                                 Proposed Special Assessment District map  
                                 November 19, 2015 land division application from Meyer C. Weiner Company

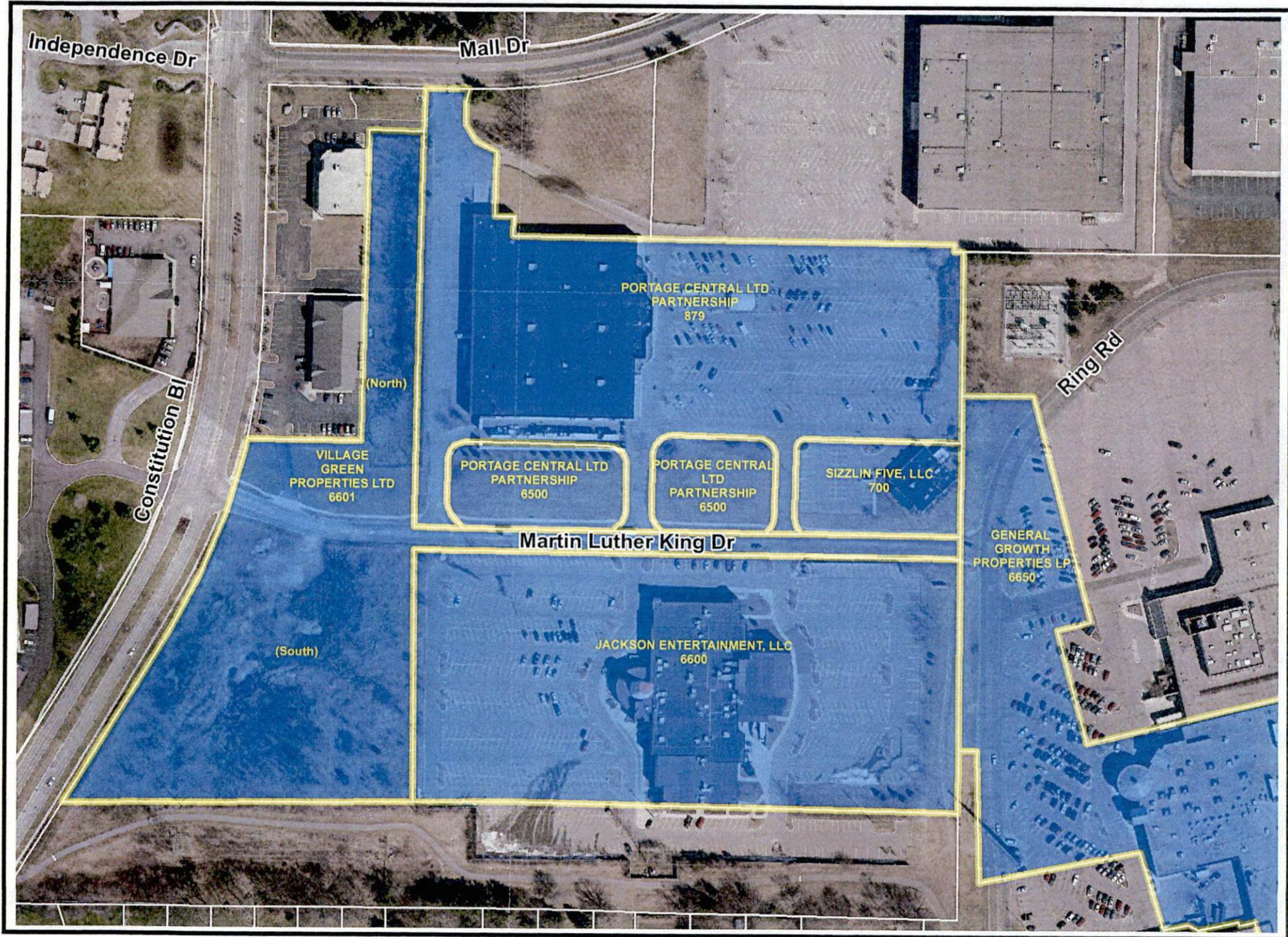




Martin Luther King Drive Area  
Zoning Map



Martin Luther King Drive Area  
Utilities Map



Martin Luther King Drive  
Proposed Special Assessment District



November 19, 2015

Vicki Georgeau  
Director, Department of Community Development  
City of Portage  
7900 South Westnedge Avenue  
Portage, MI 49002

RECEIVED

NOV 19 2015

COMMUNITY DEVELOPMENT

Re: Land Division Application  
6601 Constitution Boulevard

Dear Ms. Georgeau:

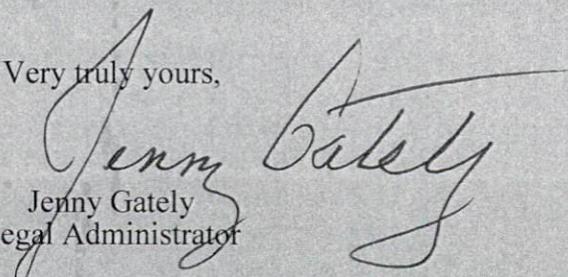
Per your request and in preparation for the Planning Commission's review on December 3<sup>rd</sup> of the above-referenced matter, enclosed please find the following:

- Land Division Application for Village Green Properties, Ltd.;
- Letter explaining the request for the Land Division;
- Survey outlining the proposed Land Division; and
- Check in the amount of \$180.00.

