

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
December 20, 2011**

7:30 p.m. Call to Order.

Invocation: Pastor Greg Wood of the Pathfinder Church of Portage.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of the Regular Meeting Minutes of December 6, 2011.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of December 20, 2011, as presented.

D. Public Hearings:

1. Public Hearing regarding the Rezoning Application #11-01:
 - a. subsequent to the public hearing, consider approving Rezoning Application #11-01 and rezone the 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one family residential to I-2, heavy industry.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

- * 1. Communication from the City Manager recommending that City Council approve:
 - a. a resolution setting a public hearing on the vacation of a portion of West Fork Crossing and a portion of Trade Centre Way, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012;
 - b. a resolution to grant an easement to the Michigan Department of Transportation on city-owned property for the installation of storm drainage improvements, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012;
 - c. a contract amendment to Prein & Newhof, Incorporated, in the amount of \$26,000 to perform final survey services related to the conveyance of Michigan Department of Transportation right-of-way to the City; and authorize the City Manager to execute all documents related to the above on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council approve the Resolution adopting the 2012-2013 Council Mission Statement and Goals and Objectives for the City of Portage as established at the City Council Goal Setting Session on December 9, 2011.
- * 3. Communication from the City Manager recommending that City Council adopt:
 - a. the Proposed 2012 Charges for Documents fee schedule;
 - b. the recommended fee schedules for recreation programs and park facilities for 2012;
 - c. the Resolution for Community Development Fees and
 - d. the 2012 Special Assessment Rate Resolution.
- * 4. Communication from the City Manager recommending that City Council approve the height modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, to allow construction of an architectural entry feature along the west side of the building to a height of 43.5 feet.
- * 5. Communication from the City Manager recommending that City Council adopt the Resolution setting the dates and times for the 2012 March Board of Review sessions.
- * 6. Communication from the City Manager that City Council accept the results of the 2011 Portage Community Survey conducted by the Kercher Center for Social Research at Western Michigan University.

- * 7. Communication from the City Clerk recommending that City Council adopt the Resolution Designating Polling Places and Rate of Compensation for the February 28, 2012 Presidential Primary.
- * 8. Communication from the City Manager regarding the November 2011 Summary Environmental Activity Report – Information Only.
- * 9. Department Monthly Reports.
- * 10. Communication from Mayor recommending that City Council approve the 2012 calendar year appointments to City Council Committees as noted.

G. Communications:

- 1. Communication from local administrative and law enforcement government officials regarding the Consolidated Dispatch Next Steps: Business Plan.
 - a. Communication from the City Manager recommending that City Council support the issuance of a Request for Proposals for development of a business plan for a consolidated dispatch authority funded through a cost sharing arrangement between prospective authority participants on a basis of jurisdictional population.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

- 1. Portage Construction Board of Appeals of April 12, 2010.
- 2. Portage Youth Advisory Committee of October 17, 2011.
- 3. Portage Park Board of November 2, 2011.
- 4. Portage Historic District Commission of November 2, 2011.
- 5. Kalamazoo County Board of Commissioners Regular and Committee of the Whole of November 15, 2011.
- 6. Portage Board of Education Special and Regular of November 21 and Special of November 29, 2011.

J. Ad-Hoc Committee Reports:

K. New Business:

L. Bid Tabulations:

M. Other City Matters:

- 1. Statements of Citizens.
- 2. From City Council and City Manager.
- * 3. Reminder of Meetings:
 - a. Wednesday, December 21, 8:15 a.m., Historic District Commission, Special Study Committee meeting, Conference Room #3.
 - b. Wednesday, December 21, 4:00 p.m., Southwest Michigan First Transformation Agenda Forum, City Council Chambers.
 - c. Wednesday, January 4, 6:30 p.m., Park Board, Stuart Manor.
 - d. Thursday, January 5, 6:30 p.m., Human Services Board, City Hall Room #1.
 - e. Thursday, January 5, 7:00 p.m., Planning Commission, Council Chambers.
 - f. Monday, January 9, 6:30 p.m., Youth Advisory Committee, City Hall Room #1.
 - g. Monday, January 9, 7:00 p.m., Zoning Board of Appeals, Council Chambers.
 - h. Tuesday, January 10, 5:15 p.m., Special Meeting to Interview Board and Commission Applicants.

N. Materials Transmitted of December 2 and 6, 2011.

Adjournment.

CITY COUNCIL MEETING SUMMARY

December 6, 2011

PROCLAMATION

- ◆ Mayor Strazdas issued a Proclamation Recognizing Pfizer Manufacturing, Inc. for its MIOSHA Star designation.

CHECK REGISTER

- ◆ Approved the Check Register of December 6, 2011, as presented.

REPORTS FROM THE ADMINISTRATION

- ◆ Approved up to one-year contract renewals for employee health insurance offered through Blue Care Network-5 (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO-1 and Traditional); a one-year contract for Blue Care Network-10 (HMO) and Blue Cross Blue Shield of Michigan (PPO-2); a two-year contract for Vision Services Plan (VSP); an Amendment of the Department Head and Non-Union Health Management Program (HMP) and Personnel Rules and Regulations, and authorized the City Manager to execute all documents on behalf of the city.
- ◆ Authorized the Mayor and City Clerk to execute a two-year labor agreement between the City of Portage and the United Auto Workers.
- ◆ Referred the communication from the City Manager recommending that City Council accept the amendment to Chapter 14 of the Code of Ordinances by adding Article 8, Section 14-202 through Section 14-213, Pawnbrokers and Secondhand Dealers, for first reading and set a second reading with final adoption for December 20, 2011, back to the Administration for analysis and response consistent with the minutes of this meeting.
- ◆ Approved the third five-year contract renewal with United Water Environmental Services, Incorporated, for the provision of utility management and operation services from March 1, 2012, through February 28, 2017, and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Accepted a three-year pricing agreement from ADP, Inc., to perform payroll services on behalf of the City of Portage at a first-year cost of \$29,970, a second-year cost of \$30,211 and a third-year cost of \$30,730 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Approved the continuation of the service contract with AT&T for analog circuit data line services through November 2014 in the annual amount of \$23,196.
- ◆ Confirmed the City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage.
- ◆ Authorized the matching of \$1,000 in city funds in response to the Kalamazoo County Public Art Commission request for a Gilmore Foundation grant and authorized the City Manager to execute all documents on behalf of the city.
- ◆ Granted the request to transfer ownership of the 2011 Class C Licensed Business with Dance Permit, located at 4261 W. U Avenue, Schoolcraft, MI 49087, Schoolcraft Township, Kalamazoo County, from Schnauzer's Banquet Hall and Catering Service, Inc., to EOA, LLC (Jac's Pizza), and to transfer location (Governmental Unit under MCL 436.1531(1) to 7638 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County and request for New Entertainment Permit.
- ◆ Set a Special Meeting on Tuesday, January 10, 2012, beginning at 5:15 p.m. to interview board and commission applicants.
- ◆ Held a closed session immediately following the regularly scheduled City Council Meeting of December 6, 2011, to discuss an attorney/client communication.
- ◆ Received the communication from the City Manager regarding the Lexington Green Pilot Residential Inspection Program as information only.
- ◆ Received the communication from the City Manager regarding the Local Development Finance Authority Annual Report as information only.

UNFINISHED BUSINESS

- ◆ Adopted Resolution No. 2, reconfirming the sale of excess city property at 7130 South Westnedge Avenue to Jason M. Klein & Associates at a purchase price of \$370,000.

BID TABULATIONS

- ◆ Approved a contract with Border Energy, Inc., for the procurement of natural gas, with the option for three annual renewals, and authorized the City Manager to execute all documents on behalf of the City of Portage.
- ◆ Awarded a 2.5 year contract to Maurers Textile Rental Service, Incorporated, to provide employee uniform rental, maintenance and weekly laundering services in the amount of \$19,477.90 and authorized the City Manager to execute all documents related to the contract and subsequent renewals on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Pearson expressed support for businesses locating in Portage and used the Jac's Pizza example from the agenda to highlight his comment.
- ◆ Councilmember Urban featured the tree-lighting ceremony on Saturday as a fun family event and Councilmember Sackley concurred.
- ◆ Mayor Strazdas expressed his regrets that he could not attend the tree-lighting ceremony as he was in Washington, D.C. However, he compared the National Tree with the Portage tree-lighting ceremony and said Portage looked better. He thanked Parks personnel and the students who entered the essay contest on "Why I Love Portage" for the privilege to light all of the Portage Christmas lights at the tree-lighting ceremony.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.

CITY COUNCIL MEETING MINUTES FROM DECEMBER 6, 2011

DRAFT

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

At the request of Mayor Strazdas, Reverend Scott Oberle of the Portage United Church of Christ gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, James D. Pearson, Edward J. Sackley, Terry R. Urban and Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmember Patricia M. Randall was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATION: Mayor Strazdas issued a Proclamation recognizing Pfizer Manufacturing of Portage for its MIOSHA Star designation.

APPROVAL OF MINUTES: Motion by Reid, seconded by Campbell, to approve the November 15, 2011 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Pearson to read the Consent Agenda. Councilmember Urban asked that Item F.3, Amendment to Chapter 14 of the Code of Ordinances, Pawnbrokers and Secondhand Dealers, be removed from the Consent Agenda. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 6, 2011:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of December 6, 2011. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

* **HEALTH INSURANCE CONTRACT RENEWALS:** Motion by Urban, seconded by Reid, to approve up to one-year contract renewals for employee health insurance offered through Blue Care Network-5 (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO-1 and Traditional); a one-year contract for Blue Care Network-10 (HMO) and Blue Cross Blue Shield of Michigan (PPO-2); a two-year contract for Vision Services Plan (VSP); Amendment of the Department Head and Non-Union Health Management Program (HMP) and Personnel Rules and Regulations, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **PROPOSED TWO-YEAR LABOR AGREEMENT WITH THE UNITED AUTO WORKERS:** Motion by Urban, seconded by Reid, to authorize the Mayor and City Clerk to execute a two-year labor agreement between the City of Portage and the United Auto Workers. Upon a roll call vote, motion carried 6 to 0.

AMENDMENT TO CHAPTER 14 OF THE CODE OF ORDINANCES – PAWNBROKERS AND SECONDHAND DEALERS: Councilmember Urban expressed the concern of whether this ordinance would apply to non-profit organizations that receive second hand goods. Discussion followed and Assistant City Attorney Charlie Bear explained. Discussion followed. He also asked why an internet drop-off store is not included and Mr. Bear indicated that there is a specific act that covers internet drop-off stores.

Councilmember Sackley expressed a concern that there was no advanced discussion of this matter and no support material. He inquired why this ordinance is being proposed at a time when our newspaper is being downsized, reformatted and not delivered every day and businesses are very busy and not in the position to notice the intention of the ordinance, nor have time to provide comment. He commented on the situation as it occurred in Grand Rapids; expressed a concern on the impact on Goodwill Industries; expressed an interest in suspending any further action until a full report is received regarding how the City of Portage arrived at this juncture with regard to this matter; wanted to know “why now” at this time; what is the impact on businesses, business owners and employment in Portage; and, what is the feedback from other cities.

Assistant City Attorney Bear responded to his question regarding the effect of State Law on the matter, expounded on the need for an application and assistance to the Police Department with reference to fencing goods, and explained the state law reference and the imposition of the electronic reporting requirement. Discussion followed. Mr. Sackley specifically asked for outreach by the Administration to Portage businesses that may be affected, indicated no haste is necessary, a desire not to handicap the non-profit organizations nor make it difficult for business to operate in Portage and provide service to our citizens.

Mayor Strazdas summed up by indicating that there is a desire of some Councilmembers to have a distinction in the ordinance between businesses and non-profit entities; that Attorney Brown wants to research the matter further; that City Council would like feedback with regard to the impact on local businesses and a determination of what was the genesis of the ordinance. Also, City Council requested what other cities have something similar to this ordinance; how does this compare with state statute from legal Counsel; and can there be an effort to provide outreach to Portage businesses as this could have an impact on their business. He asked whether there were any further concerns of City Council and Mayor Pro Tem Reid pointed out that there is a cost to the business as there is an annual \$50 fee and an application process that is required annually as additional requirements of the businesses. She also wanted to know how businesses are currently meeting the state requirement because she did not realize there was a state requirement from reading this item. Specifically, she asked are most businesses doing this on paper; or, how many businesses are doing it electronically.

Pearson said his first reaction was that there is more burden and more fees for these businesses, so he concurred that City Council does need more background information. Discussion followed.

Motion by Sackley, seconded by Urban, to refer the communication from the City Manager recommending that City Council accept the amendment to Chapter 14 of the Code of Ordinances by adding Article 8, Section 14-202 through Section 14-213, Pawnbrokers and Secondhand Dealers, for first reading and set a second reading with final adoption for December 20, 2011, back to Administration for analysis and response consistent with the minutes of this meeting. Discussion followed. Councilmember Sackley indicated that he had absolute full support for law enforcement and for providing tools available to assist law enforcement and community members to recover stolen property and to prevent the operation of illegal businesses fencing goods in the community. He further expressed the need to understand the cost and impact on legitimate business and legitimate citizens who are trying to use these services before we take further steps. Upon a roll call vote, motion carried 6 to 0.

*** UNITED WATER ENVIRONMENTAL SERVICES, INCORPORATED – CONTRACT RENEWAL:** Motion by Urban, seconded by Reid, to approve the third five-year contract renewal with United Water Environmental Services, Incorporated, for the provision of utility management and operation services from March 1, 2012, through February 28, 2017, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **ADP PAYROLL SERVICES PRICING – AGREEMENT RENEWAL:** Motion by Urban, seconded by Reid, to accept a three-year pricing agreement from ADP, Inc., to perform payroll services on behalf of the City of Portage at a first-year cost of \$29,970, a second-year cost of \$30,211 and a third-year cost of \$30,730 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 6 to 0.

* **AT&T FOR ANALOG CIRCUIT DATA LINE SERVICES AGREEMENT:** Motion by Urban, seconded by Reid, to approve the continuation of the service contract with AT&T for analog circuit data line services through November 2014 in the annual amount of \$23,196. Upon a roll call vote, motion carried 6 to 0.

* **LOCAL DEVELOPMENT FINANCE AUTHORITY APPOINTMENTS:** Motion by Urban, seconded by Reid, to confirm the City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage. Upon a roll call vote, motion carried 6 to 0.

* **KALAMAZOO COUNTY PUBLIC ART COMMISSION REQUEST:** Motion by Urban, seconded by Reid, to authorize the matching of \$1,000 in city funds in response to the Kalamazoo County Public Art Commission request for a Gilmore Foundation grant and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **TRANSFER OWNERSHIP OF THE 2011 CLASS C LICENSED BUSINESS WITH DANCE PERMIT (JAC'S PIZZA):** Motion by Urban, seconded by Reid, to grant the request to transfer ownership of the 2011 Class C Licensed Business with Dance Permit, located at 4261 W. U Avenue, Schoolcraft, MI 49087, Schoolcraft Township, Kalamazoo County, from Schnauzer's Banquet Hall and Catering Service, Inc., to EOA, LLC (Jac's Pizza), and to transfer location (Governmental Unit under MCL 436.1531(1) to 7638 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County and request for New Entertainment Permit. Upon a roll call vote, motion carried 6 to 0.

* **SPECIAL MEETING WITH BOARD AND COMMISSION APPLICANTS:** Motion by Urban, seconded by Reid, to set a Special Meeting on Tuesday, January 10, 2012, beginning at 5:15 p.m. to interview board and commission applicants. Upon a roll call vote, motion carried 6 to 0.

* **CLOSED SESSION:** Motion by Urban, seconded by Reid, to hold a closed session immediately following the regularly scheduled City Council Meeting of December 6, 2011, to discuss an attorney/client communication. Upon a roll call vote, motion carried 6 to 0.

* **LEXINGTON GREEN PILOT RESIDENTIAL INSPECTION PROGRAM – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Lexington Green Pilot Residential Inspection Program as information only. Upon a roll call vote, motion carried 6 to 0.

* **LOCAL DEVELOPMENT FINANCE AUTHORITY ANNUAL REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Local Development Finance Authority Annual Report as information only. Upon a roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

* **SALE OF EXCESS CITY-OWNED PROPERTY, 7130 SOUTH WESTNEDGE AVENUE FINAL ACTION:** Motion by Urban, seconded by Reid, to adopt Resolution No. 2, reconfirming the sale of excess city property at 7130 South Westnedge Avenue to Jason M. Klein & Associates at a purchase price of \$370,000. Upon a roll call vote, motion carried 6 to 0.

MINUTES OF BOARDS AND COMMISSIONS: City Council received the minutes of the following Boards and Commissions:

- Portage Zoning Board of Appeals of October 10, 2011.
- Portage Board of Education Special and Regular of October 24, Policy Governance of October 26 and Special and Committee of the Whole Work Session of November 7, 2011.
- Portage Environmental Board of October 12, 2011.
- Portage Planning Commission of October 20, 2011.
- Kalamazoo County Board of Commissioners Regular and Committee of the Whole of November 1, 2011.
- Portage Human Services Board of November 3, 2011.

BID TABULATIONS:

* **NATURAL GAS – ALTERNATE GAS SUPPLIER (AGS):** Motion by Urban, seconded by Reid, to approve a contract with Border Energy, Inc., for the procurement of natural gas, with the option for three annual renewals, and authorize the City Manager to execute all documents on behalf of the City of Portage. Upon a roll call vote, motion carried 6 to 0.

* **BID TABULATION & RECOMMENDATION – EMPLOYEE UNIFORMS:** Motion by Urban, seconded by Reid, to award a 2.5 year contract to Maurers Textile Rental Service, Incorporated, to provide employee uniform rental, maintenance and weekly laundering services in the amount of \$19,477.90 and authorize the City Manager to execute all documents related to the contract and subsequent renewals on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

RECESS TO GO INTO CLOSED SESSION: 8:10 p.m.
RECONVENE: 9:19 p.m.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Pearson expressed support for businesses locating in Portage and used the Jac's Pizza example from the agenda to highlight his comment.

Councilmember Urban featured the tree-lighting ceremony on Saturday as a fun family event and Councilmember Sackley concurred.

Mayor Strazdas expressed his regrets that he could not attend the tree-lighting ceremony as he was in Washington, D.C. However, he compared the National Tree with the Portage tree-lighting ceremony and said Portage looked better. He thanked Parks personnel and the students who entered the essay contest on "Why I Love Portage" for the privilege to light all of the Portage Christmas lights at the tree-lighting ceremony.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:21 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of December 20, 2011 as presented.

Attached please find the Accounts Payable Register for the period November 27, 2011 through December 11, 2011, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

ALL BANK CODE

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/09/2011	278862	A I S CONSTRUCTION EQUIP. CO.	640	1,013.89
12/09/2011	278863	AT&T	849	1,688.53
12/09/2011	278864	AT&T	849	49.50
12/09/2011	278865	A T & T LONG DISTANCE	4060	7.74
12/09/2011	278866	A-1 SIGNS	2873	77.52
12/09/2011	278867	ACE PARKING LOT STRIPING, INC.	459	300.00
12/09/2011	278868	AGRO SALES NORTH LLC	3943	16.23
12/09/2011	278869	ALL-PHASE ELECTRIC SUPPLY CO.	108	1,102.06
12/09/2011	278870	ALL-TRONICS, INC.	109	81.00
12/09/2011	278871	ALLEGRA PRINT & IMAGING	533	2,547.53
12/09/2011	278872	J. ALLEN & CO. INC.	67	38,055.90
12/09/2011	278873	ALTA CONSTRUCTION EQUIPMENT LL	4588	393.90
12/09/2011	278874	AMERICAN MESSAGING	3718	655.79
12/09/2011	278875	ANY CUTTING & WELDING	3347	1,973.00
12/09/2011	278876	ARMENIS, MARY	999999	42.00
12/09/2011	278877	ARROW UNIFORM RENTAL	4058	135.45
12/09/2011	278878	ADP, INC.	3305	1,092.50
12/09/2011	278879	BAC TAX SERVICES	999999	4,287.33
12/09/2011	278880	BALKEMA EXCAVATING, INC.	130	2,835.00
12/09/2011	278881	BATES, LOIS	146	42.00
12/09/2011	278882	BILL'S LOCK SHOP, INC.	1123	125.00
12/09/2011	278883	BITTERSWEET ACRES	999999	200.00
12/09/2011	278884	BLINK, EVE	999999	127.00
12/09/2011	278885	BOOTH NEWSPAPERS INC	89	922.93
12/09/2011	278886	BORGESS HEALTH ALLIANCE	151	601.00
12/09/2011	278887	BRIDGEPORT EQUIPMENT CO.	4499	45.21
12/09/2011	278888	BRINK'S, INC	153	251.06
12/09/2011	278889	BRONSON METHODIST HOSPITAL	156	1,900.00
12/09/2011	278890	BROWN EQUIPMENT CO., INC.	3185	1,259.23
12/09/2011	278891	BYHOLT INC.	68	1,288.03
12/09/2011	278892	C B C INNOVIS INC	2887	47.50
12/09/2011	278893	C D W GOVERNMENT, INC.	2690	1,123.00
12/09/2011	278894	CHARTER COMMUNICATIONS	3080	154.40
12/09/2011	278896	CINTAS CORP.	2206	544.37
12/09/2011	278897	CITY OF KALAMAZOO (TRANS MILLA	4649	1,007.60
12/09/2011	278898	CITY OF KALAMAZOO TREASURER	540	49.85
12/09/2011	278899	CITY OF PORTAGE	177	443.14
12/09/2011	278900	CLARK, STEVEN	532	252.18
12/09/2011	278901	COASTAL TRAINING TECHNOLOGIES	1116	38.23
12/09/2011	278902	COMSTOCK PUBLIC SCHOOLS	1671	19,159.06
12/09/2011	278903	CONSUMERS ENERGY	743	42,418.04
12/09/2011	278904	CONSUMERS ENERGY - KALAMAZOO	190	459.00
12/09/2011	278905	CONSUMERS ENERGY-BILL PMT CNT	189	11.65
12/09/2011	278906	COSTAR REALTY INFORMATION, INC	4620	282.00
12/09/2011	278907	CROSSROADS CAR WASH	195	175.50
12/09/2011	278909	CROSSROADS EXPERT AUTO SERVICE	4109	2,568.36
12/09/2011	278910	DEGRAFF, JOAN	999999	100.00
12/09/2011	278911	DEVON TITLE AGENCY	999999	217.92
12/09/2011	278912	DIVE RESCUE INTERNATIONAL INC	2511	50.00
12/09/2011	278913	DRUG & LABORATORY DISPOSAL INC	4701	911.28
12/09/2011	278914	EMERGENCY VEHICLE PRODUCTS	2948	11,233.46

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/09/2011	278915	ENTENMANN-ROVIN CO.	8	182.00
12/09/2011	278916	FAWLEY OVERHEAD DOOR, INC.	690	94.00
12/09/2011	278917	FIRST DUE FIRE SUPPLY CO.	4422	42,929.92
12/09/2011	278918	FIRST NATL BANK OF AMERICA	999999	196.14
12/09/2011	278919	FLETCHER ENTERPRISES	1399	245.00
12/09/2011	278920	GALL'S, AN ARAMARK COMPANY	25	103.47
12/09/2011	278921	GORDON WATER SYSTEMS	517	184.25
12/09/2011	278922	GOVERNMENT FINANCE OFFICERS AS	42	435.00
12/09/2011	278923	GRAHAM FORESTRY SERVICE, INC.	464	1,440.00
12/09/2011	278924	GREEN, BARBARA	999999	117.00
12/09/2011	278925	HOFFMAN BROTHERS, INC.	1528	11,043.00
12/09/2011	278926	HOME DEPOT	691	144.03
12/09/2011	278927	IAAO	999999	1,020.00
12/09/2011	278928	IERVOLINA, SUSAN	2074	135.00
12/09/2011	278929	INT'L ASSOC OF FINANCIAL	999999	95.00
12/09/2011	278930	INTERSECT TECHNOLOGIES	379	362.00
12/09/2011	278931	THE IRRIGATOR	2047	1,909.75
12/09/2011	278932	J-AD GRAPHICS, INC	4444	2,345.00
12/09/2011	278933	JONS TO GO PORTABLE RESTROOM	3201	431.25
12/09/2011	278934	KALAMAZOO COUNTY ROAD COMMISS	87	1,632.57
12/09/2011	278935	KALAMAZOO COUNTY TREASURER	514	532.50
12/09/2011	278936	KAMMINGA & RODVOETS, INC.	4567	144,917.31
12/09/2011	278937	KELLY RADIATOR & AUTO REPAIR	4591	1,110.75
12/09/2011	278938	KENDALL ELECTRIC, INC.	231	1,886.47
12/09/2011	278939	KINGDOM MINDED MINISTRIES	4747	171.00
12/09/2011	278940	KINGSCOTT ASSOCIATES, INC.	3841	5,279.82
12/09/2011	278941	KUIPER BROTHERS MOVING INC.	1066	263.00
12/09/2011	278942	KUIPER BUILDING SERVICES, LLC	4454	3,000.00
12/09/2011	278943	KUSTOM SIGNAL, INC	237	120.00
12/09/2011	278944	KZOO TIRE COMPANY	564	381.00
12/09/2011	278945	LAKE MICHIGAN MAILERS, INC.	682	142.52
12/09/2011	278946	LANGUAGE LINE, INC	1093	70.20
12/09/2011	278947	LAWSON PRODUCTS, INC	240	1,025.05
12/09/2011	278948	LAWSON, ANITA	999999	42.00
12/09/2011	278949	LAWYERS TITLE AGENCY OF MONROE	999999	62.00
12/09/2011	278950	LEDER, LOLA	999999	270.00
12/09/2011	278951	LIROT, KIT	532	41.22
12/09/2011	278952	LONDON LUGGAGE SHOP	3709	25.00
12/09/2011	278953	LSI TITLE AGENCY INC	999999	27.11
12/09/2011	278954	LUKE'S TRUCK SERVICE, INC.	815	53.30
12/09/2011	278955	LYNELL CORP.	244	89.50
12/09/2011	278956	M C D A 2011 CONFERENCE	999999	150.00
12/09/2011	278957	M E R S	3708	100,000.00
12/09/2011	278958	MATER HOME IMPROVEMENT LTD	4559	9,205.00
12/09/2011	278959	MCD	999999	150.00
12/09/2011	278960	MCDONALD'S TOWING & RESCUE, IN	728	959.00
12/09/2011	278961	MCVALLIY ELEVATOR CO.	256	150.49
12/09/2011	278962	MEMARDS, INC	258	281.32
12/09/2011	278963	MI ASSOC. OF CHIEFS OF POLICE	2157	115.00
12/09/2011	278964	MICHIGAN FIRE INSPECTOR'S SOCI	3525	30.00
12/09/2011	278965	MICHIGAN KAL ELECTRONICS, INC.	266	5,718.00