Please note that the survey contains a legal description of Martin Luther King Drive; however, new legal descriptions will need to be created for the two remaining, stand-alone parcels. I have engaged the services of Ingersoll Watson & McMachen, Inc. to draft the new legal descriptions, and per your direction, I have asked Randy Ligman to contact Christopher Barnes directly to work through the City's requirements for the new legal descriptions.

If you have any questions or need additional information from me at this time, please feel free to give me a call.

Very truly yours,

  
Jenny Gately  
Legal Administrator

Encls.

# KREIS ENDERLE

KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

R. Ryan McNally

Direct Dial 616-254-8406  
rmcnally@KreisEnderle.com

40 Pearl St., N.W., 5<sup>th</sup> Floor  
Grand Rapids, MI 49503-2612  
616-254-8400  
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[www.KreisEnderle.com](http://www.KreisEnderle.com)

November 19, 2015

Vicki Georgeau  
Director, Department of Community Development  
City of Portage  
7900 South Westnedge Avenue  
Portage, MI 49002

**Re: Land Division Application  
6601 Constitution Boulevard**

Dear Ms. Georgeau:

I represent and am writing on behalf of Village Green Properties, Ltd., as owner of the above-referenced property (the "Property"). With this correspondence you will find a completed Land Division Application, through which applicant is requesting that the Property parcel be split into three (3) remainder parcels, with one such remainder parcel being Martin Luther King Drive ("MLK Drive") as it currently exists. MLK Drive would dissect the other two remainder parcels, as shown on the drawing(s) submitted with our application. As you know, this is all being requested pursuant to a broader proposal to reconstruct and dedicate MLK Drive to the City of Portage, as a public street.

Due to the existing configuration of MLK Drive and adjacent development patterns, certain public street standards otherwise required for new public streets will require variances. We request the City's assistance in obtaining same. In particular, I understand that variances will be required as to:

1. 60 foot street right-of-way width;
2. Sidewalks on south side of street in front of Celebration Cinema;
3. Cul-de-sac turnaround at Ring Road; and
4. Public water, sanitary sewer, and storm sewer.

Variances are necessary and requested due primarily to (i) the special circumstances affecting the Property; (ii) the fact that such variances will not be detrimental to the public welfare or injurious to other properties; and (iii) the reality that, without these variances, the property rights of the applicant would be negatively impacted such that the entire project (any reconstruction of MLK Drive and dedication of same to the City) would be economically infeasible. As you know, the applicant and related entities are pulling together so as to primarily fund through a combination of private donations and public assessment the broad reconstruction of MLK Drive, largely consistent with current City public street standards. Such reconstruction would benefit all surrounding property owners and the City, and would enhance the long term viability of the entire Crossroads Mall corridor.

As to the particular variances requested, please consider each of the following:

1. 60 foot street right-of-way width.

The current width of MLK Drive is and has proven adequate. The issue with MLK Drive is the current state of disrepair, all of which can be solved through the proposed reconstruction.

2. Sidewalks on south side of street in front of Celebration Cinema.

There are sidewalks all along the north side of MLK Drive, and this is not a heavily traveled pedestrian area.

3. Cul-de-sac turnaround at Ring Road.

The various open parking areas on the property immediately east of MLK Drive allow for sufficient turnaround access. We are confident that the City will make an arrangement with the subject property owners, as necessary, so as to adequately document any turnaround and access requirements.

4. Public water, sanitary sewer, and storm sewer.

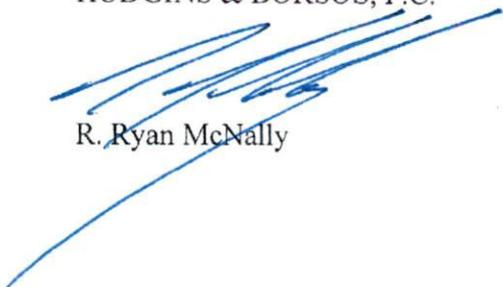
As you know, public water, sanitary sewer, and storm sewer exist throughout this entire region to serve all property owners, including those along MLK Drive.

We are excited about the potential MLK Drive reconstruction. We want to work together with the City to allow the surrounding property owners and the public to utilize these street improvements, the bulk of which would be funded by my client.

As always, I hope you will contact me with any questions or concerns.

Very truly yours,

KREIS, ENDERLE,  
HUDGINS & BORSOS, P.C.



R. Ryan McNally

RRM/sr  
Enclosure

**APPLICATION FOR LAND DIVISION/LOT LINE ADJUSTMENT**

The City of Portage is responsible for the review of all proposed Land divisions within the community.

Please complete this application form, attach two (2) copies of all required documents as indicated, and submit it to the City of Portage Department of Community Development. **YOU MAY FIND IT HELPFUL TO REFER TO THE LAND DIVISION PROCEDURE OF THE CITY OF PORTAGE AND THE LAND DIVISION ACT. ASSISTANCE IN COMPLETING THIS APPLICATION AVAILABLE UPON REQUEST.** You will receive a letter regarding the approval or denial of this request within 10 working days of submittal of a **complete** application.

Please Note: Whenever a survey and/or legal description is called for as part of this application, it must be at a scale no smaller than 1 inch = 50 feet.

**PLEASE PRINT NEATLY AND PRESS FIRMLY - YOU ARE MAKING FOUR COPIES**

**I. APPLICANT INFORMATION**

1. Applicant Name(s) Village Green Properties, Ltd.  
 Address 700 Mall Drive  
 City Portage State MI Zip 49024  
 Phone Number: (H) \_\_\_\_\_ (W) 269-323-2441
2. Property Owner (if different) \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone Number: (H) \_\_\_\_\_ (W) \_\_\_\_\_
3. Application Type: Split  Combination  Other  Separated by private road

**II. PARENT (ORIGINAL) PARCEL INFORMATION - Attach additional form for each parent parcel as of 3/31/97**

1. Address 6601 Constitution Boulevard  
 2. Tax ID # 00009-045-H  
 3. Size (acres) 7.1  
 4. **ATTACH** legal description of parent parcel.  
 5. **ATTACH** survey map of parent parcel including existing buildings, structures and easements.  
 6. **ATTACH** proof of fee ownership (copy of tax bill, deed, mortgage, etc.), and letter of consent from property owner (if different than applicant).  
 7. Please indicate if the following parent parcel characteristics exist. Check **yes** to all that apply:
- | Characteristic                     | Yes                                 | No                                  | Characteristic           | Yes                                 | No                                  |
|------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| Existing Structure(s)              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Access to public water   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Floodplains                        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Underground Storage Tank | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Slopes ≥ 1:4 pitch                 | <input type="checkbox"/>            | <input type="checkbox"/>            | Contaminated Soil        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Access to Public Sewer <u>RM-1</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Abandoned Well           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
8. Current zoning: \_\_\_\_\_  
 9. Do the proposed divisions have frontage on a Major Thoroughfare? If yes, application of Access Management Ordinance, including formal access and shared access arrangements, may be necessary. Yes  No

**III. CHILD (PROPOSED) PARCEL INFORMATION (FOR LAND DIVISIONS ONLY)**

1. Number of child parcels: 3  
 2. Intended Use: \_\_\_\_\_  
 3. Will any of the child parcels be declared "Not Buildable"? Yes  No   
 4. **ATTACH** survey map of all proposed child parcels, including existing buildings, structures and easements.  
 5. **ATTACH** legal description of all proposed child parcels.  
 6. The child parcels have 66 feet of frontage on a public street: Yes  No   
 7. The lot depth does not exceed four times the width: Yes  No   
 8. Each child parcel has minimum lot area and lot width for the zoning district in which it is located: Yes  No   
 9. Is the right to make a future division(s) being transferred to a child parcel created from the parent parcel or tract? Yes  No   
 If yes, attach completed **Notice to Assessor of Transfer of the Right to Make a Division of Land** form.  
 10. If municipal utilities are not available, **ATTACH** Kalamazoo County Health Department approval for the suitability of on-site water supply and/or sewage disposal.

**IV. REVIEW FEE:** Land Division Application: \$150 per application plus \$10 for each child parcel proposed over two.  
 Lot Line Adjustment: \$100 per application.

**V. SIGNATURE**

I understand that review and approval by the City of Portage will commence upon the submission of a complete Land Division Lot Line Adjustment Application and will be reviewed within 10 working days. Approval will become void after 90 days if legal documents are not recorded at the Kalamazoo County Register of Deeds and filed with the City of Portage Assessor.

Jenny Gately  
 Signature

4/19/15  
 Date



# **MATERIALS TRANSMITTED**

## CITY COUNCIL MEETING MINUTES FROM NOVEMBER 3, 2015

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Pastor Joan Herbon of Lord of Life Lutheran Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Nasim Ansari, Richard Ford, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James Hudson.