PREPARED 12/13/2011, 9:30:26 A/P CHECKS BY PERIOD AND YEAR
PROGRAM: GM3501 FROM 11/27/2011 TO 12/11/2011
CITY OF PORTAGE

BANK CODE *ALL*

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/09/2011	278966	MICHIGAN OFFICE ENVIRONMENTS	934	1,356.00
12/09/2011	278967	MICHIGAN PAVING & MATERIALS CO	3389	338,243.03
12/09/2011	278968	MID-AMERICA APPRAISAL CO.	3523	250.00
12/09/2011	278969	MIDWEST COMMUNICATION SERVICES	4613	300.00
12/09/2011	278970	MIDWEST ENERGY COOPERATIVE	2030	221.04
12/09/2011	278971	MISS DIG SYSTEM, INC.	279	980.40
12/09/2011	278972	MODERN TILE & CARPET, INC.	280	136.98
12/09/2011	278973	MOORE MEDICAL, LLC	3850	658.51
12/09/2011	278974	MULDERS LANDSCAPE SUPPLIES INC	286	16,832.00
12/09/2011	278975	MUNICIPAL CODE CORPORATION	981	253.38
12/09/2011	278976	NATIONAL LINK	999999	6.77
12/09/2011	278977	NEW FRESH CLEANING SERVICE	4351	5,455.75
12/09/2011	278978	A NEW LEAF	635	85.00
12/09/2011	278981	NEXTEL	1709	2,069.19
12/09/2011	278982	NUDD, ROSE	999999	62.00
12/09/2011	278983	NYE UNIFORMS	299	1,013.65
12/09/2011	278985	OFFICE DEPOT, INC.	1721	1,352.33
12/09/2011	278986	OFFICEMAX INCORPORATED	301	341.83
12/09/2011	278987	ONE WAY PRODUCTS	440	357.00
12/09/2011	278988	OUTERWEARS, INC.	4720	311.16
12/09/2011	278989	PARIS CLEANERS	1794	2,390.23
12/09/2011	278990	PEERLESS, INC.	1171	75.00
12/09/2011	278991	PETERS CONSTRUCTION CO.	1638	31,262.55
12/09/2011	278993	PETTY CASH-CITY HALL	767	699.25
12/09/2011	278994	PETTY CASH-CITY MANAGER	805	229.88
12/09/2011	278995	PETTY CASH-SENIOR CENTER	537	225.95
12/09/2011	278996	POLDERMAN'S FLOWER SHOP	857	46.95
12/09/2011	278997	POLK & COMPANY, R L	4157	830.00
12/09/2011	278998	PORTAGE GLASS & MIRROR	4396	48.53
12/09/2011	278999	THE POSTMAN	2633	1,534.00
12/09/2011	279000	PREMIER PAINTING SPEC & PRES W	4568	970.00
12/09/2011	279001	PRO-FLEET	3209	1,995.00
12/09/2011	279002	QUADRANT II MARKETING, LLC	3139	2,165.74
12/09/2011	279003	QUALITY CYLINDER SERVICE	2891	798.00
12/09/2011	279004	RATHCO SAFETY SUPPLY, INC.	327	1,806.15
12/09/2011	279005	REAL ADVANTAGE LLC	999999	23.27
12/09/2011	279006	REFRIGERATION SERVICES	4527	956.00
12/09/2011	279007	RELIABLE MANAGEMENT SYSTEMS, I	4354	331.00
12/09/2011	279008	RENEWED EARTH, INC.	4686	9,916.66
12/09/2011	279009	RIDGE AUTO NAPA	438	1,456.00
12/09/2011	279010	RIETH-RILEY CONSTRUCTION CO.,	4386	2,900.75
12/09/2011	279011	ROOT SPRING SCRAPER CO.	344	200.00
12/09/2011	279012	RUSTENHOLTZ, JANICE	999999	252.00
12/09/2011	279013	S & T LAWN SERVICE	1372	2,588.00
12/09/2011	279014	SACKLEY, EDWARD	532	350.00
12/09/2011	279015	SANDERSON DEHAAN IRRIGATION	2469	2,200.00
12/09/2011	279016	SEVERANCE ELECTRIC COMPANY, INC	353	950.00
12/09/2011	279017	SIGN ART	1174	6,100.00
12/09/2011	279018	SIGNWRITER & SERIGRAPHICS	2376	225.00
12/09/2011	279019	SIMMONS FORD	2064	67.89
12/09/2011	279020	SKILLQUEST INTERNATIONAL LLC	456	405.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
12/09/2011	279021	SNELLING PERSONNEL SERVICES	2107	1,353.20
12/09/2011	279022	SOUTHWEST MI FIRST	999999	350.00
12/09/2011	279023	SOUTHWEST MI FIRST	999999	350.00
12/09/2011	279024	SOUTHWEST MICHIGAN FIRST	999999	1,050.00
12/09/2011	279025	SOUTHWEST MICHIGAN GOV CONSULT	4484	2,262.50
12/09/2011	279026	SPRINT	3721	1,480.35
12/09/2011	279027	STAP BROS LAWN & LANDSCAPE, INC	366	4,693.00
12/09/2011	279028	STATE INDUSTRIAL PRODUCTS CORP	2010	557.82
12/09/2011	279029	STATE OF MICHIGAN (DOT)	368	29,403.55
12/09/2011	279030	STATE SYSTEMS RADIO, INC	369	6,054.00
12/09/2011	279031	STEENSMA LAWN & POWER EQUIPMEN	3222	393.26
12/09/2011	279032	STRAZDAS, PETER	532	1,259.72
12/09/2011	279033	STURGI'S BANK & TRUST CO	999999	228.15
12/09/2011	279034	SUITS U TAILOR SHOP INC	4237	263.50
12/09/2011	279035	SULLIVAN, BERNARD & JO	999999	10.00
12/09/2011	279036	SUPERIOR EQUIPMENT LLC	1107	678.48
12/09/2011	279037	SWENSON, HULDA	999999	42.00
12/09/2011	279038	T-MOBILE USA INC	3665	29.99
12/09/2011	279039	TAYLOR, JOY	999999	20.00
12/09/2011	279040	TECHNOLOGY SOLUTIONS	4612	127.50
12/09/2011	279041	JOHANNA THOMPSON	4682	1,792.25
12/09/2011	279042	TISHHOUSE ELECTRIC, INC.	2435	2,980.00
12/09/2011	279043	TRACTOR SUPPLY CORP.	2817	747.19
12/09/2011	279044	TRIMRITE TREE SERVICE	2966	3,750.00
12/09/2011	279045	TRUGREEN	390	82.00
12/09/2011	279046	TWIN LAKES NURSERY	4743	2,781.27
12/09/2011	279047	U S POSTMASTER	392	6,000.00
12/09/2011	279048	UNITED PARCEL SERVICE	545	36.00
12/09/2011	279049	VAC WORLD	1694	449.95
12/09/2011	279050	VOGLER, LINDA	999999	42.00
12/09/2011	279051	WARDLAW, KRISTEN	999999	44.00
12/09/2011	279052	WIGHTMAN & ASSOCIATES, INC.	425	1,967.50
12/09/2011	279053	WINDMULLER ELECTRIC, INC.	3061	14,346.79
12/09/2011	279054	WINGFOOT COMMERCIAL TIRE	2613	2,855.92
12/09/2011	279055	XIBIX SYSTEMS, INC.	3436	379.72
12/09/2011	279056	10TH DISTRICT COURT	999999	535.00

DATE RANGE TOTAL * 1,019,357.24 *

PAYMENT NO	VENDOR NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH	BANK CODE
715		ABONMARCHE CONSULTANTS, INC	12/09/2011	1,521.77	072000320000001	0000001	00
716		ADMIRAL LOCK & KEY SERVICE	12/09/2011	35.00	072000320000002	0000001	00
717		ALRO STEEL CORPORATION	12/09/2011	34.65	072000320000003	0000001	00
718		AMERICAN SAFETY & FIRST AID	12/09/2011	278.02	072000320000004	0000001	00
719		ANDRUS TRAVEL, GAIL	12/09/2011	1,979.00	072000320000005	0000001	00
720		ANIMAL REMOVAL SERVICE, LLC	12/09/2011	1,525.00	072000320000006	0000001	00
721		BATTERIES PLUS	12/09/2011	51.84	072000320000007	0000001	00
722		BELL EQUIPMENT COMPANY	12/09/2011	7,099.50	072000320000008	0000001	00
723		BRENNER OIL CO.	12/09/2011	19,363.06	072000320000009	0000001	00
724		CAPITAL ADVANTAGE LEASING	12/09/2011	22,099.85	072000320000010	0000001	00
725		CARRIER & GABLE	12/09/2011	784.00	072000320000011	0000001	00
726		CONTINENTAL LINEN SUPPLY CO.	12/09/2011	83.20	072000320000012	0000001	00
727		EMERALD CAR CLEANERS, LLC	12/09/2011	750.00	072000320000013	0000001	00
728		EMPLOYMENT GROUP, INC.	12/09/2011	2,922.15	072000320000014	0000001	00
729		ENGINEERED PROTECTION SYSTEMS, INC.	12/09/2011	478.50	072000320000015	0000001	00
730		GRAINGER INC, W W	12/09/2011	373.12	072000320000016	0000001	00
731		HI-TECH ELECTRIC CO.	12/09/2011	2,871.79	072000320000017	0000001	00
732		INDUSCO SUPPLY CO., INC.	12/09/2011	324.14	072000320000018	0000001	00
733		INTERNAL - CITY OF PORTAGE	12/09/2011	237.85	072000320000019	0000001	00
734		IRISH AYRES ENTERPRISES, LLC	12/09/2011	1,385.00	072000320000020	0000001	00
735		J B PRINTING COMPANY	12/09/2011	3,054.00	072000320000021	0000001	00
736		KEHOE EDWARD J	12/09/2011	595.00	072000320000022	0000001	00
737		MICROSYSTEMS, INC.	12/09/2011	3,183.34	072000320000023	0000001	00
738		PACIFIC TELEMGMT SERVS, JAROTH INC	12/09/2011	303.00	072000320000024	0000001	00
739		PRECISION PRINTER SERVICES INC	12/09/2011	437.60	072000320000025	0000001	00
740		PREIN & NEWHOF	12/09/2011	3,605.00	072000320000026	0000001	00
741		QUALITY AIR HEATING & COOLING, INC.	12/09/2011	832.33	072000320000027	0000001	00
742		ROAD EQUIPMENT PARTS CENTER	12/09/2011	635.25	072000320000028	0000001	00
743		ROE-COMM, INC.	12/09/2011	73.75	072000320000029	0000001	00
744		S B F/CORONA GRAPHICS	12/09/2011	1,591.92	072000320000030	0000001	00
745		SAFETY SERVICES, INCORPORATED	12/09/2011	1,403.01	072000320000031	0000001	00
746		SNELL, DEBRA	12/09/2011	281.00	072000320000032	0000001	00
747		THOMPSON, HELENE	12/09/2011	399.00	072000320000033	0000001	00
748		U S SIGNAL COMPANY, LLC	12/09/2011	549.00	072000320000034	0000001	00
749		UNITED PETROLEUM	12/09/2011	143.50	072000320000035	0000001	00
750		360 SERVICES, INC.	12/09/2011	2,326.30	072000320000036	0000001	00

GRAND TOTAL:

83,610.44 NO. OF CHECKS: 36

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: November 4, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof)

ACTION RECOMMENDED: That City Council:

- a. accept Rezoning Application #11-01 for first reading and set a public hearing for December 20, 2011; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-01 and rezone the 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one-family residential to I-2, heavy industry.

An application has been received from Mr. Stewart Mills, on behalf of 1901 Romence LLC, requesting that a portion of 1901 Romence Road be rezoned from R-1B, one-family residential to I-2, heavy industry. The rezoning site represents an approximate 1.3 acre "island" of property that is located within the interior portion of a larger 34-acre parcel that is surrounded by I-2 zoning. Based on review of city records, this R-1B zoned area is a remnant from past zoning changes and parcel reconfigurations, and the vacation of a portion of Gertrude Drive during the 1970s/1980s.

In a report dated October 14, 2011, the Department of Community Development recommended that the 1.3 acre area be rezoned from R-1B, one-family residential to I-2, heavy industry. This zoning change recommendation is consistent with the surrounding I-2 zoning pattern and will eliminate potential future development restrictions and limitations on the parcel.

The Planning Commission convened a public hearing during the October 6th and 20th, 2011 meetings. After considering the proposed rezoning and public comments, the Commission voted 7-0 to recommend to City Council that Rezoning Application #11-01 be approved and the 1.3 acre area of the 1901 Romence Road Parkway parcel be rezoned from R-1B, one-family residential to I-2, heavy industry.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: November 4, 2011

FROM: Vicki Georgeau, ^{VG} Director of Community Development

SUBJECT: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof)

An application has been received from Mr. Stewart Mills, on behalf of 1901 Romence LLC, requesting that a portion of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry. The rezoning site represents an approximate 1.3 acre "island" of property that is located within the interior portion of the larger 34-acre parcel and is surrounded by I-2 zoning. The applicant is currently renovating the northwest portion of the former Upjohn "Quad" building/site for reuse by the Stryker Corporation and has requested the rezoning to obtain a consistent I-2 zoning pattern across the parcel that will facilitate future development activity.

In a report dated October 14, 2011, the Department of Community Development has recommended that Rezoning Application #11-01 be approved and 1.3 acre area of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry consistent with the surrounding zoning pattern. The proposed zoning change will result in a consistent I-2 zoning pattern for the parcel and will facilitate future development activities without impacting single-family residences located to the west and north. The Future Land Use Map designates the rezoning site and adjacent properties as appropriate for research, development and technology land use. While this designation corresponds more directly with the OTR, office, technology and research zoning district, the I-2, heavy industry district is also somewhat consistent with this designation since many of the I-2 land uses are also permitted in the OTR zone. Currently, none of the properties in this area of the city are zoned OTR.

The Planning Commission convened a public hearing during the October 6th and 20th, 2011 meetings. The applicant, Mr. Stewart Mills, was present to support the rezoning application at both meetings. During the October 6th meeting, one citizen (Frank Peterman, 7521 Curry Drive) spoke in support of the rezoning, while two citizens (Diana Fuller, 6909 Lovers Lane and Antoinette Morrison, 6901 Lovers Lane) spoke in opposition to the rezoning expressing concerns about future heavy industrial development, traffic, loss of woodland and disruption of wildlife. No citizens spoke during the October 20th meeting. After careful consideration, the Commission voted 7-0 to recommend to City Council that Rezoning Application #11-01 be approved and the 1.3 acre area of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry consistent with the surrounding zoning pattern.

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

Attachments: Planning Commission transmittal dated November 4, 2011
Planning Commission Minutes dated October 6th and 20th, 2011
Department of Community Development report dated October 14, 2011
Ordinance Amendments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: November 4, 2011

SUBJECT: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof)

An application has been received from 1901 Romence LLC requesting that an approximate 1.3 acre portion of the larger 34-acre parcel addressed as 1901 Romence Road Parkway be rezoned from R-1B, one-family residential to I-2, heavy industry. This "island" of R-1B zoning is slightly offset from the center of the parcel and is surrounded by I-2 zoning. According to the applicant, the rezoning is requested to obtain a consistent I-2 zoning pattern across the parcel that will facilitate future development activity.

The Planning Commission convened the public hearing during the October 6th and 20th, 2011 meetings. Mr. Stewart Mills, representing 1901 Romence Road LLC, was present at both meetings to support the rezoning request. At the October 6th meeting, one citizen (Frank Peterman, 7521 Curry Drive) spoke in support of the rezoning, while two citizens (Diana Fuller, 6909 Lovers Lane and Antoinette Morrison, 6901 Lovers Lane) spoke in opposition to the rezoning expressing concerns about future heavy industrial development, traffic, loss of woodland and disruption of wildlife. No citizens spoke during the October 20th meeting.

After a careful consideration, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to recommend to City Council that Rezoning Application #11-01 be approved and the 1.3 acre portion of 1901 Romence Road Parkway be rezoned from R-1B, one-family residential to I-2, heavy industry consistent with the surrounding zoning pattern. The motion was unanimously approved 7-0.

Finally and for City Council information, the Planning Commission will be reviewing existing zoning and land use patterns within this section of Romence Road Parkway in relation to the Future Land Use Plan designation of Research, Development and Technology contained in the 2008 Comprehensive Plan beginning in January 2012.

Sincerely,



James Cheesebro, Chairman
City of Portage Planning Commission

PUBLIC HEARINGS:

1. Special Land Use Permit: Group Child Care Home (Takace), 7185 Venice Drive. Mr. West summarized the staff report dated September 30, 2011 regarding the request by Ms. Ashley Takace to establish a group child care home for up to 12 children. Mr. West stated the applicant is currently operating a family child care home (up to six children) from her residence and would like to expand to a group child care home. Mr. West also discussed the nature of the backyard fencing and referred the Commission to a letter of support from the owners of 7199 Venice Drive, immediately to the south. Ms. Ashley Takace was present to support and explain the application. Ms. Takace stated she has been operating a family child care home for the past year and currently has six children in her care. Ms. Takace indicated the group child care home license would allow her to accept additional children with her mother serving as a second caregiver. Chairman Cheesebro opened the public hearing. No citizens spoke regarding the proposed group child care home. A motion was made by Commissioner Patterson, seconded by Commissioner Reiff, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Pearson, seconded by Commissioner Bosch, to approve the Special Land Use Permit for Ms. Ashley Takace (group child care home), 7185 Venice Drive. The motion was unanimously approved.

2. Preliminary Report: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof). Mr. Forth summarized the preliminary staff report dated September 30, 2011 and the request to rezone an approximate 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one family residential to I-2, heavy industry. Mr. Forth provided a brief history of the property including vacation of the southern portion of Gertrude Drive in 1975 and 1985, residential house removal in the 1970s, previous rezonings and property acquisition and construction of the Quad Building by the former Upjohn Company which helped to explain why this 1.3 acre "island" of R-1B zoning remained. Mr. Forth stated the applicant/property owner was currently in the process of renovating a portion of the Quad Building for the Stryker Corporation and desired a consistent zoning pattern across the property that would facilitate future development activity. Commissioner Welch explained his employment with Stryker Corporation and stated he has no involvement with site operations and can be impartial in the rezoning consideration.

Mr. Stewart Mills, representing 1901 Romence, LLC (applicant/property owner) was present to support the rezoning request. Mr. Mills stated his company purchased the property in 2001 and Pharmacia occupied the Quad Building for a period of time. Mr. Mills indicated the building/site remained vacant for a number of years until recently when Stryker Corporation signed a long-term lease with an option to possibly occupy additional portions of the building. Mr. Mills stated the rezoning request would eliminate the "island" of R-1B zoning that was a remnant from past activities and allow for possible future parking lot expansion to the west. Mr. Mills stated there were currently no plans for construction of an additional building on-site since approximately 300,000 square feet of vacant office space was still available. Commissioner Dargitz asked whether Mr. Mills would consider rezoning the entire property to OTR, office, technology and research since that is what the Future Land Use Plan designates for the area. Mr. Mills stated he hasn't studied the OTR district, but would support a future zoning change of the entire property if office and technology related uses were permitted.

The public hearing was convened by Chairman Cheesebro. Three citizens spoke regarding the proposed rezoning: Diana Fuller (6909 Lovers Lane), Frank Peterman (7521 Curry Drive) and Antoinette Morrison (6901 Lovers Lane). Mr. Peterman spoke in support of the proposed rezoning stating it would "clean-up" the island of R-1B zoning that is surrounded by industrial zoning. Ms. Fuller expressed concerns about future heavy industrial development, traffic, loss of woodland and disruption of wildlife. Ms. Morrison spoke in opposition to the proposed rezoning stating she did not want any parking lot, driveway or industrial building next to her property. Ms. Morrison also stated the written notice she received was confusing and asked for an explanation. Mr. Forth explained the nature of the rezoning request and that only the R-1B zoned "island" of

property that was currently surrounded by industrial zoning was the subject of the request. Mr. Forth indicated the R-1B zoned strip of property located along the northwest portion of the parcel, adjacent Mr. Morrison's property, was not the subject of the rezoning request. Discussion ensued. Mr. Forth indicated he would be glad to meet with Ms. Morrison after the meeting to further explain the request.

There being no further discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to adjourn Rezoning Application#11-01, 1901 Romence Road Parkway (portion thereof), to the October 20, 2011 meeting. The motion was unanimously approved.

PLATS/RESIDENTIAL CONDOS:

None

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 7:40 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services

Mr. Roger Lubs, Jackson Entertainment, LLC, was present to speak in support of the height modification request. Mr. Lubs noted there would be no additional lighting on the expanded building and that construction is expected to begin after the Thanksgiving Holiday and conclude in April 2012.

Chairman Cheesebro opened the public hearing. There being no public comment, a motion was offered by Commissioner Welch, seconded by Commissioner Patterson to close the public hearing. The motion was unanimously approved. There being no further discussion, a motion was offered by Commissioner Bosch, seconded by Commissioner Patterson, that the Planning Commission recommend to City Council approval of the height modification request by Jackson Entertainment, LLC, to increase the height of the northeast portion of the building from 30-feet up to a height of 43-feet. The Commission concluded any potential impacts associated with the height increase would be minimal since 1) the subject building area represents less than 10% of the total building footprint; 2) substantial setback distances exist between the adjacent residential neighborhood and proposed building expansion; 3) an existing masonry wall and mature (large) trees already exist to the south that is an effective screen; and 4) the Consumers Energy property to the south provides an additional buffer area physically separating the residential neighborhood from Celebration Cinema. The motion was unanimously approved.

2. Final Report: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof).
Mr. Forth summarized the final staff report dated October 14, 2011 and the request to rezone an approximate 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one family residential to I-2, heavy industry. Mr. Forth also summarized the public comment received during the October 6, 2011 Planning Commission meeting and stated that staff is recommending the rezoning application be approved as submitted.

Commissioner Dargitz suggested the Commission consider rezoning the entire approximate 34 acres to OTR, office, technology and research consistent with the Comprehensive Plan designation. Attorney Brown and Mr. Forth explained that rezoning the entire 34 acres would require a new rezoning application and public hearing process. Mr. Forth indicated that if the Commission wants to consider rezoning the entire 34 acres to OTR, then the Commission may want to review the entire corridor. This review could occur during the update of the Comprehensive Plan scheduled to begin in FY2012-2013 or could be added to the Planning Commission work program. Mr. Forth suggested this rezoning application move forward so the concerns of the applicant involving future parking needs are addressed and the Commission review the Romence Road Parkway corridor between Lovers Lane and Portage Road at a later date. The Commission discussed both options and the consensus was to act on the applicant's request and review the Romence Road Parkway corridor at a later date. Commissioners Patterson and Welch suggested review of the corridor be added to the work program. Commissioner Welch indicated he is an employee of the future Quad building tenant but is not connected to the project and therefore does not have a conflict of interest.

Mr. Stewart Mills, representing 1901 Romence, LLC (applicant/property owner) was present to support the rezoning request. Mr. Mills stated he is not opposed to the OTR district but would like time to study the district requirements. In response to delaying the current rezoning application, Mr. Mills requested the application move forward to City Council so the existing single-family residential zoning does not impede his ability to negotiate with other potential tenants and expand the parking lot, if needed. No one else was present to support or oppose the rezoning application. There being no further public comment, a motion was offered by Commissioner Bosch, seconded by Commissioner Dargitz to close the public hearing. The motion was unanimously approved. A subsequent motion was offered by Commissioner Patterson, seconded by Commissioner Bosch to recommend to City Council that Rezoning Application #11-01 be approved and the 1.3 acre portion of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry consistent with the surrounding zoning pattern. Commissioner Dargitz stated she would support the motion if the parcel

were part of the larger corridor study included in the 2012 work program. The motion was unanimously approved.

OLD BUSINESS:

None

NEW BUSINESS:

1. 2011-2012 City Council Assigned Goals and Objectives Update. Mr. Forth explained that in November of every year City Council requests an update of the current fiscal year assigned goals and objectives. Mr. Forth briefly summarized the update. After a brief discussion, a motion was offered by Commissioner Welch, seconded by Commissioner Bosch, that the Planning Commission transmit to City Council the November 2011 Goals and Objectives update. The motion was unanimously approved.

STATEMENT OF CITIZENS:

None

ADJOURNMENT:

Commissioner Bosch indicated he did agree that review of the Romence Road Parkway corridor was necessary and asked if a motion was necessary. Mr. Forth indicated that if there is consensus among the Planning Commissioners to move forward with the corridor study, a formal motion would be appropriate. If the Commission supports the motion, information would be assembled by staff and presented to the Commission during a workshop meeting that could be scheduled in January 2012. After a brief discussion, a motion was offered by Commissioner Bosch, seconded by Commissioner Dargitz that the Planning Commission add to the 2011-12 work program review of the Romence Road Parkway corridor. The motion was unanimously approved.

There being no further business to come before the Commission, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services

TO: Planning Commission

DATE: October 14, 2011

FROM: Vicki Georgeau, ^{Vh} Director of Community Development

SUBJECT: Final Report: Rezoning Application #11-01, 1901 Romence Road Parkway (portion thereof)

I. INTRODUCTION:

An application has been received from Mr. Stewart Mills, on behalf of 1901 Romence LLC, requesting that a portion of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry. The rezoning site represents an approximate 1.3 acre "island" of property that is located within the interior portion of the larger (34-acre) 1901 Romence Road Parkway parcel and is surrounded by I-2 zoning. As information for the Commission, 1901 Romence LLC, purchased the subject property in 2001 and is currently renovating the northwest portion of the former Upjohn "Quad" building/site for reuse by Stryker Corporation. According to the applicant, the rezoning is requested to obtain a consistent I-2 zoning pattern across the parcel that will facilitate future development activity.