**APPROVAL OF MINUTES:** Councilmember Randall indicated she would like to set the record straight and objected to information provided by Councilmember Reid at the end of the October 20, 2015 City Council Meeting regarding an interview by *MLive* as she, Councilmember Randall, was not serving as a Councilmember during the referenced timeframe of 2000-2009 and that the comments totally lacked relevancy. Motion by Ansari, seconded by Ford, to approve the Committee of the Whole and Regular Meeting Minutes of October 20, 2015, as presented with the comments by Councilmember Randall. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Pearson to read the Consent Agenda. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 7 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF NOVEMBER 3, 2015:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of November 3, 2015. Upon a roll call vote, motion carried 7 to 0.

### **PUBLIC HEARING:**

**REZONING APPLICATION #15/16-1 (710 AND 732 EAST CENTRE AVENUE):** Mayor Strazdas introduced the item and City Manager Larry Shaffer deferred to Community Development Director Vicki Georgeau, who indicated that an application had been received from Donald Zeimke, who owns 710 and 732 East Centre Avenue, the subject of this public hearing, and Timothy Dockerty, a prospective buyer of the property. She said that the request is that the properties be rezoned from B-1, local business, to OS-1, office service, and that the applicants have indicated that the rezoning would facilitate construction of an approximate 32,000 square foot memory care assistant living facility. She noted that institutional uses, including a memory care facility, are not permitted in the B-1 zoning district, but are permitted in the OS-1, office service, zoning district as a special land use. She referred to the maps located in the agenda packet and described the property in question, the surrounding properties, the contiguous properties, the future land use patterns and the zoning patterns and explained that the rezoning request is not inconsistent with the Comprehensive Plan.

She explained that staff and the Planning Commission reviewed the request and recommends approval. Discussion followed and Mayor Strazdas recognized Timothy Dockerty, 10015 Pinecrest Path, Berrien Springs, thanked City Council for the opportunity to speak about this request and explained that this service is not currently provided in the community and described the proposed service.

In answer to Councilmember Reid, Mr. Dockerty indicated that no daytime care is planned at this time, maybe a later consideration, but is contemplated as a 24-hour facility. Discussion followed. Mayor Strazdas opened the public hearing to the audience.

There being no further comment, motion by Urban, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Urban, seconded by Randall, to approve Rezoning Application #15/16-1 and rezone 710 and 732 East Centre Avenue from B-1, local business, to OS-1, office service, with the exception of the west five feet of 710 East Centre Avenue, which is to remain zoned R-1A, one family residential, and at the suggestion of City Attorney Randy Brown, based on the information included in the staff report to City Council dated November 3, 2015, and contained in the Agenda Packet. Upon a roll call vote, motion carried 7 to 0. Discussion followed. Ordinance recorded on page 335 of City of Portage Ordinance Book No. 12.

**PETITIONS AND STATEMENTS OF CITIZENS:** Pat Flanagan, Civil Engineer with Ingersol, Watson and McMachen, Inc., spoke in favor of Item F.2, Final Condominium Approval for Copperleaf Phase I, indicated that he works with a lot of municipalities and site plans over the years and said that working with the City of Portage is really excellent. Mayor Strazdas thanked Mr. Flanagan and asked City Manager Shaffer to share his comments with staff.

Kristin Anderson, 6330 Canterwood, Richland, volunteer for the Pancreatic Cancer Action Network, indicated that November is Pancreatic Cancer Awareness Month, provided information on pancreatic cancer and explained. Discussion followed.

#### **REPORTS FROM THE ADMINISTRATION:**

\* **CONTRACT RENEWAL WITH BLUE CARE NETWORK ADVANTAGE PLAN:** Motion by Urban, seconded by Reid, to approve a one-year contract renewal with Blue Care Network for the Blue Care Network Advantage Plan and authorize the City Manager to execute all documents related to the contract renewal on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **FINAL CONDOMINIUM APPROVAL FOR COPPERLEAF PHASE I:** Motion by Urban, seconded by Reid, to grant final approval of the first phase of the Copperleaf single-family residential site condominium with completion of sidewalks and street trees by November 2017, approve installation of the Copperleaf residential subdivision sign in the Copperleaf Trail public right-of-way, and authorize the City Manager to execute all documents related to this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **2015 LDFA BOND REFUNDING RESOLUTIONS:** Motion by Urban, seconded by Reid, to adopt the Resolution Authorizing Limited Tax Pledge to Payment of 2015 Tax Increment Refunding Bonds of the Local Finance Development Authority (LDFA) of the City of Portage, and the Resolution approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the 2015 Tax Increment Refunding Bonds of the Local Development Finance Authority of the City of Portage. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 53 and 57 of City of Portage Resolution Book No. 46.