Applicant	Property Address	Description	Zoning	
			Existing	Proposed
1901 Romence, LLC	1901 Romence Road Parkway (portion thereof)	Parcel 06480-085-E	R-1B	I-2
1.3 acres contained in a larger 34-acre parcel				

II. EXISTING CONDITIONS:

Land Use/Zoning	<p><u>Rezoning Site (1.3 acre):</u> Vacant land zoned R-1B, one family residential. The remaining portion of this larger 34 acre parcel (with the exception of the northwest portion of the property which is also zoned R-1B) is zoned I-2, heavy industry. The approximate eastern ½ of this parcel is occupied by the former Upjohn "Quad" building and associated parking areas.</p> <p><u>West:</u> Single family residences located along the east side of Lovers Lane and zoned R-1B, one family residential.</p> <p><u>North:</u> Across Kromdyke Avenue and adjacent Gertrude Drive/Linneman Avenue, vacant land and single family residences zoned R-1B, one family residential. Vacant land zoned I-1, light industry is also north of the northwest portion of the 1901 Romence Road Parkway, along the east side of Lovers Lane.</p> <p><u>South:</u> Across Romence Road Parkway, vacant land zoned I-2, heavy industry and vacant land and single family residences zoned R-1B, one family residential.</p>
Zoning/Development History	No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan.
Historic District/Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	Romence Road Parkway is designated as a four-lane minor arterial with 10,600 vehicles per day (2008); capacity of 32,500 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	While the Sensitive Land Use Inventory Map does not identify any wetlands and/or floodplains near the rezoning site, a small area of potential wetland area is identified along the extreme northwest corner of the 1901 Romence Road Parkway parcel

III. PUBLIC REVIEW/COMMENT:

The Planning Commission convened a public hearing during the October 6, 2011 meeting. Mr. Stewart Mills, was present to support the rezoning request. Mr. Mills stated the rezoning request would eliminate the remnant or “island” of R-1B zoning and allow for possible future parking lot expansion. Three additional citizens spoke regarding the proposed rezoning: Diana Fuller (6909 Lovers Lane), Frank Peterman (7521 Curry Drive) and Antoinette Morrison (6901 Lovers Lane). Mr. Peterman spoke in support of the rezoning while Ms. Fuller and Ms. Morrison expressed concerns about future industrial development, increased traffic, loss of woodland and disruption of wildlife.

IV. FINAL ANALYSIS:

For Commission information, this R-1B zoning has existed since the comprehensive zoning of the city in 1965, and Gertrude Drive previously extended south of Kromdyke Avenue with single-family residences located on either side. In 1975, the south 269-feet of Gertrude Drive was vacated. In 1985, an additional 306-foot of Gertrude Drive was also vacated. In the 1970s, property was rezoned and single-family residences were removed to accommodate construction of the Upjohn “Quad” building. However, the R-1B zoned “island” of property located within the interior of this larger parcel was retained.

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 Plan Consistency. The Future Land Use Plan Map component of the Comprehensive Plan designates the rezoning site and adjacent properties as appropriate for research, development and technology land use. The Comprehensive Plan envisions uses such as research facilities and centers; pharmaceutical research and production facilities; microelectronics and biotechnology uses; technology or pilot testing facilities; research, design and product development uses; large-scale corporate or professional offices and certain industrial operations within the research, development and technology designation. This plan designation corresponds more directly with the OTR, office, technology and research zoning district. The I-2 district is somewhat consistent with the research, development and technology designation since some, but not all I-2 land uses are permitted in the OTR district. Currently, none of the properties in this area of the city are zoned OTR.

Staff has discussed with the applicant changing the zoning of the larger 1901 Romence Road Parkway parcel from I-2 to OTR. At this time the applicant wishes to proceed with rezoning this small “island” of the parcel to I-2 in the event more parking is needed in the near future to accommodate additional Quad building tenant needs. An off-street parking lot associated with a non-residential use cannot be constructed in a R-1B zoning district. An evaluation of the OTR zoning district can occur as additional development activities are considered or as determined appropriate.

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), may suggest incentives to influence community development and preservation and adjustments to other policies that

influence the use of land for consistency with community development objectives. The proposed I-2 zoning is somewhat consistent with applicable development guidelines (see attached).

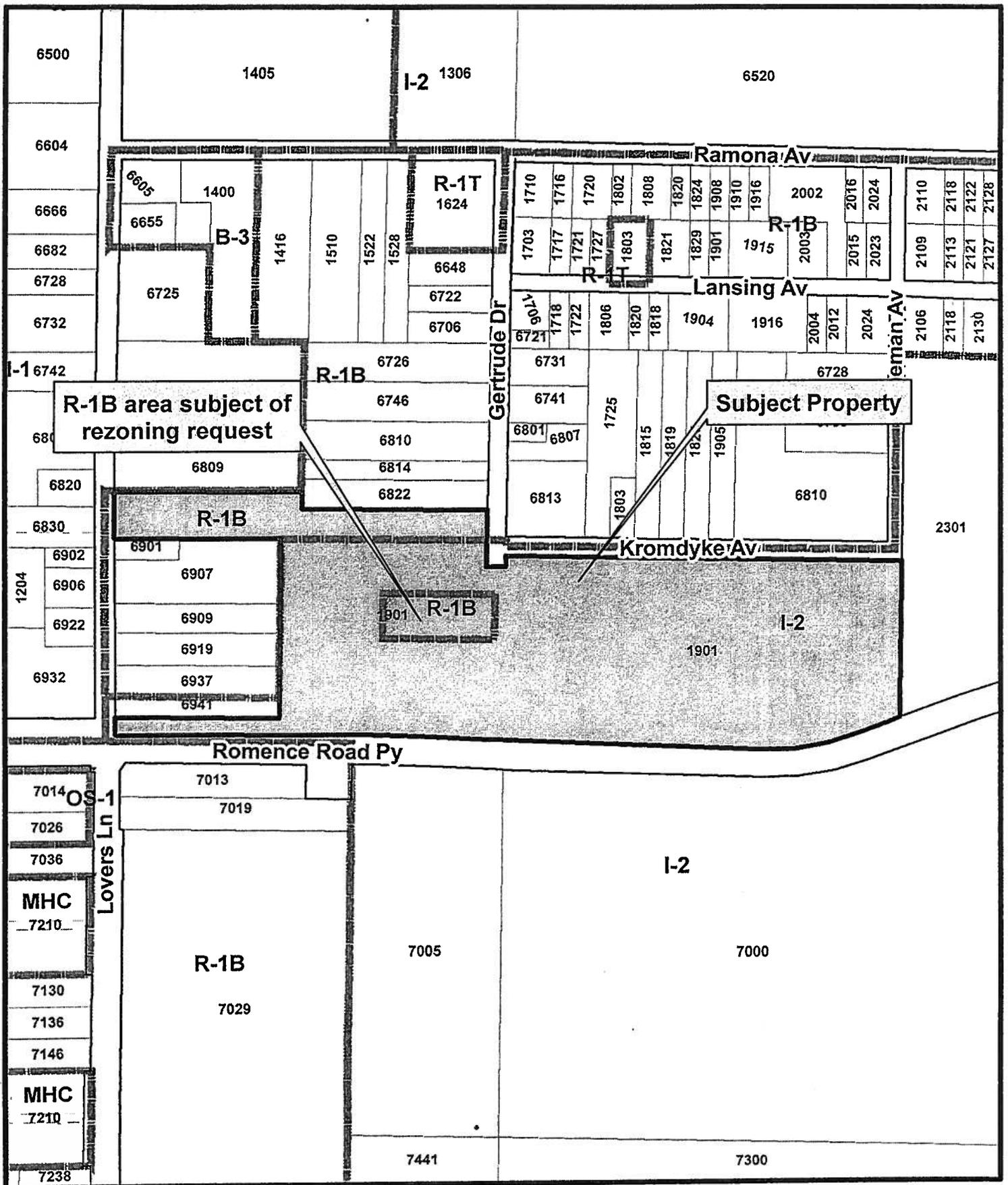
Suitability of Existing R-1B Zone/Impacts of Proposed I-2 Zone. While the larger, surrounding 34-acre portion of this parcel can be further developed as currently zoned (I-2), maintaining a small 1.3 acre vacant "island" of R-1B zoned property slightly offset from the center of 1901 Romence Road Parkway may present future development restrictions and limitations. The zoning change will result in a consistent I-2 zoning pattern for the parcel and will facilitate future development without impacting single family residences located to the west and north. The nearest conforming single-family residential dwelling to the west is approximately 680 feet from the rezoning site and as measured from the nearest property line, the distance is approximately 340 feet. To the north, nearest single-family residential dwelling is approximately 300 feet away from the rezoning site. In addition to the setback distances, the entire area is heavily wooded. Finally, existing R-1B zoning located near the northwest corner of the property and adjacent to the existing single-family residential dwellings will be maintained.

Traffic Considerations. Rezoning this approximate 1.3 acre property will not impact the surrounding roadway network.

V. RECOMMENDATION:

The Planning Commission is advised to recommend to City Council that Rezoning Application #11-01 be approved and the 1.3 acre portion of 1901 Romence Road Parkway be rezoned from R-1B, one family residential to I-2, heavy industry consistent with the surrounding zoning pattern.

Attachments: Zoning/Vicinity Map
Future Land Use Map
Aerial photograph
Development Guidelines Table (I-2 zone)
Rezoning Application



R-1B area subject of rezoning request

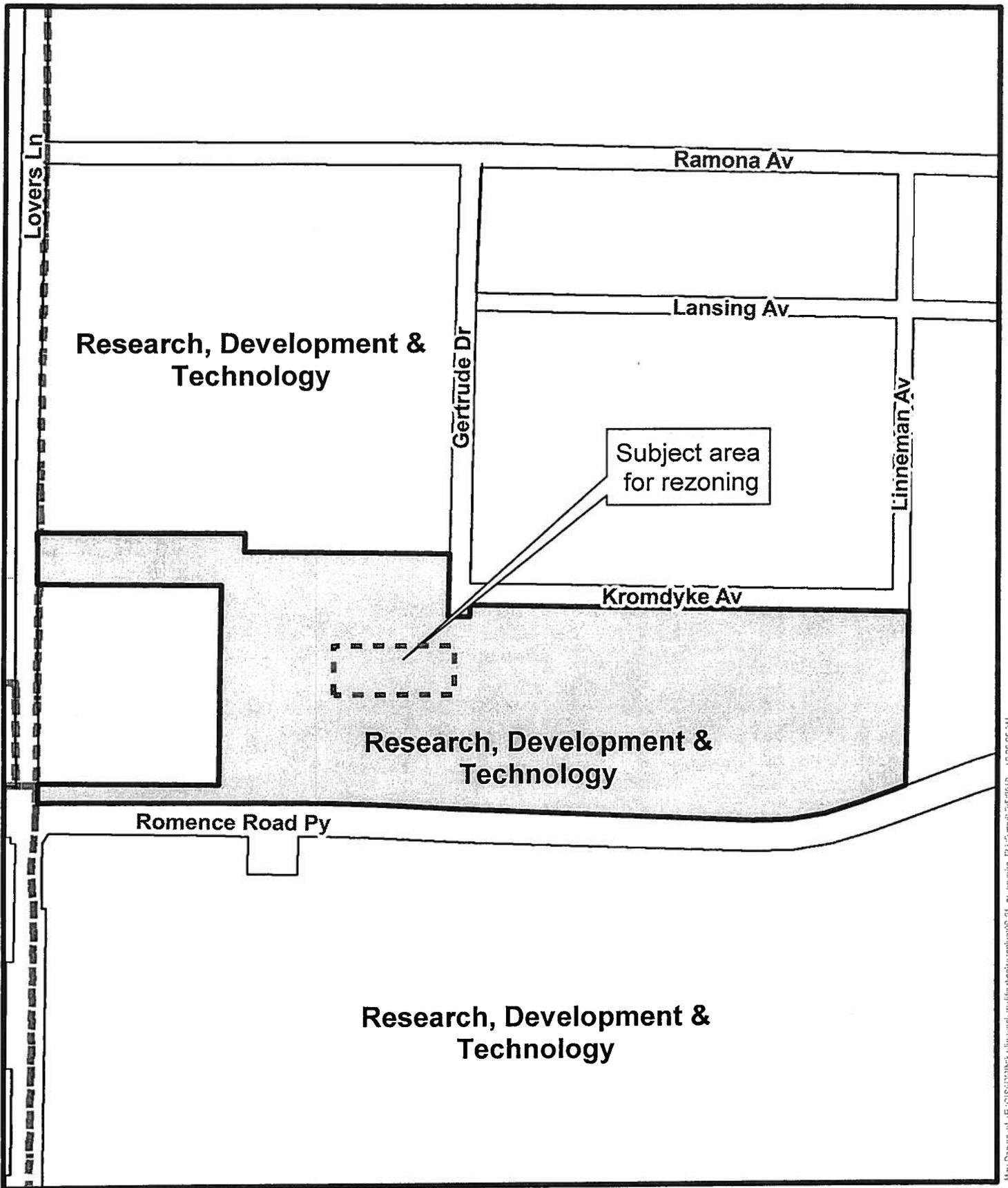
Subject Property

Rezoning #11-01

1901 Romence Road Parkway

 Zoning Boundary
 Subject Property


 1 inch = 433 feet



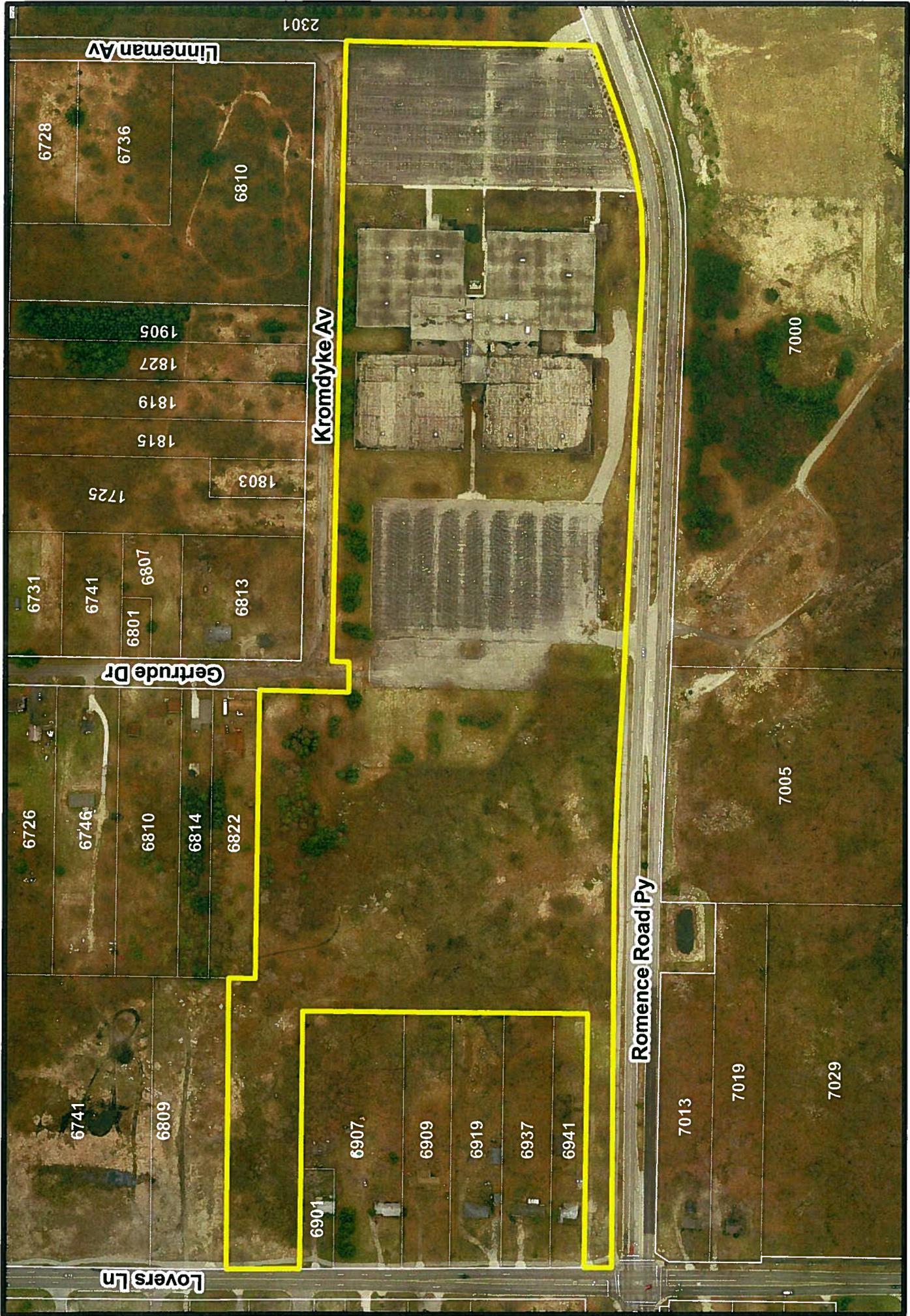
Map Document: F:\GIS\DATA\Mapa_Utility\mapa\abch\c\romence\1901_Romence_Parkway_Future_Land_Use.mxd; 3/26/2019 - 10:26:05 AM



0 150 300 Feet

Future Land Use Map 1901 Romence Road Parkway

	Future Land Use
	Subject Property



Linneman Av

2301

Kromdyke Av

Romence Road Py

Lovers Ln

Aerial Photography 1901 Romence Road Parkway



1 inch = 266 feet

DEVELOPMENT GUIDELINES
Rezoning Application #11-01 (I-2, Heavy Industry)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	See comment	Future Land Use Map designates the rezoning site and adjacent properties as appropriate for research, development and technology land use. While this plan designation corresponds with the OTR, office, technology and research zoning district, many of the uses allowed in the I-2 zone are also allowed in the OTR zone. Currently, none of the properties in this area of the city are zoned OTR.
Industrial – 1	Industrial Uses in General	Yes	Rezoning site is surrounded by I-2 zoning, with additional I-2 zoning located to the east, along Romence Road Parkway, and along Portage Road.
Industrial – 2	Environmental Standards	Yes	Rezoning site is not situated adjacent to residential areas, population concentrations and is outside of wellhead protection zones.
Industrial – 3	Industrial Expansion	Yes	Proposed rezoning would result in a consistent zoning pattern on the parcel and facilitate future development activities and/or expansion.
Natural & Historic Resources - 1	Environmental Protection	Yes	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, etc).
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Rezoning site is currently vacant land and any proposed changes would be reviewed as part of a site plan submittal.
Natural & Historic Resources – 4	Noise	Yes	Rezoning site is currently vacant land and any proposed changes would be reviewed as part of a site plan submittal.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Historic buildings are not present at the rezoning site.
Transportation – 1	Transportation Systems	Yes	Romence Road Parkway is a 4-lane minor arterial with 10,600 vehicles per day (2008); and a capacity of 32,500 vehicles per day (level of service “D”). Rezoning of this approximate 1.3 acre property will not impact the surrounding roadway network.
Transportation – 2	Street Design	Yes	Overall parcel has frontage and existing access from Romence Road Parkway (minor arterial). Any proposed changes would be reviewed as part of a site plan submittal.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Rezoning site is currently vacant land and any proposed changes would be reviewed as part of a site plan submittal.
Transportation – 6	Parking	Yes	Rezoning site is currently vacant land and any proposed changes would be reviewed as part of a site plan submittal
Municipal Facilities & Services – 1	Sound Fiscal Growth	Yes	Existing public infrastructure is adequate to accommodate any future development or expansion project.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Existing facility. Any proposed changes would be reviewed as part of a site plan submittal.

APPLICATION FOR ZONING AMENDMENT

Application number # 11-01

Date August 19, 2011

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).

PLAT OF PORTAGE HEIGHTS
PART OF LOT 87A CONSISTING OF APPROX. 1.29 AC - SEE ATTACHED

2. a. Do you own the property to be rezoned? Yes No _____

b. Name of the owner of the property to be rezoned: 1901 ROMENCE LLC

Address 2500 S. HIGHLAND AVE. #103 LOMBARD, IL 60148

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: ISLAND OF R. 1B WITHIN OUR INDUSTRIAL ZONING. THIS ZONING AMENDMENT WILL MAKE ALL OF OUR PROPERTY THE SAME ZONING AND FACILITATE DEVELOPMENT ACTIVITY

4. CURRENT ZONING: R-1B PROPOSED ZONING: I-2

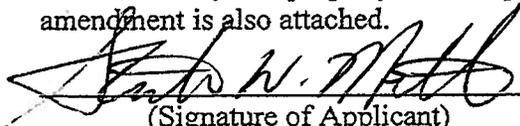
ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

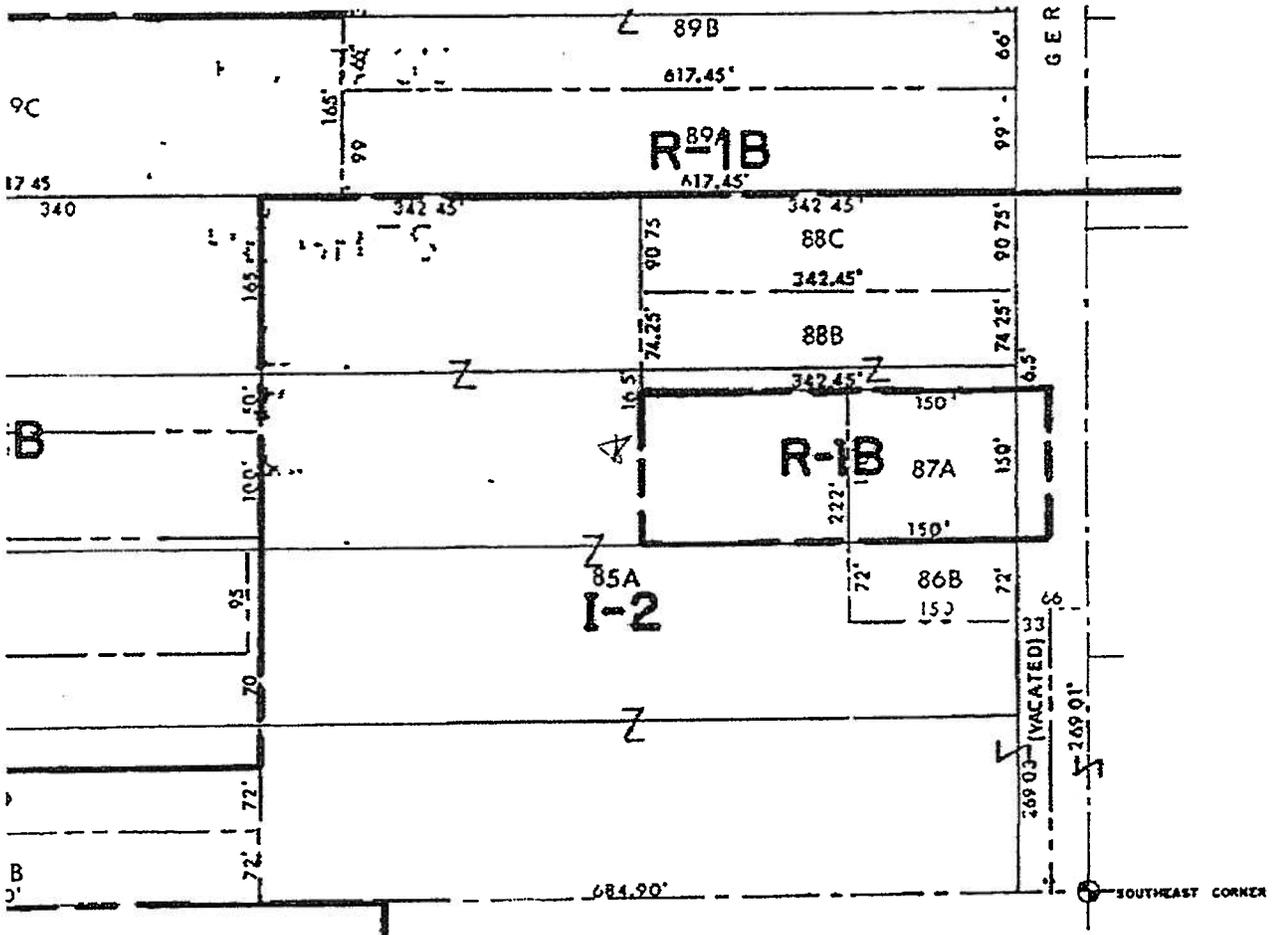
2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

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)	<u>MANAGER 1901 ROMANCE LLC</u> (Signature of Applicant)
<u>2500 S. HIGHLAND AVE #103 LOMBARD, IL 60148</u> (Address)	<u>630.620.8684</u> (Address)
<u>630.620.8684</u> (Phone)	<u>630.620.8684</u> (Phone)

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



ⓧ Plat of Portage Heights,
 The S 150' of the E 342.45' of Lot 87. Also
 the W 33' of Vacated Gertrude Drive, adjacent
 to Lot 87 of said Plat.

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND
ALL OTHER INTERESTED PERSONS.**

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2011, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2011, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Plat of Portage Heights, The S 150' of the E 342.45' of Lot 87. Also, the W 33' of Vacated Gertrude Drive, adjacent to Lot 87 of said Plat. *AA
out*

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1901 Romence Road Parkway (portion thereof)	06480-085-E

From R-1B, one family residential, to I-2, heavy industrial, or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

James R. Hudson, City Clerk

(App #11-01)

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Plat of Portage Heights, The S 150' of the E 342.45' of Lot 87. Also, the W 33' of Vacated Gertrude Drive, adjacent to Lot 87 of said Plat. *Art*

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1901 Romence Road Parkway (portion thereof)	06480-085-E

From R-1B, one family residential, to I-2, heavy industrial.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2011.

James R. Hudson, City Clerk

(App #11-01)

Approved as to Form:
Date: 10/20/11
By: [Signature]
City Attorney

**ADOPTION OF ZONING ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE**

TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND ALL OTHER INTERESTED PERSONS.

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2011, and will become effective _____, 2011.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Plat of Portage Heights, The S 150' of the E 342.45' of Lot 87. Also, the W 33' of Vacated Gertrude Drive, adjacent to Lot 87 of said Plat. 

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1901 Romence Road Parkway (portion thereof)	06480-085-E

From R-1B, one family residential, to I-2, heavy industrial.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

James R. Hudson, City Clerk

(App #11-01)

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 15, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Trade Centre Way Right-of-Way Vacation and Easement Grant

ACTION RECOMMENDED: That City Council approve:

- a. a resolution setting a public hearing on the vacation of a portion of West Fork Crossing and a portion of Trade Centre Way, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012;
- b. a resolution to grant an easement to the Michigan Department of Transportation on city-owned property for the installation of storm drainage improvements, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012;
- c. a contract amendment to Prein & Newhof, Incorporated in the amount of \$26,000 to perform final survey services related to the conveyance of Michigan Department of Transportation right-of-way to the City; and

authorize the City Manager to execute all documents related to the above on behalf of the city.

During the April 26, 2011 City Council Meeting, a redevelopment plan of the West Fork Crossing/Trade Centre Way with the Downtown Development Authority (DDA) area was presented. The project consists of the relocation of the West Fork Crossing/Trade Centre Way intersection, the improvement of the Trade Centre Way/South Westnedge Avenue intersection, and the reconstruction of Trade Centre Way between West Fork Crossing and South Westnedge Avenue. The project is included in the 2011 Amended Development Plan and the 2011 Amended Tax Increment Financing Plan from the DDA. The amended DDA plan was approved by Council on June 28, 2011 along with Resolution #5 of Special Assessment District R-#997 to fund the project. On July 12, 2011, Council approved the Phase III Development Agreement for the redevelopment plan. Contained in Article 2 of the Phase III Development Agreement portion of the amended DDA plan is a provision for the transfer of certain real estate properties in the project area. Specifically, the new West Fork Crossing/Trade Centre Way intersection location

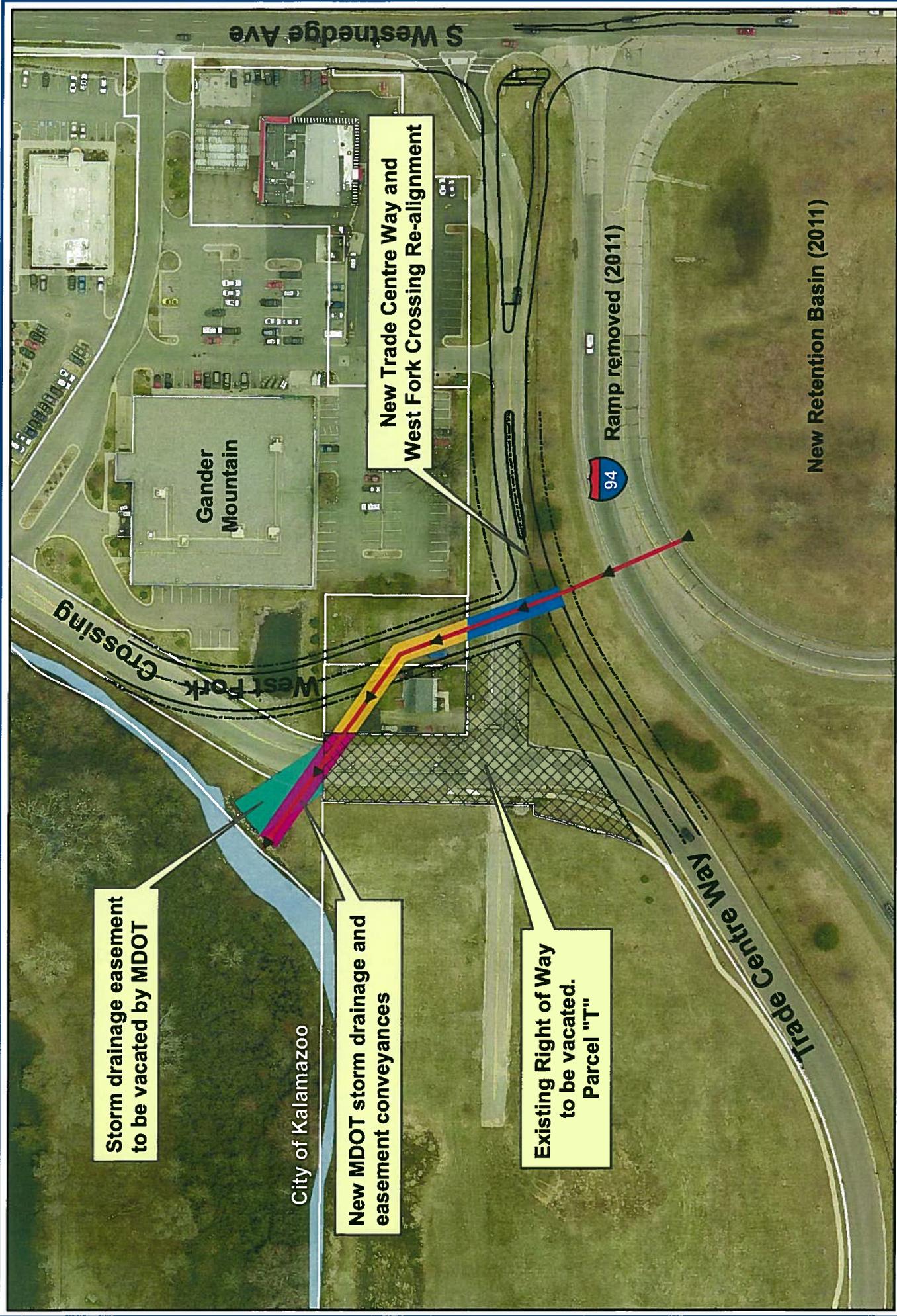
facilitates the vacation of the right-of-way associated with the former intersection location. This vacated right-of-way is shown on the attached map as "Parcel T." Construction of the new intersection is now complete, all utilities have been relocated, and the right-of-way vacation of "Parcel T" is now appropriate. Attached for City Council consideration is a resolution establishing a 28-day period for public notification and the establishment of a public hearing on January 24, 2012 to take final action on this right-of-way vacation.

Additionally, in 2008 as part of the adjacent I-94/South Westnedge Avenue Reconstruction project, City Council granted a storm drainage easement to the Michigan Department of Transportation (MDOT) for the installation of a storm drainage outlet from the I-94 storm water retention basin. The realignment of the West Fork Crossing/Trade Centre Way intersection necessitates the granting of a new storm water drainage easement to MDOT to conform to the new West Fork Crossing/Trade Centre Way intersection location. The new easement is slightly smaller than the previously granted easement and is shown on the attached map. Once the new easement is finalized and recorded, MDOT will vacate the previously granted easement in 2008. Attached for City Council consideration is a Resolution establishing a 28-day period for public notification and a public hearing on January 24, 2012 to take final action on this easement grant.

On February 9, 2010, City Council awarded a contract to Prein & Newhof for design of the West Fork Crossing/Trade Centre Way relocation project. The contract set forth a preliminary scope of property survey services. Through the project design process a new alignment of Trade Centre Way was proposed to utilize MDOT right-of-way formerly used for the I-94/South Westnedge interchange ramps. The new alignment facilitates traffic flow and improves intersection safety at the Trade Centre Way/South Westnedge Avenue intersection. MDOT is able to convey this right-of-way to the city at no cost, but requires that the final survey services, property staking and property legal descriptions of the area be performed by the city. The additional cost to perform these services was anticipated as part of the project budget and included in the adopted special assessment district costs. The cost for these survey services has been submitted by Prein & Newhof and reviewed by city staff. The \$26,000 cost includes all survey field work, drawings, and legal description preparation necessary for the right-of-way transfer from MDOT to the city. The cost has been reviewed and is a fair and reasonable cost for the additional services required.

It is recommended that City Council approve the resolution setting a public hearing on the vacation of a portion of West Fork Crossing and a portion of Trade Centre Way, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012; approve a resolution to grant an easement to the Michigan Department of Transportation on city-owned property for the installation of storm drainage improvements, place the resolution on file with the City Clerk for 28 days and take final action on January 24, 2012; approve a contract amendment to Prein & Newhof, Incorporated in the amount of \$26,000 to perform final survey services related to the conveyance of MDOT right-of-way and authorize the City Manager to execute all documents related to the above on behalf of the city.

Attachments



Storm drainage easement to be vacated by MDOT

New MDOT storm drainage and easement conveyances

Existing Right of Way to be vacated. Parcel "T"

New Trade Centre Way and West Fork Crossing Re-alignment

Ramp removed (2011)

New Retention Basin (2011)



1 inch = 120 feet
Boundaries depicted are approximate.

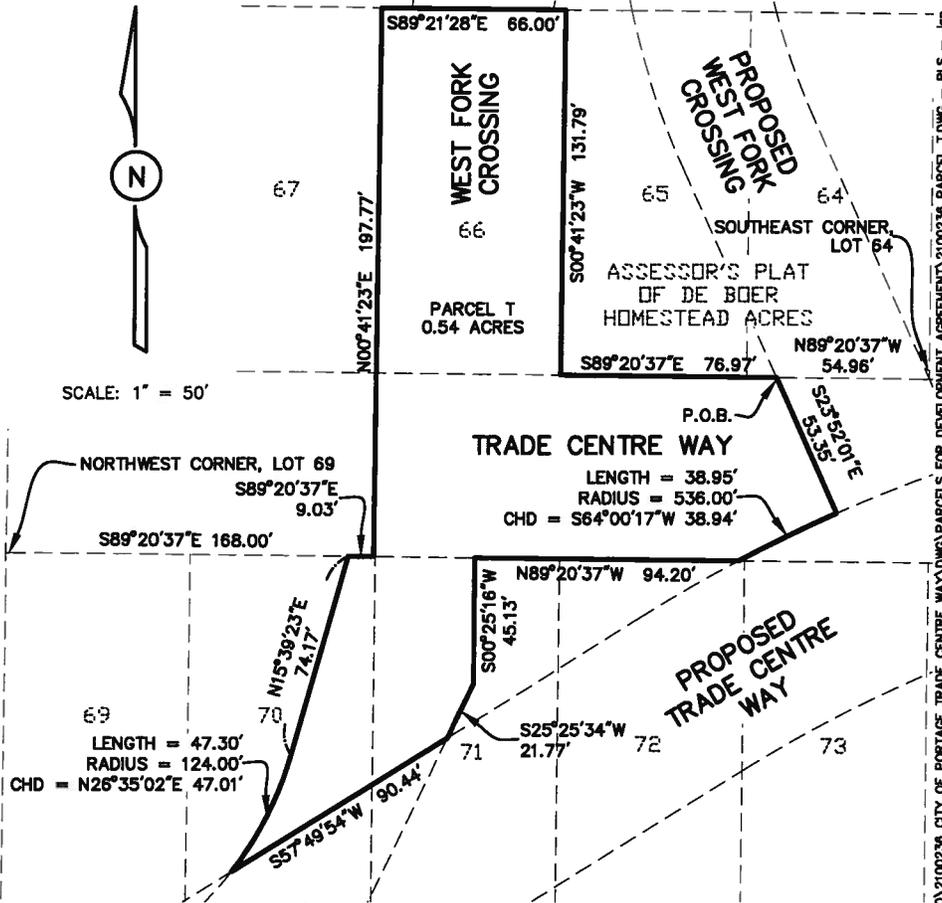
West Fork Crossing I-94 Drainage Easement

- City convey to MDOT
- Public RW
- Hinman convey to MDOT
- Public RW to be abandoned
- Existing Easement to be vacated
- New MDOT storm drainage

PARCEL T SKETCH

Parcel T (Right-of-way to be abandoned)

A parcel of land in Section 4, T. 3 S., R. 11 W., City of Portage, Kalamazoo County, Michigan, described as follows: Commencing at the Southeast corner of Lot 64, Assessor's Plat of DeBoer Homestead Acres, as recorded in Liber 14 of Plats on Page 6, Kalamazoo County Records; thence North $89^{\circ}-20'-37''$ West along the South line of said Lot, 54.96 feet to the place of beginning of the land hereinafter described; thence South $23^{\circ}-52'-01''$ East, 53.35 feet; thence Southwesterly 38.95 feet along a curve to the left with a radius of 536.00 feet and a chord bearing South $64^{\circ}-00'-17''$ West, 38.94 feet to the North line of Lot 72 of said Plat; thence North $89^{\circ}-20'-37''$ West along said North line, 94.20 feet; thence South $00^{\circ}-25'-16''$ West, 45.13 feet; thence South $25^{\circ}-25'-34''$ West, 21.77 feet; thence South $57^{\circ}-49'-54''$ West, 90.44 feet; thence Northeasterly 47.30 feet along a curve to the left with a radius of 124.00 feet and a chord bearing North $26^{\circ}-35'-02''$ East, 47.01 feet; thence North $15^{\circ}-39'-23''$ East, 74.17 feet to a point on the North line of Lot 70 of said Plat, said point being South $89^{\circ}-20'-37''$ East, 168.00 feet from the Northwest corner of Lot 69 of said Plat; thence South $89^{\circ}-20'-37''$ East along the North line of Lot 70 of said Plat, 9.03 feet to the Northeast corner of Lot 70 of said Plat; thence North $00^{\circ}-41'-23''$ East, 197.77 feet to the Northwest corner of Lot 66 of said Plat; thence South $89^{\circ}-21'-28''$ East, 66.00 feet to the Northeast corner of Lot 66 of said Plat; thence South $00^{\circ}-41'-23''$ West, 131.79 feet to the Southeast corner of Lot 66 of said Plat; thence South $89^{\circ}-20'-37''$ East, 76.97 feet to the place of beginning. Containing 0.54 Acres.



Prein & Newhof
 Engineers • Surveyors • Environmental & Soils Laboratory
 7123 STADIUM DRIVE
 KALAMAZOO, MICHIGAN 49009
 PHONE: (269) 372-1158
 JANUARY 18, 2011

T:\CIVIL3D PROJECTS\2010\2100236 CITY OF PORTAGE TRADE CENTRE WAY\DWG\PARCELS FOR DEVELOPMENT AGREEMENT\2100236 PARCEL T.DWG - RLS - Jan. 18 2011

**RESOLUTION NO. 1
CITY OF PORTAGE, MICHIGAN**

**RESOLUTION TO SET A PUBLIC HEARING ON THE VACATION
OF A PORTION OF WEST FORK CROSSING AND A
PORTION OF TRADE CENTRE WAY
IN THE CITY OF PORTAGE, MICHIGAN**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on _____, 20__ at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER:_____ and supported by

COUNCILMEMBER:_____.

WHEREAS, certain property north of Interstate 94 and west of South Westnedge Avenue is contained in the Downtown Development Authority (DDA).

WHEREAS, the intersection of West Fork Crossing and Trade Centre Way has been relocated as part of the Downtown Development Authority (DDA) Phase III development agreement.

WHEREAS, such relocation of the intersection is a desirable improvement to the site.

WHEREAS, the parties to said agreement have agreed that portions of the streets be vacated to allow for more efficient use of the site, more efficient traffic circulation, and mitigation of traffic congestion in the area.

WHEREAS, the request to vacate concerns a portion of West Fork Crossing immediately west of South Westnedge Avenue and a portion of Trade Centre Way immediately north of Interstate 94 in the City of Portage, is described as follows.

A parcel of land in Section 4, T. 3 S., R. 11 W., City of Portage, Kalamazoo County, Michigan, described as follows: Commencing at the Southeast corner of Lot 64, Assessor's Plat of DeBoer Homestead Acres, as recorded in Liber 14 of Plats on Page 6, Kalamazoo County Records; thence North 89°-20'-37" West along the South line of said Lot, 54.96 feet to the place of beginning of the land hereinafter described; thence South 23°-52'-01" East, 53.35 feet; thence Southwesterly 38.95 feet along a curve to the left with a radius of 536.00 feet and a chord bearing South 64°-00'-17" West, 38.94 feet to the North line of Lot 72 of said Plat; thence North 89°-20'-37" West along said North line, 94.20 feet; thence South 00°-25'-16" West, 45.13 feet; thence South 25°-25'-34" West, 21.77 feet; thence South 57°-49'-54" West, 90.44 feet; thence Northeasterly 47.30 feet along a curve to the left with a radius of 124.00 feet and a chord bearing North 26°-35'-02" East, 47.01 feet; thence North 15°-39'-23" East, 74.17 feet to a point on the North line of Lot 70 of said Plat, said point being South 89°-20'-37" East, 168.00 feet from the Northwest corner of Lot 69 of said Plat; thence South 89°-20'-37" East along the North line of Lot 70 of said Plat, 9.03 feet to the Northeast corner of Lot 70 of said Plat; thence North 00°-41'-23" East, 197.77 feet to the Northwest corner of Lot 66 of said Plat; thence South 89°-21'-28" East, 66.00 feet to the Northeast corner of Lot 66 of said Plat; thence South 00°-41'-23" West, 131.79 feet to the Southeast corner of Lot 66 of said Plat; thence South 89°-20'-37" East, 76.97 feet to the place of beginning. Containing 0.54 Acres.

NOW THEREFORE, BE IT RESOLVED that a public hearing be held at 7:30 p.m. on _____, 20___, or as soon thereafter as may be heard before the City Council at City Hall to consider the request and that all persons interested therein may be heard in support of, or against, said proposed vacation.

BE IT FURTHER RESOLVED, that the City Clerk publish a notice in substantially the form attached as Exhibit "A" on or before the ____ day of _____, 20___, giving notice to the public of the City's intent to vacate portions of the above described streets.

BE IT FURTHER RESOLVED that a resolution authorizing this action is on file with the City Clerk and open for public inspection. Said document will be so held for twenty-eight (28) days after the publication of this notice and may be inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. After said twenty-eight (28) day period, the Council may take final action and vacate said portions of said streets.

ADOPTED: _____

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

James R. Hudson, City Clerk

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, Michigan, and that the foregoing resolution was adopted by the City of Portage on the ____ day of _____, 20____.

James R. Hudson, City Clerk

Approved as to form:

Date: 12/14/11
RLJ

City Attorney

EXHIBIT "A"

**CITY OF PORTAGE
NOTICE OF PUBLIC HEARING
TO VACATE A PORTION OF WEST FORK CROSSING AND A PORTION OF TRADE
CENTRE WAY IN THE CITY OF PORTAGE, MICHIGAN**

NOTICE IS HEREBY GIVEN that a decision is pending before the City Council of the City of Portage to vacate a portion of West Fork Crossing and Trade Centre Way, west of South Westnedge Avenue and north of Interstate 94 to provide for more efficient use of land and to mitigate traffic congestion and conflicts for the traveling public in relation to a proposed land use for the area. The portions of the above streets to be vacated are as follows:

A parcel of land in Section 4, T. 3 S., R. 11 W., City of Portage, Kalamazoo County, Michigan, described as follows: Commencing at the Southeast corner of Lot 64, Assessor's Plat of DeBoer Homestead Acres, as recorded in Liber 14 of Plats on Page 6, Kalamazoo County Records; thence North 89°-20'-37" West along the South line of said Lot, 54.96 feet to the place of beginning of the land hereinafter described; thence South 23°-52'-01" East, 53.35 feet; thence Southwesterly 38.95 feet along a curve to the left with a radius of 536.00 feet and a chord bearing South 64°-00'-17" West, 38.94 feet to the North line of Lot 72 of said Plat; thence North 89°-20'-37" West along said North line, 94.20 feet; thence South 00°-25'-16" West, 45.13 feet; thence South 25°-25'-34" West, 21.77 feet; thence South 57°-49'-54" West, 90.44 feet; thence Northeasterly 47.30 feet along a curve to the left with a radius of 124.00 feet and a chord bearing North 26°-35'-02" East, 47.01 feet; thence North 15°-39'-23" East, 74.17 feet to a point on the North line of Lot 70 of said Plat, said point being South 89°-20'-37" East, 168.00 feet from the Northwest corner of Lot 69 of said Plat; thence South 89°-20'-37" East along the North line of Lot 70 of said Plat, 9.03 feet to the Northeast corner of Lot 70 of said Plat; thence North 00°-41'-23" East, 197.77 feet to the Northwest corner of Lot 66 of said Plat; thence South 89°-21'-28" East, 66.00 feet to the Northeast corner of Lot 66 of said Plat; thence South 00°-41'-23" West, 131.79 feet to the Southeast corner of Lot 66 of said Plat; thence South 89°-20'-37" East, 76.97 feet to the place of beginning. Containing 0.54 Acres.

NOTICE IS FURTHER GIVEN that said matter will be considered by the City Council at the City Hall at 7:30 p.m. on the ____ day of _____, 20__, or as soon thereafter as may be heard, and that all persons interested therein may be heard in support of, or against, said matter.

PLEASE TAKE NOTICE that the resolution authorizing this action is on file with the City Clerk and open for public inspection. Said document will be so held for twenty-eight (28) days after the publication of this notice and may be inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m.

local time. After said twenty-eight (28) day period, the Council may take final action and vacate said portions of said streets.

Dated: _____, 20__

James R. Hudson, City Clerk

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**RESOLUTION NO. 1
CITY OF PORTAGE, MICHIGAN**

RESOLUTION OF INTENT TO GRANT HIGHWAY DRAINAGE EASEMENT

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 20____ at 7:30 p.m., local time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following resolution was offered by Councilmember_____and seconded by Councilmember_____.

WHEREAS, the Michigan Department of Transportation (MDOT) requires the installation of storm drainage facilities to adequately drain portions of Interstate 94 and the Interstate 94/South Westnedge Ave interchange.

WHEREAS, MDOT has facilitated the redesign and realignment of their original storm drainage design to account for the new alignment of the Trade Centre Way/West Fork Crossing Intersection.

WHEREAS, granting a new storm Drainage to MDOT will accommodate the storm drainage pipe and appurtances.

BE IT RESOLVED, that the City Council for the City of Portage intends to grant a highway drainage easement to MDOT, 425 W. Ottawa Avenue, Lansing, Michigan as described as follows:

All that part of the following described Tract "A" lying within a parcel described as:
Commencing at the East Quarter corner of Section 4, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, thence North 00°43'22" East along the East line of said Section a distance of 650.59 feet; thence North 89°20'37" West (Platted as North 89°55' West) along the North line of Lots 56, 58, 59, 60, 61, 62, 63, 64, and 65 of the Assessor's Plat of DeBoer Homestead Acres as recorded in Liber 14 of Plats, Page 6, Kalamazoo County Records, a distance 693.00 feet to the Northwest corner of Lot 65; thence continuing North 89°20'37" West along the North line of Lot 66 of said

Plat a distance of 6.68 feet to the Point of beginning; thence South 52°56'03" East a distance of 8.30 feet to the East line of Lot 66 of said Plat; thence South 00°39'23" West along the East line of Lot 66 a distance of 24.85 feet; thence North 52°56'03" West a distance of 124.34 feet; thence North 37°03'57" East a distance of 20.00 feet; thence South 52°56'03" East a distance of 101.29 feet to the point of beginning.

The lands described above in easement for drainage purposes contain 2,339 square feet, more or less.

Tract "A" is described as:

That part of the Northeast 1/4 of Section 4, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as:

Beginning at a point on the North line of Lot 66 of "Assessor's Plat of DeBoer Homestead Acres", a subdivision in said Section 4, that is 5.26 feet South 89°56'33" West of the Northeast corner of said Lot 66; thence Northeasterly 51.39 feet on a 130.00 foot radius curve to the right whose chord bears North 20°48'20" East 51.06 feet; thence North 32°07'50" East 371.57 feet to a point that is 1,803.87 feet South and 482.40 feet West of the Northeast corner of said Section 4; thence West perpendicular to the East line of said Section 4 a distance of 86.14 feet more or less to the centerline of the West branch of Portage Creek; thence Southwesterly on said centerline to the North line of said "Assessor's Plat of DeBoer Homestead Acres"; thence North 89°56'33" East on said North line to the point of beginning.

ALSO, Lot 66 of Assessor's Plat of DeBoer Homestead Acres, according to the Plat thereof recorded in Liber 14 of Plats, Page 6, Kalamazoo County Records

BE IT FURTHER RESOLVED that notice, in substantially the form attached as Exhibit A be published in a newspaper of general circulation within the City of Portage, giving notice of the City's intent to grant the above described easement.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

ADOPTED: _____

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

James R. Hudson, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ___ day of _____, 20___, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 20__.

JAMES R. HUDSON, City Clerk

Approved as to Form
Date: 12/15/11
[Signature]

City Attorney

EXHIBIT A

**CITY OF PORTAGE, MICHIGAN
NOTICE OF INTENTION TO GRANT HIGHWAY DRAINAGE EASEMENT IN THE CITY OF
PORTAGE, MICHIGAN**

PLEASE TAKE NOTICE, that on the ____day of _____, 2011, the City Council for the City of Portage adopted a resolution providing notice of intent to grant a highway drainage easement to install storm drainage facilities to the Michigan Department of Transportation, 425 West Ottawa Avenue, Lansing, Michigan, as described as follows:

All that part of the following described Tract "A" lying within a parcel describes as:

Commencing at the East Quarter corner of Section 4, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, thence North 00°43'22" East along the East line of said Section a distance of 650.59 feet; thence North 89°20'37" West (Platted as North 89°55' West) along the North line of Lots 56, 58, 59, 60, 61, 62, 63, 64, and 65 of the Assessor's Plat of DeBoer Homestead Acres as recorded in Liber 14 of Plats, Page 6, Kalamazoo County Records, a distance 693.00 feet to the Northwest corner of Lot 65; thence continuing North 89°20'37" West along the North line of Lot 66 of said Plat a distance of 6.68 feet to the Point of beginning; thence South 52°56'03" East a distance of 8.30 feet to the East line of Lot 66 of said Plat; thence South 00°39'23" West along the East line of Lot 66 a distance of 24.85 feet; thence North 52°56'03" West a distance of 124.34 feet; thence North 37°03'57" East a distance of 20.00 feet; thence South 52°56'03" East a distance of 101.29 feet to the point of beginning.

The lands described above in easement for drainage purposes contain 2,339 square feet, more or less.

Tract "A": is described as:

That part of the Northeast 1/4 of Section 4, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as:

Beginning at a point on the North line of Lot 66 of "Assessor's Plat of DeBoer Homestead Acres", a subdivision in said Section 4, that is 5.26 feet South 89°56'33" West of the Northeast corner of said Lot 66; thence Northeasterly 51.39 feet on a 130.00 foot radius curve to the right whose chord bears North 20°48'20" East 51.06 feet; thence North 32°07'50" East 371.57 feet to a point that is 1,803.87 feet South and 482.40 feet West of the Northeast corner of said Section 4; thence West perpendicular to the East line of said Section 4 a distance of 86.14 feet more or less to the centerline of the West branch of Portage Creek; thence Southwesterly on said centerline to the North line of said "Assessor's Plat of DeBoer Homestead Acres"; thence North 89°56'33" East on said North line to the point of beginning.

ALSO, Lot 66 of Assessor's Plat of DeBoer Homestead Acres, according to the Plat thereof recorded in Liber 14 of Plats, Page 6, Kalamazoo County Records

PLEASE TAKE FURTHER NOTICE that the resolution authorizing this action is on file with the City Clerk and open for public inspection. Said document will be so held by the City Clerk for twenty-eight (28) days after publication of this notice and may be inspected at the Clerk's Office at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Any person(s) objecting to this grant of easement should make their objection known to the City Council within twenty-eight (28) days of the publication of this notice. After said twenty-eight (28) day period, the City Council may take final action and convey the easement.

Dated: _____, 2011

James R. Hudson, City Clerk

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Fiscal Year 2012-2013 Goals and Objectives

ACTION RECOMMENDED: That City Council approve the Resolution adopting the 2012-2013 Council Mission Statement and Goals and Objectives for the City of Portage as established at the City Council Goal Setting Session on December 9, 2011.

Attached for Council approval is a Resolution adopting the City Council Mission Statement and Goals and Objectives for the 2012-2013 Fiscal Year. These items were affirmed at the Council Goal Setting Session on December 9, 2011. The mission statement and goals and objectives will guide the preparation of the city budget during the coming months.