\* **NETWORK HARDWARE AND DATA STORAGE UPGRADE PROJECT:** Motion by Urban, seconded by Reid, to approve the purchase of network hardware from Digital Strategy, LLC, through the Western States Contracting Alliance cooperative purchasing program in the amount of \$171,353; installation professional services from Digital Strategy, LLC, in the amount of \$22,000, and three-year software licensing through preferred software reseller, PCM, Incorporated, in the amount of \$66,553 for a total project cost of \$259,906 to address network deficiencies 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.

\* **SOUTH 12TH STREET LIFT STATION FORCE MAIN REPLACEMENT PROJECT:** Motion by Urban, seconded by Reid, to approve a contract amendment to the existing design engineering services for the South 12th Street Lift Station Force Main Replacement Project contract

with Prein & Newhof, Incorporated, in the amount not to exceed \$8,000 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.

**BUDGET AMENDMENT TO THE GENERAL FUND:** Mayor Strazdas provided an outline of the item and deferred to City Manager Shaffer, who briefly explained that the \$2.9 million represents \$1.666 million going forward, \$1.295 million for local roads, \$100,000 to address the Romence / Westnedge intersection and the funds necessary to replace the Fire Pumper that was damaged severely in an accident in July 2015. He indicated that this was a part of the surplus funds over and above the 24% Fund Balance that the City Council determined as policy to hold in reserve, and indicated that it will go toward debt avoidance and the immediate needs of the citizens as mentioned above. Discussion followed.

In answer to Councilmember Reid, who indicated that she had a lot of people ask whether their street was going to be included, Mr. Shaffer answered that the local streets were the streets identified in the 2016-2017 Capital Improvement Program (CIP), and offered to upload the maps and information to the website. Discussion followed.

Motion by Pearson, seconded by Reid, to approve a budget transfer of \$2,961,755 from the General Fund to the Capital Improvement Fund to fund major and local street projects, the relocation of a Park trail, and the purchase of a fire pumper truck, and a budget transfer of \$427,227 from the Local Streets fund to the Capital Improvement Fund to fund local street projects. Councilmember Ford noted that the streets earmarked for improvement are in the November 3, 2015 City Council Packet, which is located online and in the Portage District Library. He also thanked Finance Director Bill Furry, and City Manager Larry Shaffer for their open, transparent presentation at the earlier Committee of the Whole Meeting and for an atmosphere that brought consensus. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

**ORDINANCE AMENDMENT TO ESTABLISH A BUDGET STABILIZATION FUND:** Mayor Strazdas introduced this item and deferred to City Manager Shaffer, who expressed his appreciation for the Committee of the Whole discussions regarding the Budget Stabilization Fund. He explained that a Budget Stabilization Fund is a restricted fund that allows the municipality to set aside up to 15% of the adopted budget. He noted that it is a restricted, emergency fund that can be accessed with two thirds vote of City Council for particular issues, including such things as catastrophic events, unanticipated deficits, reduction in services or reduction in the number of employees and has restricted access.

Motion by Ford, seconded by Ansari, to accept for first reading an amendment to the Codified Ordinances of the City of Portage to establish a Budget Stabilization Fund, and take final action on the amendment on November 17, 2015. Councilmember Reid explained that the Ordinance would be brought back for consideration and approval, which takes a super majority of City Council, at the November 17 City Council Meeting; and, if approved, Council would decide whether the funds would be committed or not this year and what that amount would be. She anticipated more good discussions about the fund and how it dovetails with the 24% Fund Balance targeted by City Council to have available for emergencies. She invited Portage citizens to participate with any questions or concerns they might have regarding this matter. Upon a roll call vote, motion carried 7 to 0.

\* **HARRIS DRIVE VACATION REQUEST:** Motion by Urban, seconded by Reid, to accept the resolution to vacate the south approximate 57 feet of Harris Drive, place the resolution on file with the City Clerk for 28 days and take final action on December 1, 2015. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 59 of City of Portage Resolution Book No. 46.

\* **EMPLOYEE SEPARATION AGREEMENT:** Motion by Urban, seconded by Reid, to authorize the City Manager to execute a separation agreement with Patricia Thompson. Upon a roll call vote, motion carried 7 to 0.

\* **LOCAL DEVELOPMENT FINANCE AUTHORITY FY 2013-2014 ANNUAL REPORT:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Local Development Finance Authority FY 2013-2014 Annual Report as information only. Upon a roll call vote, motion carried 7 to 0.

\* **ANNUAL TREE LIGHTING/TRADITIONAL HOLIDAY CELEBRATION:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Annual Tree Lighting/Traditional Holiday Celebration as information only. Upon a roll call vote, motion carried 7 to 0.

#### **COMMUNICATION:**

**PUBLIC MEDIA NETWORK (PMN) EXECUTIVE DIRECTOR HARRY HAASCH:** Mayor Strazdas introduced this item and deferred to City Manager Shaffer, who invited comment from City Council and indicated that PMN is making significant progress on a whole host of issues that are important to Portage citizens. Discussion followed.