It is recommended that City Council approve the Resolution adopting the 2012-2013 Fiscal Year Council Mission Statement and Goals and Objectives.

Attachment

**RESOLUTION ADOPTING
2012-2013 COUNCIL MISSION STATEMENT and GOALS & OBJECTIVES
For the CITY OF PORTAGE**

At a regular meeting of the City Council for the City of Portage, Kalamazoo County, Michigan, held at City Hall in said City on the 20th day of December 2011 at 7:30 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____
and seconded by Councilmember _____

WHEREAS, the future prosperity of the City of Portage is dependent upon rational, purposeful, and foresighted leadership and planning; and

WHEREAS, such leadership and planning requires the identification, review, and prioritization of city needs in order that the appropriate resources and activities may be devoted to the fulfillment of said needs; and

WHEREAS, the establishment of goals and objectives based upon the identification, review, and prioritization of city needs provides the framework for the appropriate allocation of resources and directed activities and promotes unity of purpose among the City Council and City Administration;

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council hereby formally adopts the following mission statement, and goals and objectives to serve as a guide for the allocation of resources and the direction of city activities for the 2012-2013 fiscal year:

CITY OF PORTAGE
2012-2013 COUNCIL MISSION STATEMENT and GOALS & OBJECTIVES

Mission Statement of the Portage City Council

To function as the elected body serving the shareholders (all citizens) of the city:

- (1) to ensure the long-term financial health of the city;
- (2) to promote the highest level of quality of life in all aspects for all residents;
- (3) to provide positive leadership for the entire county-wide community in all areas of municipal governance;
- (4) to encourage effective long-term planning in all considerations within Council purview and
- (5) to ensure transparency and access to information.

2012-2013 GOALS & OBJECTIVES

COMMUNITY DEVELOPMENT

Goal: Promote quality of life in Portage.

Objectives:

- Continue prevention and enforcement efforts concerning substance abuse.
- Continue effective community safety programs through prevention, enforcement, and education.
- Ensure decent and safe housing and the livability of community neighborhoods.
- Maintain effective planning and development programs to promote orderly, attractive, and environmentally sound growth.
- Continue a commitment to human services to enhance the desirability of the community.
- Continue to encourage citizen involvement in crime prevention measures – business and residential.
- Maintain a coordinated and innovative approach toward developing park land and providing recreational opportunities.
- Continue planning and implementing programs and projects to enhance the City Centre area.
- Promote aesthetic and cultural enhancement.

ECONOMIC DEVELOPMENT

Goal: Demonstrate a commitment to quality economic growth and development.

Objectives:

- Develop an improvement strategy to ensure the continued strength of the city.
- Promote business diversification.

TRANSPORTATION

Goal: Continue to plan and implement improvements to move people and commerce safely and effectively through the community.

Objectives:

- Implement projects proposed within the major thoroughfare plan.
- Continue to implement operational and functional improvements to improve traffic safety and movement.
- Evaluate and promote alternate modes of transportation.
- Continue appropriate improvement of the local street system.
- Continue to seek alternative approaches and methods to enhance preventive maintenance programs.

CUSTOMER RELATIONS

Goal: Promote excellent customer relations.

Objectives:

- Continue emphasis on courteous public service.
- Continue efforts to enhance communication between local government, citizens, the business community and the local educational institutions on city projects and services.

PUBLIC IMPROVEMENTS

Goal: Continue to improve the infrastructure to meet demonstrated needs.

Objectives:

- Continue to improve the wastewater and stormwater systems.
- Continue to improve the water system.
- Promote underground utilities within the city.
- Continue to expand, update and maintain equipment and facilities to provide for the effective operation of city departments.
- Maintain a systematic preventative maintenance program for city-owned buildings.

QUALITY OF ENVIRONMENT

Goal: Enhance environmental quality and protect natural resources.

Objectives:

- Continue to promote effective recycling plans, the use of recycled/recyclable products, and the responsible disposal of hazardous and solid waste.
- Protect water quality through the continued implementation of water management principles, including surface water, groundwater, and stormwater programs.
- Promote environmental protection, planning, monitoring, and educational programs.

SERVICE DELIVERY

Goal: Continue to provide high quality, effective and cost efficient municipal services.

Objectives:

- Continue to evaluate alternatives to meet increased service demands.
- Promote teamwork and unity of purpose between the public and private sectors.
- Continue to increase efficiency by applying new technology.
- Continue to prioritize existing services--including the elimination of low-priority services.
- Monitor, evaluate, and communicate service delivery options.
- Continue to pursue mutually beneficial intergovernmental ventures.
- Expand employee training and wellness programs and opportunities to ensure a well trained, healthy and motivated work force.
- Improve the utility of citizen advisory boards.
- Evaluate and propose possible Charter and ordinance revisions.
- Continue to evaluate contracting or privatizing city services and programs.

FINANCE AND BUDGETING

Goal: Maintain the financial health of the city.

Objectives:

- Continue to pursue revenue enhancement through alternate funding opportunities.
- Assess financing methods for future capital improvement needs.
- Continue to evaluate expenditures to provide for the most effective and efficient use of city resources.
- Promote volunteerism to assist in providing important services.
- Promote safety and minimize risk exposure by continuing to identify and prevent accident/ liability exposure.
- Consider and implement alternative means of addressing city insurance needs to further enhance financial health of the city.

All Resolutions and part of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

ADOPTED: YEAS:

NAYS:

ABSENT:

James R. Hudson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the 20th day of December 2011, the original of which is in the official proceedings of the City Council.

APPROVED AS TO FORM
DATE 12/12/11
Res

CITY ATTORNEY

James R. Hudson, City Clerk

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: 2012 Fee Schedules

ACTION RECOMMENDED: That City Council adopt:

- a. the Proposed 2012 Charges for Documents fee schedule;
- b. the recommended fee schedules for recreation programs and park facilities for 2012;
- c. the Resolution for Community Development Fees and
- d. the 2012 Special Assessment Rate Resolution.

Service and activity fees have historically been updated and implemented on a calendar year basis. Accordingly, the annual review of fees for various city services and activities, as well as special assessment rates, has been accomplished. Proposed fee modifications for the 2012 calendar year are recommended to facilitate continued service provision and to comply with the Council adopted goal to "Maintain the financial health of the city."

Although "Fees – Transparency and Fairness" was a topic of discussion during the 2011 Council Goal Setting Session, it is believed appropriate that recommended fee modifications for 2012 should be implemented. Results from the "Fees – Transparency and Fairness" review will then be incorporated into the 2013 Fee Schedules. Recommended fee modifications for 2012 are based on service cost considerations and are detailed below.

Charges for Documents Fee Schedule

Fees for document requests are periodically revised to reflect actual costs for providing materials. A review of fees has recently been completed and only minor changes are recommended. **Attachment 1** identifies proposed fee changes, with the majority of fees proposed to remain as currently established. Proposed changes are noted below:

Department of Public Safety – Police Division:

Elimination of the Police Report Facsimile Charge is recommended as technology has made this charge obsolete. Likewise, due to improved technology, the charge for the Visa Clearance / Adoption is proposed to be reduced. The Criminal Record Check is no longer performed by the Department of Public Safety with inception of I-Chat and the ability of the public to obtain this information electronically through the State of Michigan.

Department of Community Development:

In an effort to simplify the fee schedule, consolidation of like items has been accomplished with the proposed 2012 Community Development fee schedule. Specifically, all paper aerial photos, all digital aerial photos and all digital topographic maps have been assigned one fee per category, regardless of the year of mapping requested.

Recreation and Park Facility Fee Schedule

Fee schedules for recreation programs and park facilities are reviewed annually to ensure that programs offered meet public demand in a cost-effective manner. A scholarship program is in place to provide subsidies for disadvantaged youth and ensure program access for most activities. **Attachment 2** identifies proposed Recreation and Park Facility fee changes.

Recreation Programs: Only minor recreation program fee increases are proposed for adult softball league teams in 2012.

Park Facilities: Facility rental fee increases are recommended for softball field reservations and field preparation for softball tournaments, which reflect the actual cost for staff to take and manage the tournament reservations. A damage deposit for groups using park space for major special events is also recommended to discourage abuse of park property during heavy use activities. Finally, a new reservation category and fee is recommended for Wedding Rentals of the Hayloft Theatre. Experience has proven that most wedding parties using the Hayloft Theatre underestimate the time needed to prepare for and clean up after weddings, resulting in use of the facility longer than the reserved period. The proposed Wedding Rental fee allows wedding parties to use the Hayloft Theatre for the entire day, at the daily maximum rate.

Cemetery Fees and Charges

City cemetery fees are reviewed annually to ensure that the General Fund subsidy for this operation remains at or below \$50,000. Fees were last increased in July 2007 and overall fees remain competitive in the area and are adequate to meet the subsidy goal. Therefore, the existing fee structure is reasonable and remains appropriate for services provided and no modifications to the existing city cemetery fees are recommended at this time.

Community Development Fees for Service

The annual review for Community Development service fees has been accomplished to determine if modifications are necessary for the 2012 calendar year. Revenue generated from fees for services such as commercial, office and industrial development applications, plan reviews, permit issuance, building inspections and residential projects including various advisory board applications are necessary to offset the cost of providing these services. The last comprehensive increase involving Community Development fees occurred in 2006. Between 2006 and 2010, minor fee changes were made regarding new wind energy system applications, clarification involving zoning text amendment applications and a small increase in construction base fee. In 2011, three new fees were established: a Planning and Zoning Re-inspection fee; an Active Home Occupation fee, and a Nuisance Abatement fee (the latter two fees were adopted with ordinance amendments). No other changes to Community Development Fees were recommended or adopted during 2011. As a result of the recent annual review, the following modifications to fees are recommended for the 2012 calendar year and are reflected in **Attachment 3**. Two changes are proposed:

1. The sign permit fee for replacements of sign panels on an existing sign, where no structural changes to the sign are proposed, is recommended to be lowered from \$110 to \$55. The amount of staff time necessary to research/review a modification to a previously approved sign structure is generally one-half that of a new permanent sign.
2. Review of a previously approved site plan is proposed to be charged at one-half of the applicable site plan review fee if submitted within 18 months of the initial approval date. Per

the Zoning Code, site plan approvals expire after six months. The 18-month period proposed with the reduced site plan review fee takes into account conditions that may prevent commencement of construction, such as financing, sluggish economic conditions, and other factors that may affect construction. Significant changes to a previously approved site plan would not be typical, and staff time necessary to review a previously approved site plan is generally lower than for a new or significantly modified site plan.

Note: The City Centre Area (CCA) and Commercial Corridor Mixed Use (CCMU) zoning districts that were recently adopted by City Council have been added to the site plan review table.

Public Safety Department Fees

Fire Division: Fire Division fees, including fees for false fire alarms, campfire permits, fireworks permits and follow-up business inspection fees, were last updated in December 2008. These fees have been reviewed and no changes are recommended for the 2012 calendar year.

Police Division: Article 2, Section 78-66 of the Portage City Code allows the city to impose emergency response fees upon individuals who have been adjudicated guilty of any state law pertaining to the act of impaired driving. The fees are based on the cost of the response of public safety personnel to these incidents and were last modified in December 2008. No changes are recommended for these fees for the 2012 calendar year.

Soil Erosion and Sediment Control Permits

Part 91, Soil Erosion and Sediment Control (SESC), of the Natural Resources and Environmental Protection Act, 1994 PA 451 is the State of Michigan law regulating construction activities, including earth changes to ensure that any earth change is accomplished in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation. The City of Portage acts as the local municipal enforcement agency for projects involving earth changes within the city limits. The fee structure is established to cover the cost of permit processing, plan review and site inspection activities. These fees were last modified for the 2010 calendar year. As the current fees are still comparable to other local enforcing agencies and are reasonable for the services provided, no increase is recommended.

Special Assessment Rates

On May 21, 1991, City Council adopted a Special Assessment Policy Resolution which established funding ratios for utility and street construction projects. The policy also provided for periodic review and amendment of special assessment rates by resolution of the Council. Through the practice of special assessment, a share of project costs is charged to property owners receiving the primary benefit of the improvement. The practice of special assessment is a critical component of Portage city financing and has been a primary factor in the continued financial health of the city.

On November 7, 2006, Portage voters approved a street millage proposal which eliminated street special assessments on projects initiated by City Council. Street assessments will still be levied on street projects petitioned by affected and benefiting property owners. Approval of the street millage proposal also eliminated the street reconstruction portion of the special assessment rate for installation of new sanitary sewers. Any street improvement project or sanitary sewer project approved prior to November 7, 2006, whether a special assessment district or an extension district, was not affected by approval of the street millage proposal.

Special assessment rates are updated using a variety of factors: actual construction cost for comparable city projects, national construction cost indexes and applicable construction cost data from the Kalamazoo Builders Exchange, a local clearing house for public and private construction cost information. Each special assessment rate was analyzed separately so that the recommended 2012 rates also properly reflect the City Council policy on property owner cost sharing of needed infrastructure improvements. Due to increasing complexity of city utility projects, the city has experienced not only an increase in material prices, but higher construction labor costs as well. Therefore, an increase of 2.5 percent, matching the national Construction Cost Index is recommended for the 2012 special assessment rates.

Based on the review of service costs and inflationary changes, it is recommended that the Proposed 2012 Charges for Documents fee schedule, the recommended fee schedules for recreation programs and park facilities for 2012, the Resolution for Community Development Fees and the 2012 Special Assessment Rate Resolution be approved as outlined above and in the attached materials.

- Attachments
1. Revised Charges for Documents Fee Schedule
 2. Proposed Recreation Program Fees and Park Facility Rental Fees
 3. Community Development Fees for Service
 4. 2010 Special Assessment Rate Resolution

Attachment 1

**CITY OF PORTAGE
PROPOSED 2012 CHARGES FOR DOCUMENTS**

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CHARGES PER COPY CURRENT	PROPOSED 2012	ONLINE AVAILABILITY
City Manager	Advisory Board Minutes and Agendas Advisory Board Agenda Packets City Maps	No Charge \$4.00/ea. No Charge	Same Same Same	Last Twelve Months Online for Construction Available Online GIS Mapping Service Available Online
Finance	Budget (Paper copy)* Budget CD ROM* Comprehensive Audit (Paper Copy) Comprehensive Audit CD ROM*	\$46.20 Plus Mailing \$5.00 Plus Mailing \$30.00 Plus Mailing \$5.00 Plus Mailing \$50.00 No Charge	Same Plus Mailing Same Same Same Same Same Same Same Same	Available Online Available Online Available Online Available Online
	Full Copy of Electronic Property Tax File Tax Payment Receipts (duplicates requested other than time of payment) Individual Parcel Look-up Online Special Assessment/Tax History on computer (since 2004) Special Assessment/Tax History not on computer (prior to 2004) Utility Bill History Information * Upon Availability	No Charge No Charge \$2.00/year \$5.00	Same Same Same Same	Not Available Online Available Online Available Online Not Available Online Not Available Online
Assessor	Property Appraisal Card/Owner of Record Property Appraisal Card/Non-Property Owner Additional Cards Data Sales Report Annual Database download for Realtors Association	No Charge \$1.00/ first page then \$0.10/pg. \$3.00/pg. \$50.00	Same Same Same Same Same	Not Available Online Not Available Online Not Available Online Not Available Online Not Available Online
Purchasing	Bid Specifications (First copy) Contract Conditions & Specifications Additional Copy	No Charge No Charge \$25.00	Same Same Same	Available Online Available Online

**CITY OF PORTAGE
PROPOSED 2012 CHARGES FOR DOCUMENTS**

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CHARGES PER COPY CURRENT	PROPOSED 2012	ONLINE AVAILABILITY
City Clerk	City Charter	\$6.00	Same	Available Online
	Precinct Maps (Color)	\$6.00	Same	GIS Mapping Service Available Online
	Council Minutes and Agendas	No charge	Same	Last Year & Current Year Available Online
	Council Agenda Packets	\$25.00 Plus Mailing	Same	Last Year & Current Year Available Online
	Qualified Voter Information (plus postage)	\$30.00/hr.	Same	Not Available Online
	Qualified Voter Information-Electronic Copy	Plus \$1.00/CD \$1.00/CD	Same	Not Available Online
	Tax Abatement Application	2% of taxes abated during the term of the tax abatement not to exceed \$1,800.00	Same	Available Online.
Employee Development	Employee Records - If Available to employee or designee			
	1st Copy	No Charge	Same	Not Available Online
	2nd copy To non-employee	\$0.40/pg. \$0.40/pg.	Same Same	
Benefit Services	Employee Records - If Available to employee or designee			
	1st Copy	No Charge	Same	Not Available Online
	2nd copy To non-employee	\$0.40/pg. \$0.40/pg.	Same Same	
Fire	EMS Reports	\$0.40/pg.	Same	Not Available Online
	Environmental Impact Statements	\$2 minimum \$0.40/pg.	Same Same	Not Available Online
	NFIRS Reports	\$2 minimum \$0.40/pg.	Same Same	Not Available Online
Information Technology	Compact Disk	\$2 minimum	Same	Not Available Online
	DVD Productions (copy of)	\$1.00/ea. \$1.50/ea.	Same Same	Not Applicable Not Applicable
	Electronic Data Retrieval Services	\$50.00/hr.	Same	Not Applicable

**CITY OF PORTAGE
PROPOSED 2012 CHARGES FOR DOCUMENTS**

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CHARGES PER COPY CURRENT	PROPOSED 2012	ONLINE AVAILABILITY
Community Development (Maps, plans, tracings, plats, etc.)	PAPER FORMAT - IN COLOR:			
	8 x 11 ("A" size) without Aerial	\$1.00	Same	GIS Mapping Service Available Online
	11 x 17 ("B" size) without Aerial	\$2.00	Same	
	18 x 24 ("C" size) without Aerial	\$3.00	Same	
	24 x 36 ("D" size) without Aerial	\$5.00	Same	
	30 x 30 ("E" size) without Aerial	\$10.00	Same	
	8 x 11 ("A" size) with Aerial	\$2.00	Same	
	11 x 17 ("B" size) with Aerial	\$5.00	Same	
	18 x 24 ("C" size) with Aerial	\$10.00	Same	
	24 x 36 ("D" size) with Aerial	\$20.00	Same	
	30 x 30 ("E" size) with Aerial	\$25.00	Same	
	Building Plan/Site Plan (24x36)*	\$5.00/sheet	Same	Not Available Online
	Planning and Zoning Code with Land Dev. Regulations	\$25.00 Plus Mailing	Same	Available Online
	Zoning Map, Future Land Use Map (11x17)	\$5.00	Same	Available as part of GIS Mapping Service
	Zoning Map, Future Land Use Map (24x36)	\$10.00	Same	Available as part of GIS Mapping Service
	Subdivision and Land Division Regulations	\$5.00	Same	Available Online
	Comprehensive Master Plan	\$40.00 Plus Mailing	Same	Available Online
	Major Thoroughfare Plan	\$7.00 Plus Mailing	Same	Available Online
	Capital Improvement Project (CIP) Packet	\$40.00 Plus Mailing	Same	Available Online
	Property Notification Address List	\$20.00	Same	Not Applicable
CDGB Consolidated Plan	\$10.00 Plus Mailing	Same	Available Online	
CDBG Annual Action Plan	\$5.00 Plus Mailing	Same	Available Online	
Analysis of Impediments to Fair Housing Study	\$10.00 Plus Mailing	Same	Available Online	
DIGITAL FORMAT:				
Digital Aerial Photo of City (one foot pixel resolution)				GIS Mapping Services Available Online
Per Section		\$40.00	Same	
Entire City		\$750.00	Same	
Digital Topographic Maps				GIS Mapping Services Available Online
Per 1/4 Section		\$25.00	Same	
All 36 Sections		\$1,500.00	Same	
Digital (GIS) Map Layers (streets, hydrology, zoning)		\$100/file	Same	GIS Mapping Services Available Online
Digital (GIS) Parcel Map Layer		0.10/parcel	Same	GIS Mapping Services Available Online
Custom Mapping		\$25 min. / \$750 max.	Same	GIS Mapping Services Available Online
Building/Site Plan Plan e-mailed*		\$50.00/hr.	Same	Not Available Online
*Copyright restrictions may apply		\$10/request	Same	

NOTE: The minimum cost for any document not listed above shall be \$1.00 plus \$.10 for each additional page after the first page. For requests involving an excess of 15 minutes of staff time, the charge will be based on the nearest quarter-hour increment after the first quarter hour.

Attachment 2

RECOMMENDED 2012 RECREATION PROGRAM FEE REVISIONS
(Changes indicated in bold)

Activity	2011 Fees	Proposed 2012 Fees
Adult Softball Leagues (13 games)	\$505 / team \$20 / non-resident	\$510 Same
Late Summer Softball Leagues (7 games)	\$375 / team	\$380
Drama Day Camp	\$385 / person	Same
Ice Skating Lessons	\$20 / person	Same
Youth Cross Country Ski Lessons	\$15 / person	Same
Adult Cross Country Ski Lessons	\$20 / person	Same
Downhill Skiing Fee	\$5 / person, \$10 / family	Same
Ramona Park Vehicle Permits	\$5 / resident daily \$10 / non-resident daily \$30 / resident annual \$50 / non-resident annual \$50 daily bus pass	Same Same Same Same Same
The Ice Rink @ Millennium Park	\$4 / person skate fee \$25 / 10 skate discount \$80 / group rental \$3 / skate rental \$3 / skate sharpening	Same Same Same Same Same
Celery Flats Livery Rental Fees (Group Reservations Only)	\$15 / One person kayak \$18 / Two person canoe / kayak	Same Same

RECOMMENDED 2011 PARK FACILITY RENTAL FEE REVISIONS
(Changes indicated in bold)

Park Facility / Activity	2011 Fees	Proposed 2012 Fees
Football & Soccer Fields		
League Play		
Weeknights (2-3 hours)	\$250 / field / season, non-profit \$410 / field / season, for profit	Same Same
Weekends (4-6 hours)	\$385 / field / season, non-profit \$610 / field / season, for profit	Same Same
Weekend Tournaments	\$200 / field / day, non-profit \$310 / field / day, for profit	Same Same
Camps and Clinics	\$75 / field / 4 hours, non-profit \$10 each add'l hour, non-profit \$120 / field / 4 hours, for profit \$20 each add'l hour, for profit	Same Same Same Same
Team Practice Reservation Fee	\$10 per hour, non-profit \$20 per hour, for profit	Same Same
Softball Fields		
Youth League Tournaments	\$50 / field / day, non-profit \$75 / field / day, for profit	Same Same
Deposit	\$100	Same
Adult Softball Tournaments	\$50 / field / day, non-profit \$75 / field / day, for profit	Same Same
Deposit	\$100	Same
Practice Field Reservation	\$3 / 1-½ hour	\$10 / 1-½ hour
Softball Tournament Field Preparation	\$45 / field / day	\$50 / field / day
Independent Leagues	\$380 / field / season	Same

Park Facility / Activity	2011 Fees	Proposed 2012 Fees
Schrier Park Rental		
Parties, Reunions, etc.		
Weekends/Holidays	\$60 / hour, \$385 max.	Same
Monday – Friday	\$45 / hour, \$260 max.	Same
Non-Profit Meetings	\$25 / hour	Same
Damage Deposit	\$100	Same
Picnic Shelter Fee		
Central #1		
Weekends/Holidays	\$110 / day	Same
Monday – Friday	\$70 / day	Same
Lakeview #1 & #2		
Weekends/Holidays	\$100 / day	Same
Monday – Friday	\$70 / day	Same
Ramona #1 & #2		
Weekends/Holidays	\$110/day	Same
Monday – Friday	\$70 / day	Same
Special Event Service Fee		
Special Event Service Fee	\$250 to \$375 / day	Same
Damage Deposit	- none -	\$100
Celery Flats Admission Fees		
General Admission	\$3 / adult; \$2 / child	Same
Booked Tours	\$2.50 / person PPS – \$2.00 / person	Same Same
South Westnedge Skatepark Fees		
Special Event Rental	\$150 per 4 hour period	Same
Celery Flats Rental Fees		
Schoolhouse Classroom Fee	\$50 / day	Same
Damage Deposit	\$50	Same
Gazebo Rental	\$65 / 2 hours \$15 each add'l hour	Same Same
Damage Deposit	\$50	Same
Grain Elevator		
Group Rental	\$125 / 3 hours \$30 each add'l hour	Same Same
Damage Deposit	\$100	Same
Hayloft Theatre *		
Group Rental	\$350 / 5 hours \$50 each add'l hour \$700 daily max.	Same Same Same
Wedding Rental	- none -	\$700
Outside Performance	\$300/night	Same
Damage Deposit	\$100	Same
Stuart Manor *		
Group Rental	\$140 / 3 hours \$30 each add'l hour \$260 daily max.	Same Same Same
Damage Deposit	\$150	Same
Amphitheatre *		
Group Rental	\$140 / 3 hours \$30 each add'l hour	Same Same
Damage Deposit	\$100	Same

Park Facility / Activity	2011 Fees	Proposed 2012 Fees
Overlander Bandshell		
Non-Profit Group	\$140 / 3 hours	Same
	\$40 each add'l hour	Same
Profit-Making Group*	\$115 / 3 hours	Same
	\$40 each add'l hour	Same
	15% gross receipts	Same
Past Sunset	\$30 each add'l hour	Same
Damage Deposit	\$100	Same
Walk / Run Fundraising Events		
0-200 Participants	\$450 / 200 Participants	Same
	\$0.75 each add'l person	Same
Early Set-up	\$100	Same
Additional Staff Charges (per hour)	\$25	Same

**Extra Fees: 15% of gross receipts plus applicable fees for additional staff, special equipment, rehearsals, etc.*

Attachment 3

2011 and 2012 Community Development Fee Comparison Table

PLANNING AND ZONING FEES		
Planning/Zoning Activity	2011 Fee	2012 Fee
Access Management Appeal	\$330 per appeal	No Change
Accessory Buildings	\$275 per application	No Change
Accessory Use – Keeping of Chickens	\$50 per application	No Change
Brownfield Redevelopment Plan or Amendment	\$1,100 per application	No Change
Building Height Modification	\$330 - Planning Commission review \$550 - Planning Commission and City Council review	No Change
Business Special Event	\$110 per application	No Change
Comprehensive Plan	\$825 per amendment	No Change
Home Occupation Permit - Active	\$150 per permit	No Change
Industrial Tax Abatement	2 percent of the total property taxes abated or \$1,800, whichever is less	No Change
Noxious Weeds Abatement	The documented cost of the abatement plus an administrative fee of \$200 per zoning lot	No Change
Nuisance Abatement	Documented cost of the abatement, plus an administrative fee of \$350, plus \$50/hour or fraction thereof of staff to complete the abatement	No Change
Parking Plans	\$165 base fee and \$5 per 500 square feet of parking area	No Change
Planned Development Concept Plan/Tentative Plan	\$825 per plan \$550 per plan if processed concurrent with rezoning application \$220 per conceptual plan if combined with a specific plan less than 10 acres	No Change
Planning and Zoning Site Re-inspection	\$56 per hour (1 hour minimum fee)	No Change
Public Utility Plan (multiple-family residential and single-family residential not otherwise regulated)	\$250 for one utility \$350 for more than one utility	No Change
Sign Permits	\$110 per permanent freestanding sign application \$110 per permanent wall sign application \$55 per temporary or directional sign application	Revised – Lower permanent free-standing or wall sign application for sign panel change to existing sign, where no structural sign modifications are proposed to \$55
Single-family Condominium - Preliminary approval	\$440 plus \$22 per lot	No Change
Single-family Condominium - Final preliminary approval	\$660 plus \$22 per lot	No Change
Single-family Condominium - Final approval	\$660 plus \$38 per lot	No Change
Small on-site wind energy system	\$130 per application	No Change
Special Land Use Permit	\$220 per group daycare home; \$330 for all others	No Change
Street Vacation or Land Sale (excluding city initiated requests for proposals)	\$550 per application not involving an independent appraisal \$825 per application involving an independent appraisal (application fee involving a land sale will be credited if the land sale occurs, less appraisal and publication costs)	No Change
Special meeting of the Planning Commission or Zoning Board of Appeals	\$220 per request	No Change
Zoning Compliance Review	\$50 per general zoning review/day care license \$100 per lot line adjustment \$150 for state license zoning review/annual renewals	No Change

Zoning Change	Map - \$825 for the first acre; then \$75 for each additional acre or fraction thereof Text - \$825 per application	No Change
Zoning Board of Appeals	\$135 for all one-family residential uses \$330 for all others	No Change

Site Plan Review

Use ¹	Zoning District	2011 Fee ²	2012 Fee ³
Multiple Family	R-1T; RM-1; RM-2	\$385 + \$11/dwelling unit	Revised – per footnote 3
Planned Development	PD	\$385 + \$11/dwelling unit \$357 + \$6/100 sq. ft. gross floor area (commercial) exclusive of basement space \$440 + \$6/500 sq. ft. gross floor area (industrial) exclusive of basement space	Revised – per footnote 3
Mobile Home Community	MHC	\$385 + \$11/Mobile Home Unit	Revised – per footnote 3
Commercial	OS-1; OTR; B-1; B-2; B-3; CPD; CCA; CCMU	\$357 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.	Revised – per footnote 3
Institutional	R-1A through R-1E; R-1T; RM-1; RM-2; PD	\$385 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.	Revised – per footnote 3
Industrial	I-1; I-2; OTR;	\$440 + \$6/500 sq. ft. of gross floor area, exclusive of basement space.	Revised – per footnote 3
Recreational (golf courses and other open space type recreational uses)	R-1A through R-1E; PD	\$412 + \$12/acre over 3 acres.	Revised – per footnote 3

¹ Use is defined as the principal purpose for which land or building is arranged, designed or intended, or for which land or a building is or may be occupied.

² Additions to existing structures upto 50% of the existing floor area within previously approved site plans or site plans involving phased developments (after initial phase) are to be charged at a rate one-half that of the applicable site plan review fee. Dwelling unit, square footage and/or acreage charges will remain unchanged.

³ Re-approval of a site plan shall be charged at one-half the applicable site plan review fee if application is made within 18 months of the previous City Council, Planning Commission or City Administration approval.

CONSTRUCTION FEES

Construction Permits	2011	2012
Trade Permit Base Fee (i.e., electrical, plumbing & mechanical)	\$45	No Change
Residential Building Permit Base Fee	\$45	No Change
Commercial Building Permit Base Fee	\$60	No Change
Swimming Pools	\$50	No Change
Residential Curb Cut/Sidewalk Permit	\$20	No Change
Commercial Curb Cut/Sidewalk Permit	\$35	No Change
Irrigation in the Right-of-Way	\$20	No Change
Building Plan Review (for commercial projects with a valuation over \$10,000)	\$200 or .02 per square foot (whichever is greater)	No Change
Reinspection Fees Assessed – One Hour Minimum (assessed when inspection requested and work not completed)	\$56/hr.	No Change
Inspection Outside Normal Business Hours – One Hour Minimum	\$75/hr.	No Change

**CITY OF PORTAGE
RESOLUTION FOR COMMUNITY DEVELOPMENT FEES**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2011 at 7:30 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and supported by:

Councilmember: _____.

WHEREAS, under the Community Development Fees for the City of Portage, it is necessary for the Council to establish by resolution rates for permits, planning and zoning services, and administrative fees;

NOW, THEREFORE, BE IT RESOLVED: That the following rates are hereby established for community development fees in the City of Portage:

<u>SERVICE</u>	<u>FEE</u>
1. Access Management Appeal	\$330 per appeal
2. Accessory Buildings	\$275 per application
3. Accessory Use – Keeping of chickens	\$50 per application
4. Brownfield Redevelopment Plan or Amendment	\$1,100
5. Building Height Modification	\$330 per request involving action only by the Planning Commission
	\$550 per request involving action by the Planning Commission and City Council
6. Business Special Event	\$110 per application
7. Comprehensive Plan	\$825 per amendment
8. Active Home Occupation Permit	\$150 per permit
9. Industrial Tax Abatement	2 percent of the total property taxes abated or \$1,800, whichever is less

10.	Nuisance Abatement	Documented cost of the abatement, plus an administrative fee of \$350, plus \$50/hour or fraction thereof of staff to complete the abatement
11.	Noxious Weed abatement	Documented cost of the abatement plus an administrative fee of \$200 per zoning lot
11.	Parking Plans	\$165 base fee and \$5 per 500 square feet of parking area
12.	Planned Development Concept Plan/ Tentative Plan	\$825 per plan \$550 per plan if processed concurrent with rezoning application \$220 per conceptual plan if combined with a specific plan and less than 10 acres
13.	Planning and Zoning re-inspection fee	\$56 per hour (1 hour minimum fee)
14.	Public Utility Plan (multiple-family residential and single-family residential not otherwise regulated)	\$250 for one utility \$350 for more than one utility
15.	Sign Permits	\$110 per permanent freestanding sign application \$110 per permanent wall sign application \$55 per temporary or directional sign application \$55 per permanent freestanding or wall sign application for sign panel change to existing sign, where no structural sign modifications are proposed
16.	Single-family Condominium - Preliminary approval	\$440 plus \$22 per lot
17.	Single-family Condominium - Final preliminary approval	\$660 plus \$22 per lot
18.	Single-family Condominium - Final approval	\$660 plus \$38 per lot
19.	Small On-site Wind Energy Systems	\$130 per application
20.	Special Land Use Permit	\$220 per group child care home application \$330 for all others

- | | | |
|-----|---|---|
| 21. | Street Vacation or Land Sale
(fee will be credited if land sale occurs,
less appraisal and publication costs) | \$550 per application not involving an
independent appraisal
\$825 per application involving an
independent appraisal |
| 22. | Special meeting of the Planning
Commission or Zoning Board of Appeals | \$220 |
| 23. | Zoning Amendment | Map - \$825 for the first acre; then \$75 for
each additional acre or fraction
thereof
Text - \$825 per amendment |
| 24. | Zoning Board of Appeals | \$135 for all one-family residential uses
\$330 for all others |
| 25. | Zoning Compliance Review | \$50 per general zoning review/day care
license
\$100 per lot line adjustment
\$150 for state license zoning
review/annual renewals |
| 26. | Site Plan Review | Variable base fee plus unit/square
footage charges as follows: |

<u>Use</u> ¹	<u>Zoning Classification</u>	<u>Fee</u> ^{2, 3}
Multiple Family	R-1T; RM-1; RM-2	\$385 + \$11/dwelling unit
Planned Development	PD	\$385 + \$11/dwelling unit \$357 + \$6/100 sq. ft. gross floor area (commercial) exclusive of basement space \$440 + \$6/500 sq. ft. gross floor area (industrial) exclusive of basement space
Mobile Home Community	MHC	\$385 + \$11/Mobile Home Unit
Commercial	OS-1; OTR; B-1; B-2; B-3; CPD; CCA; CCMU	\$357 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.

Institutional	R-1A through R-1E; R-1T RM-1; RM-2; PD	\$385 + \$6/100 sq. ft. of gross floor area, exclusive of basement space.
Industrial	I-1; I-2; OTR;	\$440 + \$6/500 sq. ft. of gross floor area, exclusive of basement space.
Recreational (golf courses and other open space type recreational uses)	R-1A through R-1E; PD	\$412 + \$12/acre over 3 acres.

- ¹ Use is defined as the principal purpose for which land or building is arranged, designed or intended, or for which land or a building is or may be occupied.
- ² Additions to existing structures up to 50% of the existing floor area within previously approved site plans or site plans involving phased developments (after initial phase) are to be charged at a rate one-half that of the applicable site plan review fee. Dwelling unit, square footage and/or acreage charges will remain unchanged.
- ³ Re-approval of a site plan shall be charged at one-half the applicable site plan review fee if application is made within 18 months of the previous City Council, Planning Commission or City Administration approval.

YES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

RESOLUTION DECLARED ADOPTED: _____

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of this resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on _____, 2011, the original of which is in the official proceedings of the City Council.

James R. Hudson, City Clerk

Approved as to form:
Date 12/2/11
KEB

City Attorney

Attachment 4

**CITY OF PORTAGE
SPECIAL ASSESSMENT RATE
RESOLUTION**

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2011 at 7:30 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____ and seconded by:

Councilmember _____:

WHEREAS, the Portage Charter gives Council the power to make public improvements within the City; and

WHEREAS, MCL 117.4(d) and Chapter 9 of the Portage Charter also empower Council to defray the cost of public improvements which are of such a nature as to benefit especially any property or properties within a district by special assessment upon such property in proportion to the benefit derived or to be derived; and

WHEREAS, Council is of the opinion that it is fair and equitable to special assess for certain public improvements which specially benefit properties; and

WHEREAS, such special assessment process allows for the continued expansion and preservation of the infrastructure, to the benefit of the residents; and

WHEREAS, Council has adopted Policies Regarding Special Assessment for Public Improvements at the regular meeting of said Council on the 21st day of May, 1991; and

WHEREAS, said Policies provide for adoption of Special Assessment rates by resolution of Council to maintain a cost sharing balance between abutting property owners and the City at large; and

WHEREAS, increased construction costs make it appropriate to amend the existing special assessment rates to maintain the cost sharing balance between abutting property owners and the City at large.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The City of Portage adopt the special assessment rates as indicated on Attachment "A", attached hereto and incorporated herein, with said rates to become effective for any special assessment district initiated after January 1, 2012, and to remain in effect until modified by subsequent resolution of Council.

2. The City of Portage utilize the special assessment rates as indicated on Attachment "A", attached hereto and incorporated herein, with said rates to become effective after January 1, 2012 for connection to any water or sanitary sewer extension district (unassessed water or sanitary sewer main). The fee for connection to an unassessed water main shall consist of the current charge for the water service line (from the water main to the curb shut off), the water meter charge, and the front footage charge based on current special assessment rates. The water service charge and meter charge must be paid in full at the time of issuance of the water permit but the front footage charge may be spread over twenty years. The fee for an up-sized water service lead shall consist of the difference in cost between the 3/4 inch service assessed and the selected size current rate at the time of connection.

The fee for connection to an unassessed sanitary sewer main shall consist of the current "trunk and branch" fee, a sewer meter charge (if the structure is not connected to public water), the street lead charge (service line from the sanitary sewer main to the property line), and the front footage charge based on the current special assessment rates for unassessed sewers. The sewer trunk and branch fee, street lead charge, and sewer meter charge (when applicable) must

Attachment "A"

SPECIAL ASSESSMENT RATES 2012

Cost Per Front Foot

	Residential		Commercial/Industrial	
	2011	Proposed for 2012	2011	Proposed for 2012
Water	\$ 29.82	\$ 30.57	\$ 38.95	\$ 39.92
Sewer	29.80	30.55	32.32	33.13
Unassessed Sewer*	56.13	57.53	68.48	70.19
Sewer through Unimproved Land	23.21	23.79	27.77	28.46
Petitioned Street Reconstruction with Curb & Gutter (including new storm sewer)	70.54	72.30	75.21	77.09
Petitioned Street Reconstruction with Curb & Gutter (existing adequate storm sewer)	54.32	55.68	58.83	60.30
Petitioned Curb and Gutter (done in conjunction with either street reconstruction or sanitary sewer installation)	43.50	44.59	43.50	44.59
Petitioned Street Reconstruction	29.92	30.67	34.43	35.29
Petitioned Storm Sewer (done separate from street reconstruction)	21.80	22.35	23.50	24.09
Sidewalk	19.58	20.07	24.21	24.82

Cost Per Improvement

Drive Approach	\$ 1,458.00	\$ 1,494.00	\$ 1,458.00	\$ 1,494.00
Sewer Lead	930.00	953.00	930.00	953.00
Sewer Lead-Unimproved Land	930.00	953.00	930.00	953.00
3/4-in. Water Service	914.00	937.00	914.00	937.00
1-in. Water Service	983.00	1008.00	983.00	1008.00
1 1/4-in. Water Service	1047.00	1073.00	1047.00	1073.00

* This rate will apply to sewer extension districts initiated prior to 11-7-06.

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CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue

ACTION RECOMMENDED: That City Council approve the height modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, to allow construction of an architectural entry feature along the west side of the building to a height of 43.5 feet.

Attached is information concerning a request by Dick's Sporting Goods to construct an architectural entry feature along the west side of the former Kmart building to a height of 43.5 feet. The height modification is being requested as part of an overall plan to redevelop the former Kmart building/site that has been vacant since 2009. Consistent with the Zoning Code, City Council approval is required since the building height is proposed to exceed the 35-foot standard established in the B-2, community business zoning district.

The City Administration is supportive of the application and the Planning Commission voted unanimously to recommend approval of the proposed height modification during its December 1, 2011 meeting. The project entry feature associated with the requested height modification involves approximately 800 square feet, which is less than 1% of the total building footprint. The architectural entry feature will also be situated approximately 600-feet from South Westnedge Avenue, 200-feet from Gladys Street, 280-feet from the east property line and 380-feet from the nearest multiple family residential dwelling located to the east. The requested height modification is only slightly higher than the 35-foot building height standard established in the B-2, community business district and is consistent with height modifications granted to other businesses along the South Westnedge Avenue commercial corridor.

It is recommended that City Council approve the height modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, to allow construction of an architectural entry feature along the west side of the building to a height of 43.5 feet.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: December 9, 2011

FROM: Vicki Georgeau,  Director of Community Development

SUBJECT: Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue.

An application has been received from Dick's Sporting Goods requesting a height modification to construct an architectural entry feature along the west side of the existing building located at 6355 South Westnedge Avenue to a height of 43.5 feet. The height modification is being requested as part of the overall plan to redevelop the former Kmart building/site that has remained vacant since 2009.

Impacts associated with the request are anticipated to be minimal, if any, due to the location, size and proportion of the architectural feature in relation to the overall building and the substantial setback distances. The proposed architectural entry feature involves approximately 800 square feet, which is less than 1% of the total building footprint. Additionally, this portion of the proposed Dick's Sporting Goods building will be situated approximately 600-feet from South Westnedge Avenue, 200-feet from Gladys Street, 280-feet from the east property line and 380-feet from the nearest multiple family residential dwelling located to the east. Finally, the requested height modification is only slightly higher than the 35-foot building height standard established in the B-2, community business district and is consistent with height modifications granted to other businesses along the South Westnedge Avenue commercial corridor.

A public hearing to consider the height modification was convened by the Planning Commission at the December 1, 2011 meeting. Mr. Edward Wade of Hershman Architects, Inc. (applicant representative) was present to explain the project and support the application. No citizens spoke in regard to the proposed height modification. After careful consideration, the Planning Commission voted 8-0 to recommend to City Council that the Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, be approved to allow construction of an architectural entry feature along the west side of the building to a height of 43.5 feet.

The City Administration also supports the requested height modification based on a finding that potential impacts from the request would be minimal, if any, due to the small area subject to the height modification in relation to the overall building and substantial setback distances from adjacent properties and public streets.

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

Attachments: Planning Commission transmittal dated December 9, 2011
Planning Commission Minutes dated December 1, 2011
Department of Community Development report dated November 23, 2011

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: December 9, 2011

SUBJECT: Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue

During the December 1, 2011 meeting, the Planning Commission convened a public hearing to consider a Height Modification request from Dick's Sporting Goods to construct an architectural entry feature along the west side of the former Kmart building to a height of 43.5 feet. Mr. Edward Wade of Hershman Architects, Inc. (applicant representative) was present to provide a brief description of the redevelopment project and support the application. No additional citizens spoke in regard to the proposed height modification.

After careful consideration of the request and Zoning Code criteria, a motion was offered by Commissioner Welch, seconded by Commissioner Bosch, to recommend to City Council that the Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, be approved to construct an architectural entry feature along the west side of the existing building to a height of 43.5 feet since the impacts are minimal due to the small area subject to the height modification in relation to the overall building and substantial setback distances from adjacent properties and public streets. The motion was unanimously approved 8-0.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cheesebro", written in a cursive style.

James Cheesebro, Chairman
City of Portage Planning Commission

PLANNING COMMISSION

December 1, 2011

DRAFT

The City of Portage Planning Commission meeting of December 1, 2011 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 18 citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Miko Dargitz, Paul Welch, Mark Siegfried, Rick Bosch, Allan Reiff and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

None.

IN ATTENDANCE:

Michael West, Assistant City Planner and Randall Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

None.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Height Modification for Dicks Sporting Goods, 6355 South Westnedge Avenue. Mr. West summarized the staff report dated November 23, 2011 involving a request submitted by Dicks Sporting Goods to construct an architectural entry feature along the east side of the existing building located at 6355 South Westnedge Avenue to a height of 43.5 feet. Mr. West indicated the height modification request is being requested as part of the overall plan to redevelop the former Kmart building/site that has been vacant since 2009. Mr. West stated the proposed architectural feature involves 800 square feet, which is less than 1% of the total building footprint. Mr. West also indicated the proposed architectural feature is only slightly higher than the 35-foot building height standard established in the B-2 district and would be situated approximately 600-feet from South Westnedge Avenue, 200-feet from Gladys Street, 280-feet from the east property line and 380-feet from the nearest multiple family residential dwelling unit to the east. Given these site characteristics and consistent with other height modifications granted for other businesses in the South Westnedge Avenue corridor, Mr. West stated that staff was supportive of the request.

Mr. Edward Wade of Hershman Architects, Inc. (applicant representative) was present to speak in support of the height modification request. Mr. Wade indicated that Dicks Sporting Goods was excited about coming to Portage and would serve as a trigger for redevelopment in this area of the city. Chairman Cheesebro opened the public hearing. There being no public comment, a motion was offered by Commissioner Welch, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved.

DRAFT

A motion was then made by Commissioner Welch, seconded by Commissioner Bosch, to recommend to City Council that the Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, be approved to construct an architectural entry feature along the west side of the existing building to a height of 43.5 feet since the impacts are minimal due to the small area subject to the height modification in relation to the overall building and substantial setback distances from adjacent properties and public streets. The motion was unanimously approved.

2. Preliminary Report: Tentative Plan Amendment – The Homestead Planned Development, 3821 West Milham Avenue. Commissioner Dargitz stated she would be abstaining from discussion and voting on this agenda item due to a personal acquaintance with the applicant, Mr. Patrick Lynch. Commissioner Stoffer also indicated he would be abstaining from discussion and voting on this agenda item since he lives within the 300-foot public notice distance from the subject property. Commissioner Reiff indicated he had a previous business relationship with Mr. Lynch over 20 years ago, however, would not be abstaining since he has no recent or present relationship that would impact his ability to render an impartial decision.

Mr. West summarized the staff report dated November 23, 2011 regarding the request by Mr. Patrick Lynch and American Village Development to amend the previously approved tentative plan for The Homestead Planned Development. Mr. West reviewed the original 2001 approved PD, planned development rezoning/tentative plan and the 2006 tentative plan amendment/final plan involving The Villas at Secret Gardens that was approved, however, never constructed. Mr. West summarized the proposed amendment that involves elimination of the attached residential condominiums, the addition of three single-family residential parcels along the north side of McGillicuddy Lane and reestablishment of the cottage offices along the northwest portion of the property, as previously shown and approved in 2001. Mr. West stated the tentative plan/narrative contained in the agenda packet was received late on Tuesday, November 22nd and staff was unable to provide a detailed review prior to finalization of the staff report. Mr. West indicated minor changes to the narrative and plan would be made prior to the final hearing. Finally, Mr. West discussed the need for the Historic District Commission to review and authorize the three proposed land divisions prior to Planning Commission final action on the tentative plan amendment, and, also discussed on-going issues that continue to be discussed between staff and the applicant including public street access from West Milham Avenue and the recent installation of a sign at the south end of the pedestrian path from Arbutus Trail that prohibits non-Homestead residents from using the path.

Mr. Jack Gesmundo of American Village Development and Mr. Patrick Lynch were present to support the proposed tentative plan amendment. Mr. Gesmundo discussed the differences between the approved 2006 tentative plan amendment and the proposed 2011 tentative plan amendment. Mr. Gesmundo stated the proposed amendment wishes to restore the cottage offices originally approved in 2001 and construct three additional single family residential home sites along the north side of McGillicuddy Lane that would visually and physically connect the residential portions of The Homestead. Mr. Gesmundo stated the review by the Historic District Commission was scheduled for December 7, 2011. Mr. Gesmundo briefly discussed the proposed public street access from West Milham Avenue and the pedestrian path sign and stated the few errors contained in the written narrative and tentative plan would be corrected and revised prior to the next Planning Commission meeting.

Chairman Cheesebro opened the public hearing. One citizen, Ms. Lee Berow (3608 Arbutus Trail), spoke in regards to the proposed tentative plan amendment. Ms. Berow expressed concerns about the recently installed "No Trespassing" sign at the trail from Arbutus Trail. Ms. Berow stated the path and neighborhood connection was required with the 2001 approval and her and many of her neighbors don't understand why the sign has now been installed. No additional citizens spoke regarding the proposed tentative plan amendment. A motion was made by Commissioner Bosch, seconded by Commissioner Reiff, to adjourn the public hearing for the Tentative Plan Amendment for The Homestead, 3821 West Milham Avenue, to the January 19, 2012 meeting. The motion was unanimously approved.

TO: Planning Commission **DATE:** November 23, 2011
FROM: Vicki Georgeau, ^{VJ} Director of Community Development
SUBJECT: Height Modification: Dick's Sporting Goods, 6355 South Westnedge Avenue

I. INTRODUCTION:

An application has been submitted by Dick's Sporting Goods to construct an architectural entry feature along the west side of the existing building located at 6355 South Westnedge Avenue to a height of 43.5 feet as shown on the attached drawing. The height modification is being requested as part of an overall plan to redevelopment the former Kmart building which has been vacant for several years. The existing building is 85,510 square feet in area and Dick's Sporting Goods will occupy the south 50,110 square feet. The remaining 34,400 square feet and 30,840 square foot tenant space to the north are actively being marketed. The development plan also includes a future approximately 6,000 square foot building located near South Westnedge Avenue and parking lot improvements including new pavement and landscaping.

Redevelopment of the former Kmart shopping center is very good news for the community given the current economic climate. The building is aging and has been subject to code enforcement efforts related to vandalism and forced entry. It is also good news that Dick's Sporting Goods has decided to locate their only store in this market in the City of Portage and along the South Westnedge Avenue commercial corridor.

II. ZONING CODE REQUIREMENTS:

The building is located within the B-2, community business zoning district. Section 42-350(B)(6) of the Land Development Regulations establishes a building height standard of 35-feet in the B-2 district, which can be increased after Planning Commission review/recommendation and with City Council approval. In considering building height modifications, the Commission/Council "*...shall require that all yards shall be at least equal in their depth to the height of the structure.*" Furthermore, the Commission/Council must determine that the "*...topography, natural features or other land use characteristics, including the distance of the proposed structure from other uses, adequately mitigate adverse impacts on any adjoining or surrounding uses.*"

III. ANALYSIS:

The site is bordered to the south (across Gladys Street), west (across South Westnedge Avenue) and north by various commercial land uses zoned B-1, local business, B-2, community business and B-3, general business. To the east, the site is bordered by multiple-family residential land uses zoned RM-1, multiple family residential. While the project proposes to construct an architectural entry feature along the west side of the existing building to a height of 43.5 feet, the project area involves only 800 square feet (less than 1% of the total building footprint) of the former Kmart building.

Furthermore, this portion of the proposed Dick's Sporting Goods building will be located approximately:

- 600-feet from South Westnedge Avenue;
- 200-feet from Gladys Street; and
- 280-feet from the east property line and 380-feet from the nearest multiple family residential dwelling.