Councilmember Reid pointed out that the new equipment that will be installed in Portage for broadcast purposes has been scheduled with IT Director Devin Mackinder, December 8 through December 11, 2015. She mentioned that the other municipalities are also scheduled, and the City of Kalamazoo already has equipment since their set up was the most challenging of all of the municipalities.

Motion by Urban, seconded by Ford, to receive the report from Public Media Network (PMN) Executive Director Harry Haasch regarding PMN's FY 2015-2016 1st Quarter activities. Upon a voice vote, motion carried 7 to 0.

\* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the Zoning Board of Appeals of September 14, 2015, and the Planning Commission of September 17, 2015.

#### **COUNCIL COMMITTEE REPORT:**

**CENTRAL COUNTY TRANSIT AUTHORITY:** Mayor Pro Tem Pearson indicated that an Executive Director has been chosen for the Kalamazoo County Consolidated Dispatch Authority, negotiations are currently taking place and hopefully the Executive Director will be on board soon. Councilmember Reid indicated that the process went well and the individual was unanimously chosen.

Motion by Ansari, seconded by Urban, to receive the Kalamazoo County Consolidated Dispatch Authority update. Upon a voice vote, motion carried 7 to 0.

#### **BID TABULATIONS:**

**PURCHASE OF PIERCE FIRE PUMPER – BID TABULATION:** Mayor Strazdas introduced this item and deferred to City Manager Shaffer, who introduced Senior Deputy Fire Chief John Podgorski and Assistant Fire Chief Stacy French, and indicated that on July 3, 2015, the 2004 Sutphen Pumper was hit at the intersection of Romence and Portage Road. He said that the good news is that no City personnel were injured in the accident, but the bad news is that the Fire Pumper is now obsolete and old enough that it makes more sense to advance the purchase of a replacement of the Fire Pumper from the 2018-2019 Capital Improvement Program (CIP). He indicated that the purchase would be made possible by using the funding authorized in Item F.6, Budget Amendment to the General Fund, plus the \$84,000 insurance proceeds. He explained that it would take a year to manufacture and take delivery of the new pumper.

In answer to Mayor Strazdas, Chief Podgorski explained that this Fire Pumper allows the Department to incorporate the newest technology, incorporates some special services on the truck such as firefighting foam which encapsulates the steam and smolders the steam quicker making it safer for the firefighter and is better for property conservation. He said the truck has all of the airbags and restraints to keep a person safe and state of the art features that enhance safety and efficiency. He mentioned that it is a multi-purpose piece of equipment, and that it has the Jaws of Life on board for accident responses in addition to the fire suppression capabilities, for example.

For the next year, Chief Podgorski indicated that the City has a very aggressive fleet maintenance program, may have to use the aerial fire trucks more than usual on residential responses, and the use of the support of neighboring municipalities through the mutual aid agreements that have been formed over the years.

In answer to Councilmember Reid, Chief Podgorski indicated that the working life of a fire pumper is about a ten to twelve year replacement recommendation based upon the number of responses and activity.

In answer to Councilmember Urban, Chief Podgorski indicated that the request for bid included equipment rental or demo units as an option; however, none of the available equipment met the specifications necessary for Portage.

Mr. Shaffer related a recent experience with the Sutphen Aerial Fire Truck that was taken out of service because of a collapsing issue that was taking place across the country and brought to the manufacturer in Ohio to be retrofitted. He learned that the Portage Fire Department extended the life of Sutphen Aerial Fire Truck owing to the fact that the Department was maintaining the apparatus at its maximum, and indicated that this discipline is utilized for all of the Department equipment.

Motion by Urban, seconded by Ansari, to approve the purchase of a fire pumper truck from Pierce Manufacturing, Inc., for \$501,260 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.

#### **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember Ansari expressed his appreciation to have the right to vote in the United States, and said he was looking forward to working with the new City Councilmembers. Mayor Strazdas concurred.

Councilmember Reid thanked all of the candidates for running for City Council. Mayor Strazdas concurred.

Councilmember Ford expressed his appreciation for the Administration for a job well done regarding the various agenda items for the meeting, and thanked all of those who voted in the election.

Councilmember Randall announced that Portage Northern High, Hackett Catholic and Portage Central High all performed outstanding in the Cross Country Meet at West Middle School. Also, Susan Yetter, 7354 Oak Shore Drive, thanked staff and City Council for private streets leaf and brush pick-up.

Mayor Pro Tem Pearson asked that all candidates for office remove their political signs as soon as they can.

In response to Mayor Strazdas, Councilmembers Urban, Reid and Ford agreed to assist Mayor Strazdas to help read the essays of the contest, "Why I like Portage?" to determine who gets to be a part of the tree lighting ceremony.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 8:26 p.m.