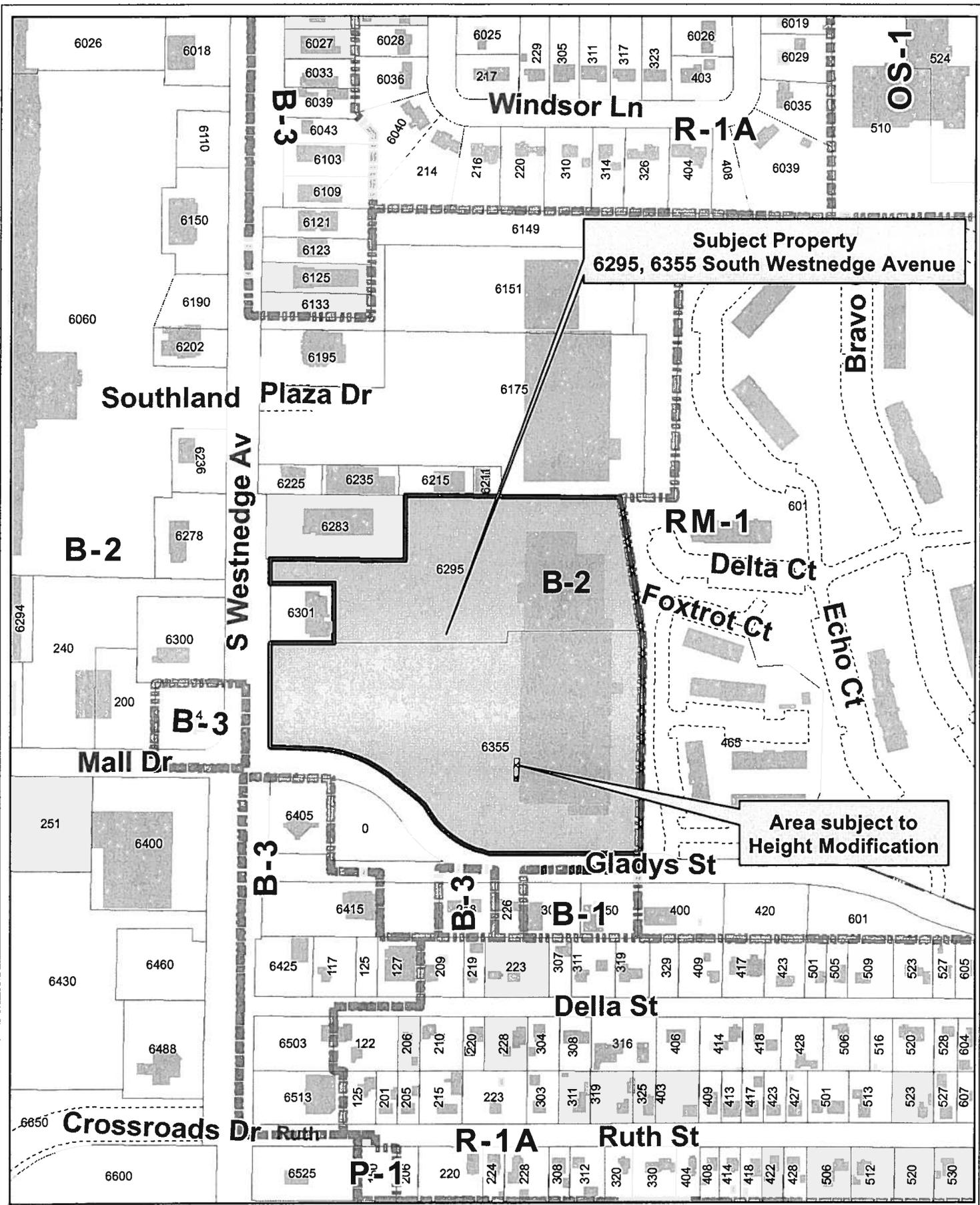
Impacts on the adjacent multiple family residential dwellings to the east are anticipated to be minimal, if any, due to the location, size and proportion of the architectural feature in relation to the overall building and the substantial setback distances. The requested height modification is only 8.5 feet higher than allowed in the zoning district and is consistent with other height modifications granted to other businesses along the South Westnedge Avenue corridor including Celebration Cinema (43 feet), Crossroads Mall (49 feet), Best Buy (40 feet), Sam's Club (41 feet), D & W Food Center (52 feet), Lowes (47 feet) and Trade Center office buildings 1 and 2 (50 feet and 65 feet, respectively).

Residents/property owners within 300 feet of this property have been notified in writing of the application and Planning Commission meeting. A notice was also placed in the local newspaper. One letter from an adjacent business owner supporting the project and increase in height has been received and is attached.

IV. RECOMMENDATION:

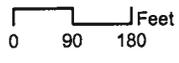
Based upon the above analysis and subject to any additional information brought before the Planning Commission during the public hearing, the Planning Commission is advised to recommend to City Council that the Height Modification for Dick's Sporting Goods, 6355 South Westnedge Avenue, be approved to construct an architectural entry feature along the west side of the existing building to a height of 43.5 feet since the impacts are minimal due to the small area subject to the height modification in relation to the overall building and substantial setback distances from adjacent properties and public streets.

Attachments: Vicinity/Zoning Map
Aerial Photo Map
Communication from Mr. Edward Wade dated October 31, 2011
Site Plan/Building Elevation Sheets
Citizen Communications Received



Subject Property
 6295, 6355 South Westnedge Avenue

Area subject to
Height Modification



HEIGHT MODIFICATION
 6295, 6355 South Westnedge Avenue



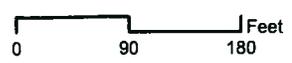
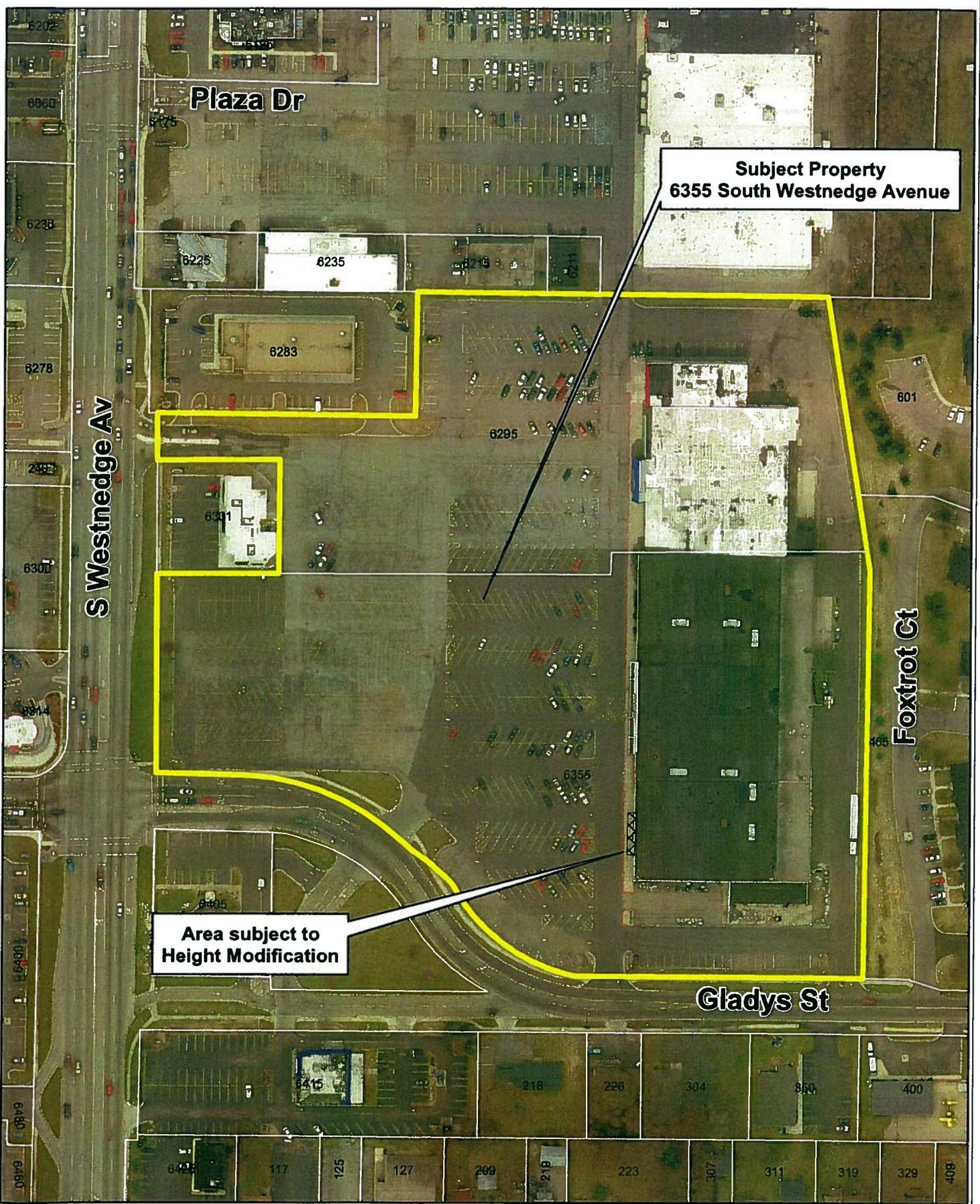
**Subject Property
6355 South Westnedge Avenue**

**Area subject to
Height Modification**

S Westnedge Av

Foxtrot Ct

Gladys St



HEIGHT MODIFICATION

6295 & 6355 South Westnedge Avenue



6101 NEWPORT ROAD
POST OFFICE BOX 3015
KALAMAZOO, MICHIGAN 49003-3015
PHONE (269) 323-9484
FAX (269) 321-7884

RECEIVED

NOV 7 2011

COMMUNITY DEVELOPMENT

November 4, 2011

Department of Community Development
City of Portage
7900 S. Westnedge Avenue
Portage, MI 49002

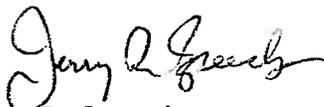
Request By: Dick's Sporting Goods
Date of Hearing: Thursday, November 17, 2011 at 7:00 p.m.

Dear Sir/Madam:

The purpose of this letter is to respond to the notice of the captioned request and to let you know that Edward Rose Assoc., Inc. does not oppose the granting of the application filed by Dick's Sporting Goods.

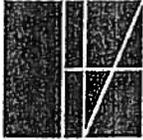
Sincerely,

EDWARD ROSE ASSOC., INC.



Jerry R. Speedy
/mr

c: Jeff Barnum



HERSCHMAN ARCHITECTS, INC.
25001 Emery Road, Suite 400
Cleveland, OH 44128
216.223.3200
216.223.3210 fax
www.herschmanarchitects.com

RE: Dick's Sporting Goods #1006
Portage, MI

October 31, 2011

Dick's Sporting Goods is proposed to replace a portion of the vacant Kmart building at 6355 South Westnedge Avenue. The proposed Dick's Sporting Goods building sits back approximately 600 feet from South Westnedge Avenue. The prototypical height for the main entrance feature of Dick's Sporting Goods is 42', with pilasters on either side of the feature at a height of 43'-4". It would be the desire of Dick's Sporting Goods to retain the prototypical height of the entrance feature, due to our proximity of South Westnedge Avenue. Dick's is requesting an additional seven (7) feet in total height on top of what is permitted in a B2 community business district of 35 feet, for a total of 42 feet to the top of the sign (43ft 3inches to the top of the flanking piers). The total square foot of the former Kmart is 84,500+/- sf. The architectural feature accounts for 800 sf which makes up less than one percent of the total building. The entrance feature is approximately 300 feet from the rear property line and the closest multifamily residential structure is plus/minus 400 feet.

We do not believe this would adversely affect any of the adjoining properties because the only change is the structure height. The internally lit signage still remains the same and only appears on the front of the structure. There are no residential properties that face the front of our building and form the rear because of the high parapet of 20+ feet from the ground the top of the piers will not be visible.

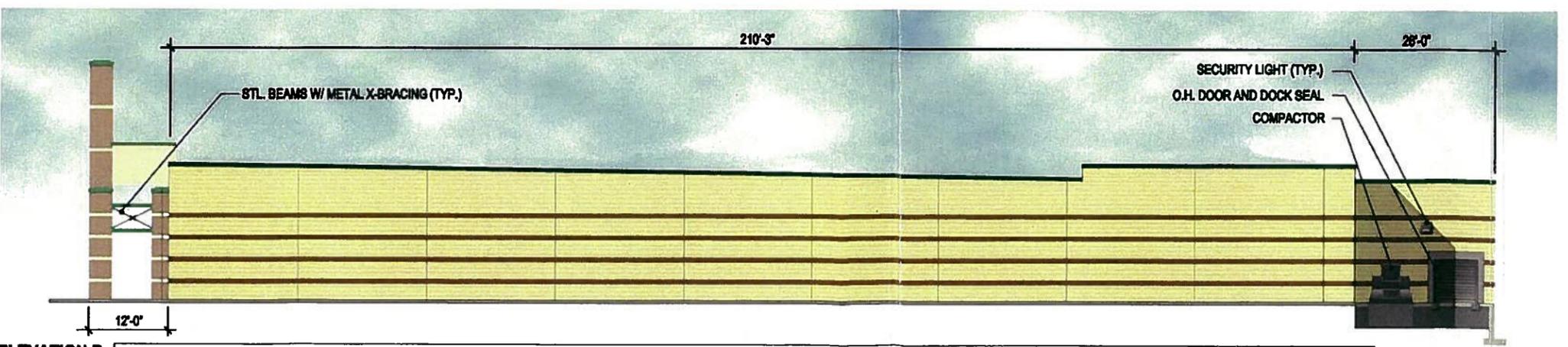
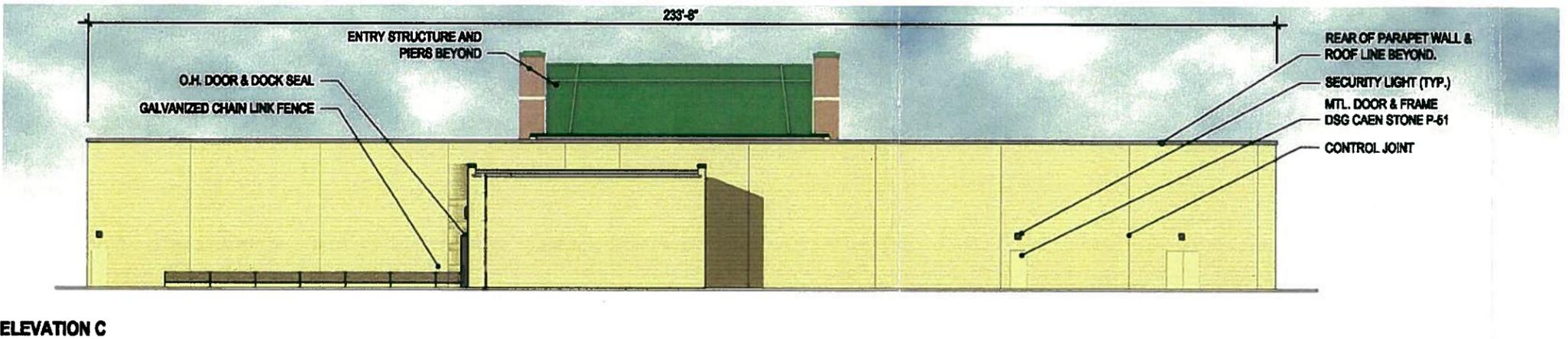
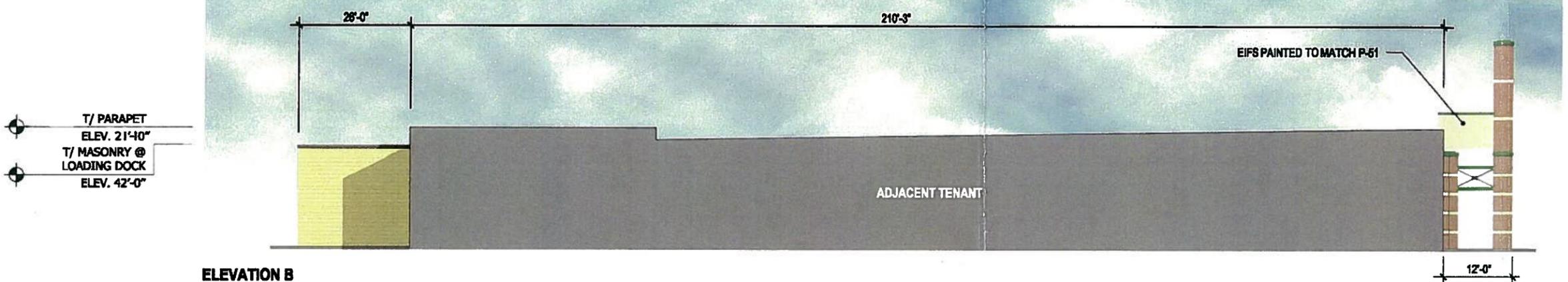
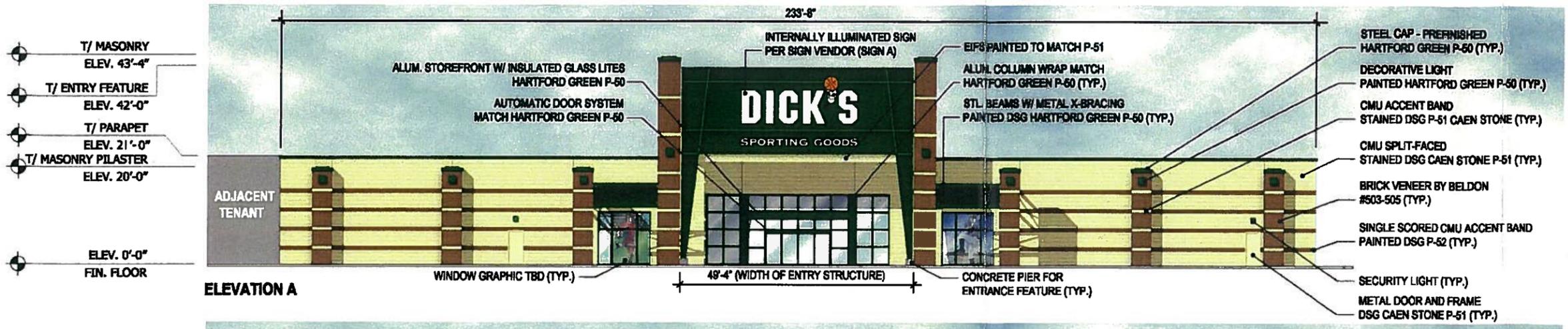
The property owner will be making significant improvements to the parking lot, in terms of landscaping, which currently does not exist. The plans for this improvement to my knowledge are not completed at this time but the Developer is working now with the City on the final plans. We feel that the addition of Dick's Sporting Goods to this vacated shopping center will be a great benefit to this corner of Portage and to the City as a whole. The proposed upgrades to the building will bring new life back to the remaining adjacent vacant spaces.

Sincerely

HERSCHMAN ARCHITECTS, INC.

C. Aaron Blue on behalf of Ed. Wade.

Edward Wade



All information contained on this exhibit is representative of the architectural materials and heights proposed to be used. This exhibit is NOT intended to be a Construction Document. All final adjustments will be incorporated into the Construction Documents and will be mutually agreed upon by the Landlord and Dick's Sporting Goods.



**6355 S WESTNEDGE AVE
PORTAGE, MI
EXHIBIT K
Store #1006**



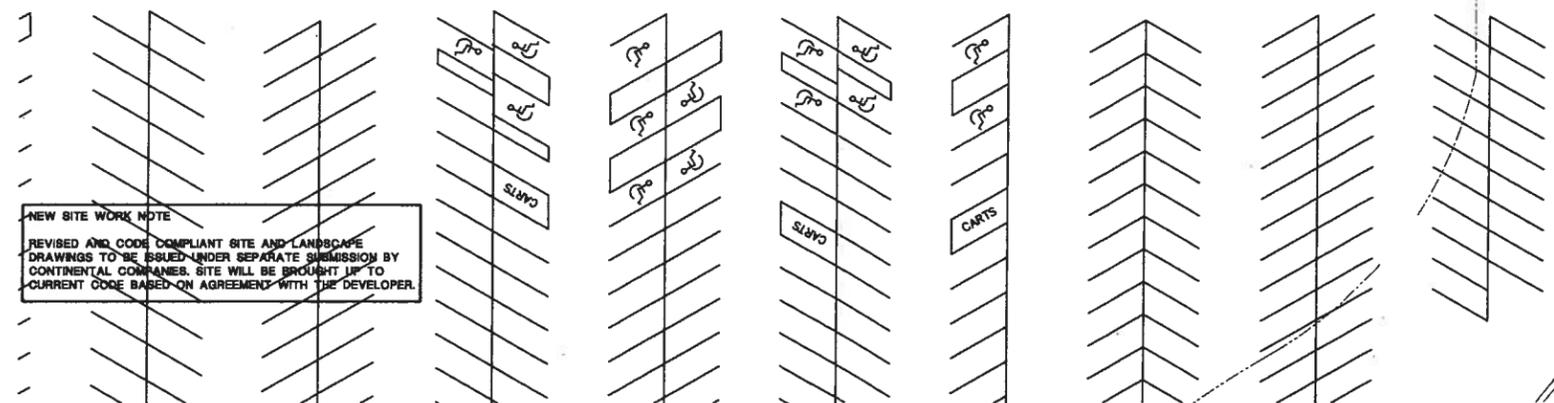
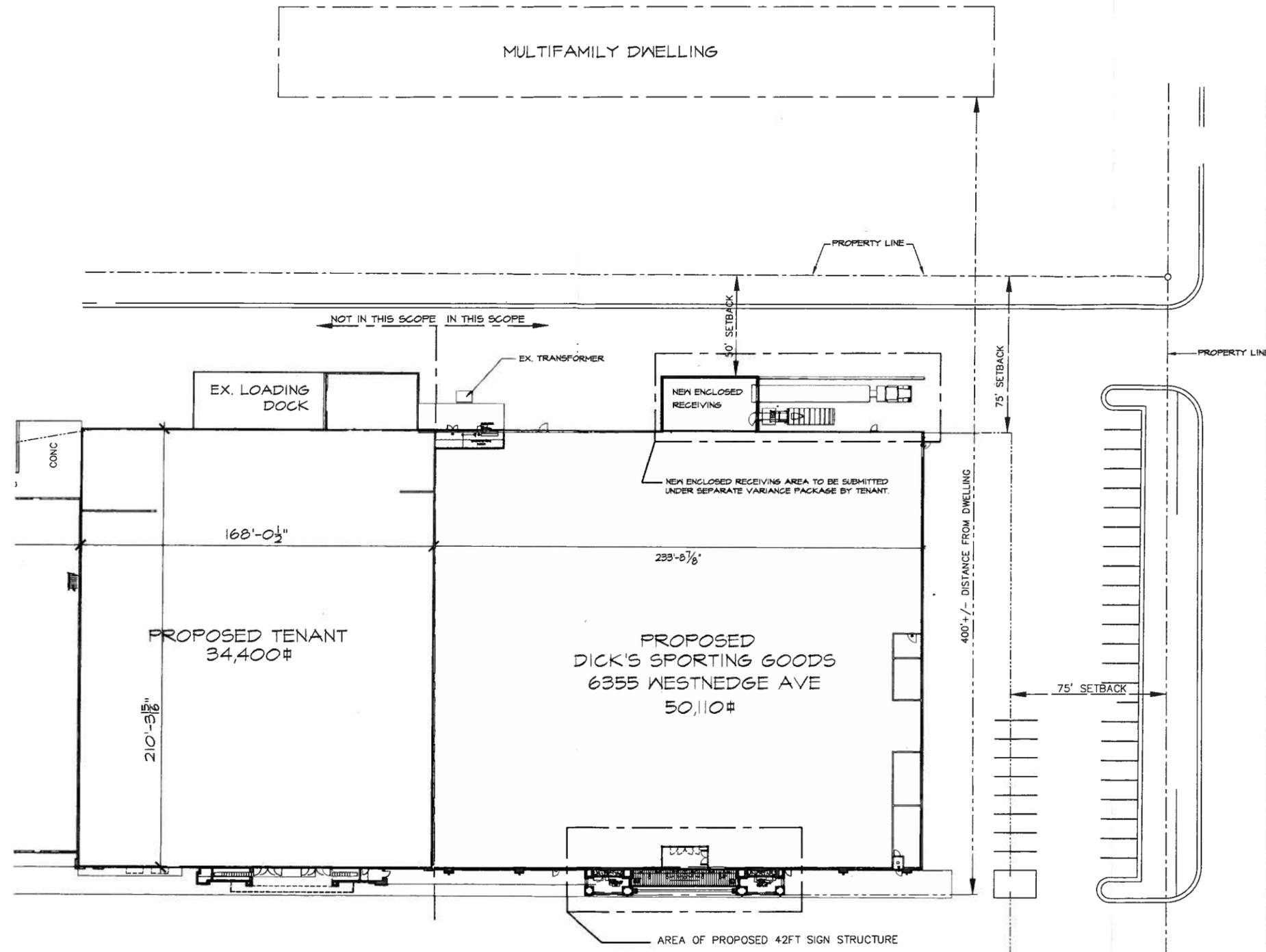
SIGN A

RECEIVED
NOV 3 3 2011
COMMUNITY DEVELOPMENT



Key Plan

REV 1	04.20.2011	
REV 2	07.14.2011	
REV 3		
REV 4		
REV 5		
DKS APPROVAL	SY	DATE 3.4.2011
DKS APPROVAL		DATE
LL APPROVAL	HL	DATE 4.13.2011



NEW SITE WORK NOTE
 REVISED AND CODE COMPLIANT SITE AND LANDSCAPE DRAWINGS TO BE ISSUED UNDER SEPARATE SUBMISSION BY CONTINENTAL COMPANIES. SITE WILL BE BROUGHT UP TO CURRENT CODE BASED ON AGREEMENT WITH THE DEVELOPER.

Design and construction documents are prepared by the architect or engineer as a service to the client. The architect or engineer is not responsible for the accuracy of the information provided by the client. The architect or engineer is not responsible for the accuracy of the information provided by the client. The architect or engineer is not responsible for the accuracy of the information provided by the client.

Date: 02/20/2010 Issue: CITY P&Z SUBMIT

Drawn By: a.b.j.g

Project No.: 12946.00

DICK'S SPORTING GOODS
 DICK'S SPORTING GOODS
 6355 SOUTH WESTNEDGE AVE PORTAGE, MI
 store # 1006

JUDSON KLINE ARCHITECT

25001 EMERY ROAD, SUITE 400
 CLEVELAND, OH 44128
 TEL (216) 223-3200
 FAX (216) 223-3210
 www.jkarchitects.com

SITE / LANDSCAPE PLANS
AS1.0

AS1 ARCHITECTURAL SITE PLAN N.T.S.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: 2012 March Board of Review Resolution

ACTION RECOMMENDED: That City Council adopt the Resolution setting the dates and times for the 2012 March Board of Review sessions.

The Board of Review meets annually in March for the purpose of hearing current-year property assessment appeals. The attached Resolution has been prepared to set the meeting dates for the first session of the Board of Review on March 13, 14, 15, and 16, 2012, and for the second session on March 27, 2012, in accordance with the City Charter.

Whether the Board of Review will consist of three, six or nine members as chosen by Council, the meeting times as stated in the Resolution would remain applicable to the Board of Review.

It is recommended that the Resolution be adopted by the City Council.

Attachment

CITY OF PORTAGE

2012 BOARD OF REVIEW RESOLUTION

Moved by Council Member

Supported by Council Member

WHEREAS, the City Charter of the City of Portage, Section 8.6, requires that the City Council set the date, time of day, and place for the meeting of the first and second sessions of the Board of Review.

NOW, THEREFORE, BE IT RESOLVED that the Board of Review shall convene in its first session on Monday, March 12, 2012, at 10:00 am for the organizational meeting in Conference Room 1 located at City Hall, Portage, Michigan and shall continue for appointments on Tuesday, March 13, 2012, at the same location, commencing at 9:00 AM to 12:00 Noon and from 1:00 PM to 4:00 PM and shall continue in session on March 14, 2012, from 9:00 AM to 12:00 Noon and 1:00 PM to 4:00 PM and March 15, 2012, from 1:00 PM to 4:00 PM and 6:00 PM to 9:00 PM, and on such additional days as may be required to hear all persons who have given notice of desire to be heard.

BE IT FURTHER RESOLVED that the Board of Review shall convene in its second session on Tuesday, March 27th, 2012, from 9:00 AM until all interested parties have been heard, but not less than 6 hours.