James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.

**MINUTES OF THE COMMITTEE OF THE WHOLE WORK SESSION  
OF NOVEMBER 3, 2015**

Mayor Strazdas called the meeting to order at 6:01 p.m. The following Councilmembers were present: Nasim Ansari, Richard Ford, Patricia M. Randall, Claudette Reid and Terry Urban and Mayor Peter Strazdas. Mayor Pro Tem Jim Pearson arrived at 6:02 p.m. Also present were City Manager Larry Shaffer, Deputy City Manager Rob Boulis, Finance Director Bill Furry, City Attorney Randy Brown and City Clerk James Hudson.

Mayor Strazdas reviewed the agenda for the evening and indicated that the discussion would be on funds that are available that are not dedicated to the budget with a presentation on the City debt a presentation on the Standard & Poor's (S&P) Rating and what it will take to get the City to a higher rating, a presentation on debt management, and a presentation on the Fund Balance. He then deferred to City Manager Larry Shaffer.

Mr. Shaffer referred to the previous Committee of the Whole Meeting and provided a synopsis of the budget proposal changes, the specific dollar amounts discussed at that meeting, the debt reduction fund, the stabilization fund and the projected ten-year Capital Improvement Funding changes.

He deferred to Finance Director Bill Furry to allow him to present his team's PowerPoint presentation, analysis and discussion regarding the S&P Analytical Framework; Debt & Contingent Liabilities Score; City of Portage Debt Score; Debt Service as a % of Expenditures; Debt as a % of Revenues without additional borrowing; Debt as a % of Revenues with new debt per Capital Improvement Program (CIP); Callable Debt; Michigan Cities with AAA S&P Rating and no budget stabilization policy; City of Portage General Fund History; City of Portage projected additional funds available for FY 2015/16; City of Portage projected additional funds available per Capital Improvement Program (CIP); and a recommended Resolution for the General Fund Reserve Policy for the City of Portage.

Mr. Shaffer concurred with Councilmember Urban and indicated that he does not recommend going down to 9% in the Fund Balance, that he does recommend being stable with 24% in the Fund Balance and going below 20% is unimaginable, even with the largest possible Debt Stabilization Fund at 15%. He expressed his appreciation for having various accounts and funds set aside in various venues as this strengthens the City's financial position, and stressed that the flexibility of an unappropriated Fund Balance is very important as a financial stabilization tool and that the Budget Stabilization Fund should be an additive, but not a substitution for the Fund Balance. Mayor Strazdas distinguished the two Funds, concurred with Councilmember Reid that the Budget Stabilization Fund amount discussed is \$300,000 outside the Fund Balance and discussion followed.

Councilmember Randall expressed her hope of reducing the Fund Balance as this was her understanding of Council's objective over the last several years, restated their role was to provide services and suggested the need for a review of the return on investment when considering cash funds and what the City is paying to borrow as this is opportunity costs; also, as the Budget Stabilization Fund grows, the City is increasing the Fund Balance well beyond the proposed 25.2% which is the opposite direction of her understanding of Council's objective over the last several years. Discussion followed.

Council focused on the Fund Balance and the Debt Stabilization Fund and whether the Stabilization Fund should be a part of the Fund Balance or in addition to the Fund Balance. Discussion followed. Mr. Shaffer stressed the importance of the inflexibility nature of the Debt Stabilization Fund since, when it becomes needed during the “shocks” in the economy, it is available and, if not, it still provides an enhanced financial profile for the City. Discussion followed.

Mayor Pro Tem Pearson asked for some numbers to explain the opportunity costs for paying off a bond, for example, as mentioned by Councilmember Randall, and for some numbers to help explain what does AAA S&P Rating mean for stabilization versus bond rates. He said he was in favor of the \$300,000 for the Debt Stabilization Fund, but not the \$1 million, and that he was in favor of it being part of the Fund Balance.

Councilmember Urban indicated that he “sorted it out for himself” and found that the difference between AAA S&P Rating and AA S&P Rating is 0.5%. He indicated that he was probably not in favor of creating the Debt Stabilization Fund; moreover, if it is created, he indicated that it should only be funded at \$300,000. He pointed out that the City is at the maximum *Charter* allowable millage rate, so there is no flexibility with that, and he explained this is the only upside for having a Debt Stabilization Fund to help with a catastrophic event.

Councilmember Reid expressed her concern with the uncertainty of what is needed in the Debt Stabilization Fund versus what can be put into it because there has been no stated goal in this regard. Mr. Shaffer explained that the statutory limit of 15% generates roughly \$3.4 million and he explained that he wants to build that amount over time and explained. Discussion followed.

Mayor Pro Tem Pearson pointed out that this Council cannot commit future City Councils to a Debt Stabilization Fund amount, and Councilmember Randall objected because a 24% Fund Balance plus a 15% Debt Stabilization Fund puts the City at a 39% reserve fund amount. She said it would be very difficult to get a new millage passed when the City is holding back 39% of the revenue that is “just sitting there making very little money” and explained. She expressed her disbelief that there are very many Portage families holding back a 39% reserve and spoke in favor of using the funds to provide services such as repairing local streets, for example. Discussion followed.

Councilmember Urban reminded Council that approving the Ordinance at the Regular City council Meeting also requires a super majority to put money into the Debt Stabilization Fund. Discussion followed. Mayor Strazdas summed up with an analysis of the discussion as it relates to the proposed Ordinance, the current policy of a 24% Fund Balance and the amount that should be placed in the Debt Stabilization Fund should the Ordinance ultimately be passed. Discussion followed.

City Manager Larry Shaffer recapped the discussion and informed Council that they are going to consider approving a budget transfer of \$2,961,755 from the General Fund to the Capital Improvement Fund to fund major and local street projects, the relocation of a Park trail, and the purchase of a fire pumper truck and, a budget transfer of \$427,227 from the Local Streets fund to the Capital Improvement Fund to fund local street projects. He indicated that there is no request to allocate the \$300,000 to fund the Debt Stabilization Fund as this is only the first reading if the Ordinance passes. He explained the process and the timeline associated with the process and offered to craft different policies for Council consideration.

Mr. Shaffer noted a consensus for a 24% Fund Balance and that the Morehouse College Glee Club would not be coming to Portage this fiscal year; that in conversations with Senior Citizens Advisory Board Member Monifa Jumanne, it might make sense to have an event in 2016 that focuses on local choirs, local music and a local event and work within the framework of the 2016 budget, then solicit private dollars for the Morehouse College Glee Club event in 2017 as an opportunity for the City to demonstrate its commitment to diversity as part of a recognition of celebrating the achievements of Dr. King. There were no statements of citizens.

**ADJOURN:** Mayor Strazdas adjourned the meeting at 7:02 p.m.

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James Hudson, City Clerk

SUMMARY ENVIRONMENTAL ACTIVITY REPORT  
October 2015 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. <i>The 2<sup>nd</sup> year of AHC's contract is underway with annual testing ongoing.</i>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. <i>-Review of 6 site/building plans and/or plats completed in October 2015.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in October 2015: 7 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The Association has selected to use

		<p>Restorative Lake Sciences, LLC for consulting services for 2015. Treatment application completed in mid-June. Follow-up inspection of treatment will be done by Restorative Lake. The 2015 weed treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June. <i>The Association has requested to renew the contract with Restorative Lake Science for 2016.</i></p>
<p>Retention Basin Sampling Program (Groundwater Elevation)</p>	<p>Investigation regarding potential impact of retention basins on groundwater levels.</p>	<p>-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. The 2013 report was received noting minimal impacts. The 2013 report is available on the website for public information. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. Monitoring performed in October 2014 and July 2015. Monthly sampling at two retention basins continues. <i>Current findings show groundwater levels of approximately the same as 2014 levels.</i></p>
<p>Wellhead Protection Program (WHPP)</p>	<p>Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.</p>	<p>-Current Wellhead Protection was approved March, 2001. Staff has met internally to discuss the future needs to update the plan pending grant opportunities. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr &amp; Huber update work currently underway. Wellfield delineation completed. Engineering intern has completed contamination source inventory. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing. <i>Staff is working on annual report summary to MDEQ.</i></p>
<p>Leaf Compost Monitoring Program</p>	<p>Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.</p>	<p>- City Council awarded contract on August 21, 2001 to Soil &amp; Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling</p>

was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts.

National Pollution Discharge Elimination System (NPDES) Permit Implementation      Five year plan to implement the current NPDES stormwater permit.

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. Implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) Permit Implementation      Kalamazoo River Mainstream Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No

Portage River Watershed  
Management Plan

new developments.

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conversation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.

Plan to implement and maintain an  
Illicit Discharge Elimination Program  
(IDEP) Storm Sewer Outfall Testing.

-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections." Program implementation is ongoing. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report will be submitted to MDEQ as part of the annual

Garden Lane Arsenic  
Removal Facility

*Native Prairie Restoration*

report. Next report due in December 2015.

Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. New informational signs are complete and maintenance is ongoing. *Native prairie burn is being planned for 2016.*

Environmental  
Incident/Spill Clean  
Up Notification

Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.

Emergency spill response contract for 2014-15 with Terra Contracting has been renewed. *The number of environmental incident/spill investigations performed in October – 0. Number of environmental cleanups in October – 0.*

Southwest Michigan  
Regional  
Sustainability  
Covenant

Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.

On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.