BE IT FURTHER RESOLVED that members of the Board of Review shall be compensated each at the rate of \$100.00 per day for each day or portion thereof as they may be legally in session pursuant to the discharge of their duties.

BE IT FURTHER RESOLVED that notice of the times and place of the sessions of the Board of Review shall be published in a newspaper of general circulation in the City not less than ten (10) days prior to the first meeting of the Board of Review in three (3) successive issues of the newspaper.

Appointments are available by calling the City Assessor's Office.

ADOPTED: YEAS:

 NAYS:

 ABSENT:

James R. Hudson, City Clerk

CERTIFICATE

I certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage held on the 20th day of December 2011, the original of which resolution is on file in my office.

APPROVED AS TO FORM
DATE 12/21/11
[Signature]

CITY ATTORNEY

James R. Hudson, City Clerk

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: 2011 Portage Community Survey

ACTION RECOMMENDED: That City Council accept the results of the 2011 Portage Community Survey conducted by the Kercher Center for Social Research at Western Michigan University.

The results of the 2011 Portage Community Survey, conducted by the Kercher Center for Social Research at Western Michigan University, were provided to Council under separate cover as part of the December 9, 2011 City Council Goal Setting Session materials. The 2011 survey is the twenty-fifth annual citizen survey conducted by the Kercher Center. For the third time, the survey was conducted in mail format, rather than a random-digit dialing (phone) survey.

A total of 906 completed surveys were received and coded by the Kercher Center. This, combined with the number of surveys that were received after the cut-off date (27), the number of surveys returned due to bad addresses (38) and the number of blank surveys returned to the Kercher Center (4), produces a response rate of 47.1 percent¹. This rate is higher than in 2009 (42.5 percent) and 2008 (46.5 percent) and much higher than in previous years using the random-digit dialing method (36.6 percent in 2007, 31.4 percent in 2006 and 33.8 percent in 2005).

Respondents were again asked to rate satisfaction with several services provided by the city. Before considering the results of citizen satisfaction, however, it is important to note:

- The proportion of respondents over the age of 60 (52.8 percent) is higher than in 2009 (49.7 percent) and 2008 (46.6 percent) and substantially higher than in previous years (36.3 percent in 2007 and 28.4 percent in 2006).
- The gender make-up of the 2011 sample, with 54.8 percent male and 45.2 percent female, compares to the 2009 and 2008 samples (with 52.5 percent male and 47.5 percent female in 2009 and 52 percent male and 48 percent female in 2008) but consists of considerably more males than in previous years (42.0 percent male in 2007 and 39.3 percent male in 2006).

In looking at these demographic responses, an assumption can be made that certain responses in the 2011, 2009 and 2008 surveys, when compared to previous years, may be significantly different based on the considerable disparity in the age and gender of the respondents. It is also interesting to note that 4.2 percent of respondents reported being a cell-phone only household, compared to 2.3 in 2009 and 1.4 percent in 2008.

¹ The response rate was calculated by deducting 27 surveys returned after the cut-off date, 38 surveys returned to the city and 4 blank surveys from 1,992 surveys sent out (906 is 47.1 percent of 1,924).

In reviewing the results, keep in mind that the survey has a confidence interval of 95 percent, meaning that **variations in results of less than 5 percent from year-to-year may not be material**. Highlights of the results include:

- An overwhelming majority (87.7 percent) of survey respondents feel they are receiving good services for their tax dollars (compared to 85.1 percent in 2009, 85.4 percent in 2008, and 87.7 percent in 2007).
- Traffic on South Westnedge Avenue remains the top concern, as 67.6 percent of respondents perceive traffic on the respective street as a problem as compared to 73.6 percent in 2009, 71.9 percent in 2008 and 68.4 percent in 2007.
- Less than half of the respondents (42.5 percent) reported a perceived problem with traffic flow on streets other than South Westnedge Avenue. However, 44.7 percent of the open-ended responses in which streets were reported as having traffic flow problems (Appendix B), included Oakland Drive.
- Concerns with illegal drug use and underage drinking in neighborhoods has declined in 2011, with 22.8 percent (24.7 percent in 2009) reporting problems with illegal drug use and 16.8 percent (22.1 percent in 2009) reporting problems with underage drinking. Interestingly, approximately 40 percent of respondents answered “don’t know” to each of these questions.
- While the condition of neighborhood homes and yards was not perceived as a severe problem, small proportions of respondents apparently feel the situation has become worse. A question added to the 2008 survey asked about the perceived change in the condition of neighborhoods in the past five years. The results show that 17.2 percent of respondents felt the condition of their own neighborhood had become worse as compared to 16.2 percent in 2009 and 17.7 percent in 2008.
- Satisfaction with bikeways/trailways, curbside recycling and the condition of parks are ranked highest with 95.1 percent, 93.4 percent and 92.2 percent of the respondents indicating satisfaction with these services, respectively. As in previous years, satisfaction with most all city programs/services was high, so that even those services ranked lowest by respondents (snow removal at 76.3 percent and the condition of streets² at 61.7 percent) were well regarded.
- Of those respondents having direct contact with a city employee over the past year, 77.7 percent expressed satisfaction with the quality of service received from the employee – matching the 77.7 percent in 2009 and up from 72 percent in 2008. Of these respondents, 8.7 percent reported being **dissatisfied** with the quality of service received from the employee in 2011 as compared to 6.7 percent 2009 and 10.1 percent in 2008 and 9.3 percent in 2007.

² The 2009 survey questions that read, “How satisfied are you with the condition of *neighborhood* streets?” and “Is there a problem with the condition of pavement on roads and streets in Portage?” were combined in the 2011 survey to read, “How satisfied are you with the condition of the pavement on roads and streets in Portage?” Note that the word *neighborhood* was removed from the final question and so the question and resulting responses relate more to **all** city streets rather than just neighborhood streets, which results in the inability to compare previous years’ results to the 2011 results.

- The level of fire protection is not a pressing concern to residents, as 95.9 percent of those surveyed do not perceive a problem in this service area. The level of police protection, as well, is not perceived as a problem according to 86.7 percent of those surveyed.
- A new question in 2009 asked citizens how they obtain information about what is going on in Portage city government. The 2011 results show that the *Portager* newsletter, the Kalamazoo/Portage *Gazette* and local television or radio are most *currently* utilized for obtaining information. These are also reported to be the most *preferred* methods as well.
- The *Portager* newsletter continues to be well received, with 93.4 percent of those surveyed believing the *Portager* is either a very or somewhat important source of information for happenings in Portage city government. Similarly, 75 percent of respondents feel that the City of Portage website is a very or somewhat important source of information about what is going on in Portage city government.
- A new question in 2011 asked how the city should deal with continuing economic difficulties. The results show that 46.5 percent of the respondents who had an opinion (21.6 percent responded “don’t know”) believe the city should maintain services and raise taxes while 53.5 percent believe maintaining taxes and further reducing services is best.
- With regard to intergovernmental cooperation (a new topic for the 2011 survey), 84.4 percent of respondents reported they would support intergovernmental cooperation and / or consolidated services only if it saves Portage money and results in improved service. Support for all other scenarios was minimal. Interestingly, 7.6 percent of respondents would not support any intergovernmental cooperation.

Responses to the 2011 survey are again encouraging and are consistent with past survey results. The high level of satisfaction continually demonstrated by the results of the annual survey indicates that the city has a well-defined understanding of the issues important to the Portage community, and supports the concept that the city provides an excellent level of service. It is recommended that the Council accept the results of the 2011 Portage Community Survey conducted by the Kercher Center for Social Research at Western Michigan University.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 10, 2011

FROM: James R. Hudson, City Clerk *JRH (x)*

SUBJECT: Election Polling Places and Rate of Compensation Resolution

ACTION RECOMMENDED: That City Council adopt the Resolution Designating Polling Places and Rate of Compensation for the February 28, 2012 Presidential Primary.

Attached is a Resolution listing the polling places established for the Presidential Primary to be held on February 28, 2012. This Resolution also establishes the rate of pay for precinct chairpersons and other election officials.

Attachment

c Maurice S. Evans, City Manager
Daniel Foecking, Finance Director

**CITY OF PORTAGE
RESOLUTION**

Moved by:
Supported by:

RESOLVED that the following locations be and are hereby designated as polling places for the PRESIDENTIAL PRIMARY to be held on February 28, 2012, and that the polling places are to remain open from 7:00 a.m. until 8:00 p.m. on the day of the election.

1. Community Education Building - 1010 West Milham Road
2. Goldentree Apts. Community Building - 4795 E. Milham Road
3. Portage Senior Center - 320 Library Lane
4. Lake Center Elementary School - 10011 Portage Road
5. Waylee Technology Center - 8106 Waylee Street
6. Lake Center Elementary School - 10011 Portage Road
7. Victory Baptist Church - 308 W. Milham Road
8. Amberly Elementary School - 6637 Amberly Street
9. Haverhill Elementary School - 1710 Haverhill Avenue
10. Central Elementary School - 8422 S. Westnedge Avenue
11. Angling Road Elementary School - 5340 Angling Road
12. Central Middle School - 8305 S. Westnedge Avenue
13. K/RESA - 1819 E. Milham Avenue
14. Woodland Elementary School - 1401 Woodland Drive
15. North Middle School - 5808 Oregon Avenue
16. Portage United Church of Christ - 2731 W. Milham Road
17. Pathfinder Church - 8740 S. Westnedge Avenue
18. Moorsbridge Elementary - 7361 Moorsbridge Road
19. Woodland Elementary School - 1401 Woodland Drive
20. Milham Meadows Community Building - 6103 Mallard Circle
21. St. Catherine's Catholic Church - 1150 West Centre Avenue
22. Absentee Counting Board - Portage City Hall - 7900 S. Westnedge Avenue

BE IT FURTHER RESOLVED that the City of Portage establish an Election Receiving Board for the election to be held on February 28, 2012, to convene from 7:30 p.m. until 10:30 p.m. on the day of each election.

BE IT FURTHER RESOLVED that the rate of pay for the Election Precinct Inspectors be as follows: \$120.00 (plus \$15 for attending each Training Session) for each precinct inspector, \$130.00 (plus \$15 for attending each Training Session) for each assistant precinct chairperson, and \$145.00 (plus \$15 for attending each Training Session) for each precinct chairperson and \$25.00 (plus \$15 for attending each Training Session) for each review board member.

YES:
NO:
ABSENT:

James R. Hudson, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on December 20, 2011, the original of which is in the official proceedings of the City Council.

James R. Hudson, City Clerk

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 12, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: November 2011 Summary Environmental Activity Report – Information Only

Attached please find the November 2011 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes. New material, or material of specific interest to City Council is presented in italics.

These items serve to update the Council on environmental affairs.

c: W. Christopher Barnes, Director of Transportation & Utilities
Planning Commission
Portage Environmental Board

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: December 12, 2011

FROM: W. Christopher Barnes, Director of Transportation & Utilities



SUBJECT: November 2011 Environmental Activity Report – Information Only

In keeping with goals and objectives adopted by the Council emphasizing the need to enhance environmental quality and protect natural resources, the following information is intended to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

Important environmental issues being monitored and coordinated by the Administration are attached. The Summary Environmental Activity Report will continue to be provided on a monthly basis to the Council, Planning Commission and Environmental Board.

Attachment

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
November 2011 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	<ul style="list-style-type: none"> -City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling completed in April 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. <i>2011 annual report submitted to MDEQ, with moderate groundwater quality improvements.</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.	<ul style="list-style-type: none"> -Coordination with property owners and City or State agencies ongoing. -<i>Review of 3 site/building plans and/or plats completed in November 2011.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<ul style="list-style-type: none"> -<i>Sanitary sewer hookup permits issued in November 2011: 4 residential; 0 commercial. One property owner has submitted a deferment application to the Environmental Board.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	<ul style="list-style-type: none"> -Five Year Lake Management Assessment District process was approved by City Council on March 23, 2010. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. The 2011 lake survey and treatment preparations are complete. <i>Additional areas requested by the Association for treatment. Amendment to the 2011 Treatment Program approved by City Council on August 9, 2011. The 2011 program is complete.</i>
Retention Basin Sampling Program	Investigation regarding potential impact of retention basins on groundwater levels.	<ul style="list-style-type: none"> -Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on June 25, 2010. The 2010 year report received in January 2011. The 2010 results

show declining groundwater levels throughout the city. Surface storm water outfall sampling shows stable results. *2011 report due to be received in January 2012. Current groundwater table measurements show the November 2011 level to be approximately 3" below June 2011 levels.*

Wellhead Protection Program (WHPP)
 Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.

-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. Staff has met internally to discuss the future needs to update the plan. Plan implementation is ongoing.

Leaf Compost Monitoring Program
 Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.

-City Council awarded contract on August 21, 2001 to Soil & 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 was performed from 2002 to 2009 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. The 2010 report was received with results showing minimal impact on groundwater. Annual sampling completed in June 2011 minimal impacts noted. Sampling will continue.

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 Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. 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) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing. Received a notice MDNRE rescinding the 2008 permit due to a recent court case ruling. MDNRE reinstated the 2003 permit for implementation. Information on new permit requirement was received February 2011. MDNRE expected to issue new permit in 2012. City staff presented public information with other local agencies at the 2011 Home Expo on March 9-12, 2011. Tour of Liberty Park Stormwater treatment was held September 6, 2011 for the Southwest Michigan Soil Control Association. 2010-11 annual report preparation is underway. Implementation is

ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation

Kalamazoo River Mainstem 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 Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010. Notice received July 18, 2011 that grant application was not awarded.

Portage River Watershed Management Plan

-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. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. 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 current Watershed Plan using grant funds. Meeting held on May 9, 2011 among stakeholders to determine interest in updating the current water shed plan. Second meeting held on June 20, 2011, and grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan.

Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP).

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as

funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI.

Garden Lane Arsenic Removal Facility
 Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron and manganese from the groundwater.

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14, 2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Project design to include Leadership in Energy and Environmental Design (LEED) criteria. Project construction bids were received on November 25, 2008. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Start up activities began in May 2010. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day. Staff conducted a tour of the facility on April 27, 2011 to the local Chapter of the National Society of Professional Engineers. Facility is in regular operation.

Environmental Incident/Spill Clean Up Notification
 Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.

-The number of environmental incident/spill investigations performed in November 2011 – 0. Number of environmental cleanups in November – 0. Emergency spill response contract for 2011-13 with Terra Contracting is in place.

Localized Groundwater Table Investigation
 Hydrogeologic study of the Portage area, especially in the Sprinkle Woods plat area, to determine causes of increase in groundwater elevation.

-On April 29, 2008, City Council awarded a contract to American Hydrogeology Corporation to investigate the reason and extent of seasonally high groundwater elevation. Special emphasis will be placed on the Black Forest plat area to suggest possible solutions to the basement leaking problems experienced in the area. Study was transmitted to City Council on July 22, 2008. Work was completed on October 31, 2008. City staff continues to investigate other remedies for local groundwater table issues. Work complete on compiling a history of local groundwater table elevations at 19 city-owned retention basins with data from 1994 to 2009. Data from the analysis shows a general upward trend through the Portage area from 2005 to present. Five monitoring wells were installed in the Jamaica Lane area as a result of a number of citizen concerns. Analysis of the Jamaica Lane wells shows that seasonal groundwater table levels have dropped approximately 24” from spring 2009 levels and level has stabilized through December 2010. Current sampling continued to show a slight decline in the groundwater table. Current groundwater levels are approximately 3” below

the June 2011 levels.

Hampton Wetland Area Water Level	Assistance with the Inverness Condominium Association to Review Surface Water Levels	<p>-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Met with MDNRE staff to determine feasible method to lower water levels. Association currently working with MDNRE permit staff on February 26, 2010 to clarify permit requirements. Lower groundwater table elevation has reduced the concerns from the Condominium Association. Conference call with MDNRE held on December 8, 2010 to discuss permit submission updates. Condo Association discussing project with other property owners for support. Association submitted a letter to City Administration asking that the city consider the Wetland Water Level Regulation a municipal project. On March 22, 2011, city staff response recommending the Association consider governmental lake board. The Association is considering next steps. No new developments.</p>
Southwest Michigan Regional Sustainability Covenant	Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.	<p>-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 MDNRE 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.</p>

CITY OF PORTAGE

COMMUNICATION

TO: Portage City Council

DATE: December 20, 2011

FROM: Mayor Peter J. Strazdas

SUBJECT: City Council Committee Appointments – **Agenda Item F.10**

ACTION RECOMMENDED: That City Council approve the 2012 calendar year appointments to City Council Committees as noted.

I recommend that City Council approve the 2012 calendar year appointments to City Council Committees as noted below:

	Committee	Appointment(s)
On-going Committees	City Manager Salary Review/Evaluation Committee	Urban (Chair), Pearson, Sackley
	Water/Sewer (Utility) Rate Committee	Sackley (Chair), Pearson, Reid
	Advisory Board Review Committee	Campbell (Chair), Pearson, Reid
	City Council Investment Committee	Strazdas, Evans
	Community Survey Committee	Reid (Chair), Sackley, Urban
	City Council Property Committee	Campbell (Chair), Randall, Sackley
	City Council School Committee	Strazdas (Chair), Campbell, Pearson
External / Community Committees	Kalamazoo Area Transportation Study Policy Committee	Urban (Alternate – Reid)
	Discover Kalamazoo Advisory Board	Randall
	Kalamazoo County Environmental Health Advisory Council	Randall
	Austin Lake Board	Campbell, Sackley
	Long Lake Board	Urban
	Community Action Board	Reid
	PMN Board	Reid, Sackley
	Metro Transit ADA Local Advisory Committee	Reid
	Kalamazoo County Public Arts Commission	Sackley
General Meetings	Pre-Council Meetings	Strazdas, Reid, Consent Agenda Reader (Rotating)
	Council of Governments (COG)	Open to All
	Legislative Roll Call	Open to All
	Southwest Michigan Alliance	Open to All
2012 Topics	Housing and Neighborhoods	Reid (Chair) Randall, Urban
	Regional Cooperation Initiatives	Committee of the Whole
	Business and City of Portage	Randall (Chair), Campbell, Pearson
	Sign Ordinance	Sackley (Chair), Campbell, Urban
	FOIA and Information Requests	Campbell (Chair), Pearson, Urban
	Fees – Transparency and Fairness	Reid (Chair), Pearson, Strazdas
	Ethics/Rules/Procedures	Urban (Chair), Campbell, Randall

CONSOLIDATED DISPATCH: BUSINESS PLAN DEVELOPMENT

December 9, 2011

*Charter
Township
of Kalamazoo*



CITY OF
PORTAGE
A Place for Opportunities to Grow



TO: Kalamazoo Township Board of Trustees
City of Kalamazoo Commission
City of Portage Council
Kalamazoo County Board of Commissioners
Western Michigan University Board of Trustees

FROM: Terri Mellinger, Supervisor Kalamazoo Township
George Cochran, Treasurer, Kalamazoo Township
Chief Tim Bourgeois, Kalamazoo Township Department of Public Safety
Ken Collard, City of Kalamazoo City Manager
Jeff Hadley, Chief of Public Safety, City of Kalamazoo
Maurice Evans, City of Portage City Manager
Richard White, Chief of Public Safety, City of Portage
Janice VanderKley, Vice President for Business and Finance, Western Michigan University
Robert Brown, Chief of Public Safety, Western Michigan University
Richard Fuller, Kalamazoo County Sheriff
Dave Healy, Texas Township Supervisor
Michael Korfman, Texas Township Fire Chief
Peter Battani, Administrator/Controller, Kalamazoo County

RE: Consolidated Dispatch Next Steps: Business Plan

DATE: December 9, 2011

We herein recommend the next step concerning consolidated dispatch for Kalamazoo County. We have identified certain key questions that must be clearly detailed and addressed prior to creating a consolidated dispatch authority and transferring member agency dispatch operations to the authority. Our next step requires the assistance of qualified consultants to provide a detailed Business Plan for the most cost-effective and feasible approach to consolidated dispatch. Therefore, we recommend that the entities noted join together to issue a request for proposal for a consultant to assist and advise us. We recommend the cost of

consultation be shared by all parties, using jurisdictional population as the method to allocate shares.

Before we proceed to create a consolidated dispatch authority and transfer all dispatching functions to it, the noted member agencies will need a Business Plan to map out the short-term and long-term costs, and the potential impacts on service. The governing bodies of the separate agencies will need this Plan and, in particular, the Kalamazoo County Board of Commissioners will need it to thoughtfully deliberate the possible levy of a phone surcharge to support consolidated dispatch authority operations.

The Business Plan would include such elements as an examination of past efforts to form a consolidated dispatch authority in Kalamazoo County and best practices from Michigan communities that have successfully created and operated dispatch authorities. In short, we want to learn from past mistakes here, as well as best practices in other communities. We know that the governing bodies of the separate law enforcement agencies, as well as the general public, will want to be assured that consolidated dispatch can be accomplished with measurable improvement to improved public safety communication at a cost-savings to authority participants.

By proceeding with the development of a Business Plan and, if determined feasible, we would take a two-phased approach to the creation of a consolidated dispatch authority. The first-phase of a Business Plan would ensure that all dispatching agencies have sufficient information in order to proceed to Phase Two, which would be to create an authority and consolidate all operations. The County of Kalamazoo recently submitted a grant request to the State of Michigan for financial assistance with design and implementation of a consolidated dispatch authority. If awarded, these funds would reduce the amounts needed from each agency for the establishment of an authority.

PHASE ONE – DEVELOPMENT OF A BUSINESS PLAN

The Consultant would advise us through development of a Business Plan for consolidated dispatch. The plan would minimally consist of three main parts: Staffing and Operations, Capital, and Financing. Costs associated with the establishment of an authority would be shared among the member agencies.

The Staffing and Operational Plan would include such things as a one set of policies and procedures to implement a staffing pattern. When implemented, payroll, labor contracts, and benefits would be negotiated by an authority, based on the requirements of state law. It must be noted and understood by all parties, especially member unit governing bodies, that there will be significant labor and operational issues to negotiate and manage should an authority concept prove feasible. The goal of an authority would be to reduce current operating costs for current levels of service through efficiencies gained from consolidation.

The Capital Plan would identify and prepare for short and long-term equipment maintenance and replacement, including facilities. Until such time as a plan can be developed and implemented for the next generation of communications and dispatch equipment, dispatch would be provided and coordinated using the existing 800 MZ and 155 MZ systems now in use. This negates for the short term a major expenditure for capital replacement. An authority would determine the most effective and efficient use of separate facilities now operated by member agencies. Ultimately, the most cost-effective way to proceed may be to have one primary facility from which to dispatch. The specific details associated with one location, including the timing of merging into one location, would ultimately be determined by an authority consistent with any recommendation in the Plan. We recognize that each agency has made significant financial investment in buildings and equipment. The Business Plan will have to account for a fair and reasonable way to transfer capital assets to an authority.

The Financial Plan would account for all operating and capital expenditures, with offsetting revenue sources. Revenue sources could include such things as cell phone funding, supplemented by a surcharge on monthly phone bills (and

other devices that access E-911 services), enabled by Michigan law. Levy of a surcharge up to and including 42 cents per month is accomplished by a resolution of the County Board of Commissioners, and beyond 42 cents, up to \$3 per month by vote of the county's electorate, based on a plan submitted to and approved by the Michigan Public Service Commission. If necessary, the plan submittal to the MPSC for a surcharge will be developed by the consultant, reviewed by the governing agencies, and submitted to the Board of Commissioners for formal action. The surcharge at the 42-cent level would yield approximately \$1.4 million per year, countywide. Kalamazoo County is among a very few counties in Michigan that do not levy a telephone surcharge or special voted millage for the provision of dispatch services, through a dispatch authority.

PHASE TWO – ESTABLISHMENT OF A CONSOLIDATED DISPATCH AUTHORITY

Following the recommendations of the Business Plan, the separate agencies would enter into an Urban Cooperation Agreement to Establish the Consolidated Dispatch Authority in Kalamazoo County. An agreement would provide for the terms and conditions of the authority, including the number of authority members and the manner of appointment. The agreement would also provide for the make-up of various subcommittees of the authority.

The Business Plan from Phase One would also make recommendations to the separate agencies regarding implementation. Agencies would take formal action to transfer all operations, including staffing and capital assets to the authority, according to the recommendations contained in the Business Plan.

We anticipate that on a short-term to medium-term basis, it will be necessary to continue to maintain the 800 Mhz and 155 Mhz systems now in place. Doing so will help to ensure that the entailed costs of a consolidated authority will be minimized. Long-term, we anticipate that the authority would move to the next generation of communications equipment, because current equipment will have completed its life cycle or because possible mandates by the Federal government may require change. The Plan may also include significant capital upgrades in facilities.

We estimate that once we secure approvals from all agency governing bodies, it will take approximately 90 days to secure a qualified consultant. We estimate that it will take approximately 90 – 180 days for the consultant to complete the analysis and report back with a recommended Business Plan.

K:\Battani\BOC\DispatchImplementationConsultation.docx

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: December 13, 2011

FROM: Maurice S. Evans, City Manager



SUBJECT: Consolidated Dispatch Business Plan

ACTION RECOMMENDED: That City Council support the issuance of a Request for Proposals for development of a business plan for a consolidated dispatch authority funded through a cost sharing arrangement between prospective authority participants on a basis of jurisdictional population.

Attached is a report outlining recommended next steps in our collective efforts to review and consider establishment of an area-wide consolidated dispatch authority. Preliminary to consideration of this concept, development of a business plan is suggested. The business plan will enable development of basic information necessary for considering future potential participation in a consolidated dispatch authority. Council support of the development/issuance of a Request for Proposals, funded through contributions of all prospective consolidated dispatch authority participants is recommended. Once the final consultant cost information is known, City Council expenditure authorization will be requested.

MATERIALS TRANSMITTED

Friday, December 02, 2011

1. Communication from the City Manager regarding a response to the Arrow Car Service Complaint – Information Only.



Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

MATERIALS TRANSMITTED

Tuesday, December 06, 2011

1. **To be added to the December 6, 2011 City Council Agenda as Item F.11:** Communication from the City Manager recommending that City Council hold a closed session immediately following the regularly scheduled City Council Meeting of December 6, 2011, to discuss an attorney/client communication.
2. **To be Replaced in Item F.3 of the December 6, 2011 City Council Agenda:** Communication from the City Manager recommending that City Council accept the amendment to Chapter 14 of the Code of Ordinances by adding Article 8, Section 14-202 through Section 14-213, *Pawnbrokers and Secondhand Dealers*, for first reading and set a second reading with final adoption for December 20, 2011.
3. Communication from the City Manager regarding the Council Goal Setting Session Materials – Council Submitted Discussion Topics.



Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager