

CITY OF
PORTAGE
A Place for Opportunities to Grow

PLANNING COMMISSION

September 20, 2012

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

September 20, 2012

(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

- * September 6, 2012

PUBLIC HEARINGS:

- * 1. Height Modification: Mueller Plastics (silos), 6700 South Sprinkle Road

SITE/FINAL PLANS:

- * 1. Site Plan for Portage Brewing Company, 7842 and 7908 (portion) Portage Road

NEW BUSINESS:

OLD BUSINESS:

- * 1. City of Portage 50th Anniversary Celebration (ideas and suggestions)

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

August 13, 2012 Zoning Board of Appeals meeting minutes

August 14th and 28th, 2012 City Council meeting minutes

July 2012 Summary of Environmental Activities Report

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

PLANNING COMMISSION

September 6, 2012

 DRAFT

The City of Portage Planning Commission meeting of September 6, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Seven citizens were in attendance.

MEMBERS PRESENT:

Wayne Stoffer, Paul Welch, Bill Patterson, Dave Felicijan, Rick Bosch, Allan Reiff and James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Miko Dargitz.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; 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:

Chairman Cheesebro referred the Commission to the August 16, 2012 meeting minutes contained in the agenda packet. Commissioner Reiff and Commissioner Bosch indicated they would be abstaining from voting since they were not present at this meeting. A motion was offered by Commissioner Patterson, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was approved 5-0-2.

PUBLIC HEARINGS:

1. Special Land Use Permit: Group Child Care Home, 2528 Vanderbilt Avenue. Mr. West summarized the staff report dated August 31, 2012 regarding the request by Ms. Cristin VanderMolen and Ms. Carolyn Roseboom to establish a group child care home for up to 12 children at 2528 Vanderbilt Avenue. Mr. West stated that Ms. VanderMolen and Ms. Roseboom will be partners in the business and jointly operate the group child care home from Ms. Roseboom's residence. Mr. West discussed the presence of a pond along the north side of the residence and stated the applicants have indicated the pond will be enclosed by a four-foot tall fence for safety purposes. Mr. West indicated the primary outdoor play area would be situated in an open clearing located along the south side of the residence. Given the size and characteristics of the property and adjacent parcels, Mr. West indicated the applicants were not proposing to fence this outdoor play area. Mr. West stated the applicants have contacted adjacent residences to discuss the proposed group child care home and the plans for the outdoor play area and letters of support have been received from the owners of 2550 Vanderbilt Avenue and 2508 Vanderbilt Avenue.

Ms. Cristin VanderMolen and Ms. Carolyn Roseboom were present to support the application and discuss the proposed group child care home. Commissioner Bosch asked why the applicants were choosing not to fence the outdoor play area along the south side of the residence. Ms. VanderMolen indicated that she has reconsidered and will now be installing a short wooden fence around the outdoor play area. Commissioner Reiff asked the

applicants if the pond located along the north side of the residence would be fenced before the day care opened. Ms. VanderMolen stated that $\frac{3}{4}$ of the pond has been fenced and the remaining portion would be completed before the day care opens. Ms. VanderMolen stated the ultimate goal was to have the pond drained and filled-in. Chairman Cheesebro opened the public hearing. One citizen, Ms. Donna Debault (2527 Vanderbilt Avenue) was present and spoke in support of the application. No additional citizens spoke regarding the proposed group child care home. A motion was made by Commissioner Welch, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Welch, seconded by Commissioner Patterson, to approve the Special Land Use Permit for Ms. Cristin VanderMolen and Ms. Carolyn Roseboom (group child care home), 2528 Vanderbilt Avenue, with the inclusion of Ms. VanderMolen's statements regarding her intentions to fence the pond and outdoor play area. The motion was unanimously approved.

2. Special Land Use Permit: Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road. Chairman Cheesebro stated he would be abstaining from discussion and voting on this agenda item due to a conflict of interest. Mr. Forth summarized the staff report dated August 31, 2012 regarding a request from Mike and Ruth Stoddard for a special land use permit to establish a micro-brewery/restaurant at 7842 and 7908 (portion thereof) Portage Road. Mr. Forth indicated the applicants have a purchase agreement pending with the current owner of 7842 Portage Road and license agreement pending with Consumers Energy Company to construct parking on a portion of 7908 Portage Road. Mr. Forth stated the proposal fulfills the requirements for issuance of a special land use permit and details regarding the site plan were expected to be finalized and ready for Planning Commission review during the September 20, 2012 meeting. Mr. Forth indicated staff was recommending approval of the special land use permit subject to the two conditions cited in the staff report.

Mr. Mike Stoddard and Mrs. Ruth Stoddard were present to support of the application. Mr. Stoddard thanked the Commission and indicated he and his wife were looking forward to establishing the first micro-brewery in the City of Portage. Mr. Stoddard also indicated the license agreement from Consumers Energy Company to establish parking on a portion of the 7908 Portage Road parcel has been received. Vice-Chairman Welch opened the public hearing. No citizens spoke regarding the proposed development project. A motion was then made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was approved 6-0-1. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Reiff, to approve the Special Land Use Permit for Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road, subject to a fully executed license agreement for parking being finalized with Consumers Energy Company and Planning Commission review/approval of the site plan. The motion was approved 6-0-1.

3. Height Modification: FEMA Corporation (addition), 1716 Vanderbilt Avenue. Mr. Forth summarized the staff report dated August 31, 2012 regarding a height modification request submitted by FEMA Corporation to construct an approximate 39,000 square foot building addition along the west side of the existing manufacturing facility to a height of 26-feet. Mr. Forth summarized the previous height modification that was approved by the Planning Commission in 2008 and indicated the proposed building addition would maintain the same 26-foot building height. Mr. Forth discussed the Zoning Code criteria for height modification considerations and reviewed surrounding site characteristics including proposed setback differences from adjacent property lines, nearest single family residential structures, natural topography and proposed grading differences and previously approved conflicting land use screening that would be preserved with the building expansion project.

Mr. John Pula of FEMA Corporation was present to support the application. The public hearing was opened by Chairman Cheesebro. No citizens spoke in regard to the proposed height modification. A motion was then made by Commissioner Welch, seconded by Commissioner Reiff, to close the public hearing. The motion was unanimously approved. A motion was made by Commissioner Welch, seconded by Commissioner Patterson, to approve the Height Modification for FEMA Corporation (addition), 1716 Vanderbilt Avenue, to construct the proposed building addition to a height of 26-feet. The location, setback distances, topographic

differences and conflicting land use screening for the interconnected facility will mitigate potential impacts on adjacent single family residentially zoned properties to the west and north consistent with Section 42-350(B)(6). The motion was unanimously approved.

SITE/FINAL PLANS:

1. Site Plan: FEMA Corporation (addition), 1716 Vanderbilt Avenue. Mr. Forth summarized the staff report dated August 31, 2012 regarding a request by FEMA Corporation to construct an approximate 39,000 square foot building addition and associated site improvements along the west side of the existing manufacturing facility. Mr. Forth indicated the existing access arrangement would be maintained and previously approved conflicting land use screening would be preserved with the expansion project. Mr. Forth stated storm water from the expansion project would be directed to the existing storm water system located along the northeast portion of the zoning lot.

Mr. John Pula of FEMA Corporation was again present to support the site plan. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Felicijan, to approve the Site Plan for FEMA Corporation (addition), 1716 Vanderbilt Avenue. The motion was unanimously approved.

OLD BUSINESS:

1. City of Portage 50th Anniversary Celebration. Chairman Cheesebro asked the Commission if they had any additional ideas or suggestions for the upcoming City of Portage 50th Anniversary celebration. Commissioner Felicijan stated he would be willing to volunteer to participate in any planning committee regarding matter. Mr. West summarized the 25th Anniversary celebration that included a special edition of the Portager, along with a carnival, concert and time capsule at the City Hall site. Mr. Forth asked that any ideas or suggestions be forwarded to the Department of Community Development by next week Thursday so they could be included in a draft memo prior to Planning Commission review and finalization at the September 20th meeting.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Chairman Cheesebro stated that City Council will be conducting interviews for the vacant Planning Commission position at the Tuesday, September 11, 2012 meeting.

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

Respectfully submitted,

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

TO: Planning Commission **DATE:** September 14, 2012
FROM: Vicki Georgeau, ^{VA} Director of Community Development
SUBJECT: Height Modification: Mueller Plastics (silos), 6700 South Sprinkle Road

I. INTRODUCTION/BACKGROUND:

A height modification application has been submitted by Mueller Plastics requesting approval for three existing silos and two proposed silos up to a height of 60-feet at the existing manufacturing facility located at 6700 South Sprinkle Road. Other site improvements including construction of a railroad spur and relocation of a public water main are also planned along the west side of the facility. The approximate 18 acre property is zoned I-1, light industry.

The three existing silos located at the site were installed sometime during the 1980s, prior to Mueller Plastics acquiring the property, without the necessary height modification approval. These three silos are 50-feet in height (with a 3.5 foot safety railing on top). The two proposed silos are 60-feet in height (also with a 3.5 foot safety railing on top) and are being relocated from Mueller Plastics previous facility in Wynne, Arkansas. All the silos will be utilized to store PVC and ABS plastic resin used in plastic injection molding operations.

II. ZONING CODE REQUIREMENTS:

Section 42-350(A), Schedule of Regulations, of the Land Development Regulations establishes a building height standard of 40-feet for buildings/structures located in the I-1, light industry district that can be increased with Planning Commission and City Council review/approval pursuant to Section 42-350(B)(6)(a). In granting 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 approximate 18 acre zoning lot is bordered to the north and south by vacant land zoned I-1, light industry. To the east (across South Sprinkle Road), are industrial facilities also zoned I-1, light industry. The Grand Elk Railroad and Kalamazoo-Battle Creek International Airport, located within the City of Kalamazoo, borders the site to the west.

The three existing silos are located within the middle portion of the property and surrounded by the manufacturing building along the north, south and east sides. These silos are situated approximately 215 feet from the north property line, 300 feet from the south property line, 490 feet from the east property line (South Sprinkle Road right-of-way) and 690 feet from the west property line. The two proposed silos will be situated along the west side of the facility approximately 300 feet from the north property line, 210 feet from the south property line, 720 feet from the east property line (South Sprinkle Road right-of-way) and 470 feet from the west property line. The silos will be constructed at

the existing grade consistent with the finished floor elevation of the main building. The northwest portion of the property is characterized by mature trees and natural vegetation. Residential properties are not situated near the zoning lot. The Kalamazoo-Battle Creek International Airport has reviewed and approved the proposed height and location of the new silos.

Per statutory requirements, property owners within 300 feet of the zoning lot have been notified in writing of the special land use permit application and Planning Commission meeting. A notice was also placed in the local newspaper.

IV. RECOMMENDATION:

Based on the foregoing analysis and subject to any public comment received during the public hearing, the Planning Commission is advised to recommend to City Council that the Height Modification for Mueller Plastics, 6700 South Sprinkle Road, be approved to allow three existing 50-foot tall silos and construction of two new 60-foot tall silos. The location of the silos in relation to the existing manufacturing building and distance from property lines mitigate potential adverse impacts on surrounding properties and land uses consistent with Section 42-350(B)(6)(a).

Attachments: Vicinity/Zoning Map
Aerial Photo Map
Height Modification Application/Narrative dated September 13, 2012
Site Plan
Elevation Sheet



Existing silos

Proposed location
new silos

Aerial Photography 6700 South Sprinkle Road

Date of Photography: March 2009



1 inch = 350 feet

Mueller Plastics
6700 S. Sprinkle Rd.
City of Portage, Michigan

Building Height Modification - Narrative

Mueller is requesting a height modification to accommodate three silos currently on site at 6700 Sprinkle road and two silos being relocated from another Mueller facility. All silos are used to store PVC and ABS plastic resin, used in the injection molding operations on site.

The three existing silos have been in place since prior to Mueller acquiring the property in 1994. In April of 2012 Mueller was informed that there was not a height modification request on file for the three existing silos, and that Mueller should file one with the City of Portage. The nominal heights of the three existing silos are 50 feet and elevations of the three silos are indicated on the attached revised Sheet A101.

The two new silos are being relocated from Mueller's previous plastics facility in Wynne, Arkansas and are proposed to be located on the northwest side of the south building indicated on the attached site plan included in this document. These silos are nominally 60 feet in height, and the elevations are also shown on the attached revised Sheet A101. The airport authority has been contacted regarding the intention to place the silos in their proposed locations and they have not expressed any objection to their placement. The silos will be located on the back side of the building posing no visual impact or encumbrance from sprinkle road or adjacent properties.

Section 42-350.B.6. of the City Zoning Code has requirements regarding site features that are to be reviewed as part of the decision making process. The three existing silos are located in a 225 foot cove between the two building wings. These silos are also located 210 feet from the north property line and 300 feet from the south property line. The two new silos will also be located near the building at the west side in the grass area between the building and the driveway around the building. These will be located 210 feet from the south property line, 300 feet from the north property line, and 470 feet from the west property line. The two proposed silos are also located more than 80 feet from the closest point of the proposed railroad track.

The proposed request is required to allow Mueller to purchase raw materials at an economic scale necessary to make it feasible to conduct business in Portage. The modification will allow Mueller to extend a rail spur to the property, allowing for rail car filling of the proposed silos. Mueller will be repainting all of the five silos once they are in place, this will result in a pleasing visual presentation.

TO: Planning Commission **DATE:** September 14, 2012
FROM: Vicki Georgeau, ^{VG} Director of Community Development
SUBJECT: Site Plan for Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road.

I. INTRODUCTION/BACKGROUND:

A site plan has been submitted by Mike and Ruth Stoddard to construct an approximate 9,700 square foot micro-brewery/restaurant and associated site improvements at 7842 and 7908 (portion thereof) Portage Road. The applicant has a purchase agreement pending with the current owner of 7842 Portage Road and a license agreement pending with Consumers Energy Company to use a portion of 7908 Portage Road for "vehicle parking and lawn area." The Consumers Energy license agreement includes the land area south and west of 7842 Portage Road; however, the applicant is proposing to only use the area to the south at this time. Utilization of the Consumers Energy property to the west will require a zoning change (property is zoned I-1) since off-street parking must be in the same zone (unless zoned P-1, parking) and on the same zoning lot. Additionally, the applicant is in the process of acquiring a 5-foot strip of land from the adjacent property to the north (7840 Portage Road) to accommodate the required setback for the proposed micro-brewery/restaurant building. According to the applicant, the existing residential structure and adjacent detached accessory building will be demolished while the existing approximate 2,500 square foot steel building located along the northwest portion of the zoning lot will be retained and utilized for storage. The approximate 2.6 acre zoning lot is zoned B-3, general business (7842 Portage Road) and P-1, vehicular parking (7908 Portage Road).

At the September 6, 2012 meeting, the Planning Commission approved a special land use permit for the Portage Brewing Company allowing establishment of the micro-brewery/restaurant at the subject site. The special land use permit approval was conditioned upon a fully executed license agreement for parking being finalized with Consumers Energy Company and Planning Commission review/approval of the site plan.

II. SITE PLAN DETAILS/ANALYSIS:

Access to the site will be provided through an existing full service driveway to Portage Road, which is also shared by the adjacent property to the north (Precision Windows, 7840 Portage Road). Storm water from the development will be collected and conveyed to a storm water treatment cell and infiltration basin located along the western portion of the 7842 Portage Road parcel. Municipal water is available to the site but sanitary sewer service is not available. The applicant is proposing to extend a sanitary sewer main northward from East Centre Avenue. Since the applicant is proposing to extend the main outside of the Portage Road pavement area, an easement is necessary from Consumers Energy and Pfizer. The applicant is working with both companies to secure the easements.

Based on comments received during the rezoning consideration from residents located to the west, along Engle Court, the applicant has agreed to install screening along the west property line of 7842 Portage Road. While the applicant has not specified the type of screening, staff believes that a 6-foot tall screening fence and deciduous tree plantings (minimum 2½ inch caliper, planted 30-feet on center) or a staggered row of 6-8 foot tall evergreen trees spaced ten feet on-center and installed along the west property line of 7842 Portage Road would provide sufficient screening. Existing trees and natural vegetation are also present on the Consumers

Energy Company property west of the proposed parking area that will also help screen/buffer this development project from nearby residences.

In conjunction with the site plan review, the applicant is also requesting approval to exceed the maximum parking provision of the Zoning Code. Section 42-520.O of the Zoning Code states in part that “...no parking lot shall have parking spaces totaling more than an amount equal to ten percent greater than the minimum parking requirement...”. Based on the useable floor area of the micro-brewery/restaurant, a maximum of 55 parking spaces is allowed for the proposed use [50 spaces + 5 spaces (10%) = 55 spaces]. The applicant is proposing a total of 100 parking spaces. A future outdoor seating area (“beer garden”) with an approximate useable area of 2,000 square feet is also planned along the west side of the micro-brewery/restaurant building. If this outdoor seating area is constructed an additional 30 parking spaces would be required and allowed [27 spaces + 3 spaces = 30 spaces)].

Requests to exceed the maximum parking requirement are subject to Planning Commission review and determination that the additional parking is necessary “based on documented evidence of actual use and demand provided by the applicant”, and consideration of “impacts on the property and surrounding properties including any natural features thereon”. Consistent with Section 42-520(O), the applicant has submitted written documentation in support of these additional parking spaces (see attached). According to the information provided by the applicant, the Portage Brewing Company will be a high volume restaurant with upwards of 30 employees. The applicant indicates these factors plus the future addition of the outdoor seating area/“beer garden” requires the proposed 100 parking spaces to accommodate the proposed use.

While the applicant is confident the Consumers Energy Company license agreement for parking will be a long-term arrangement, provisions for additional parking on the 7840 Portage Road parcel have been incorporated into the site plan. Site plan Sheet S-1 identifies an “optional future parking” area along the west side of the micro-brewery/restaurant building that could be utilized for parking in the future in the event that Consumers Energy Company terminates the license agreement. While conversion of this area to parking would require changes to the storm water system (underground or relocated) and may result in modifications to the business operations (elimination of outdoor seating area, changes to business hours, reduction in seating capacity), the applicant is aware of these inherent risks and is willing to move forward with the development project. Additional land acquisition is a possibility if future parking needs arise.

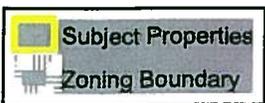
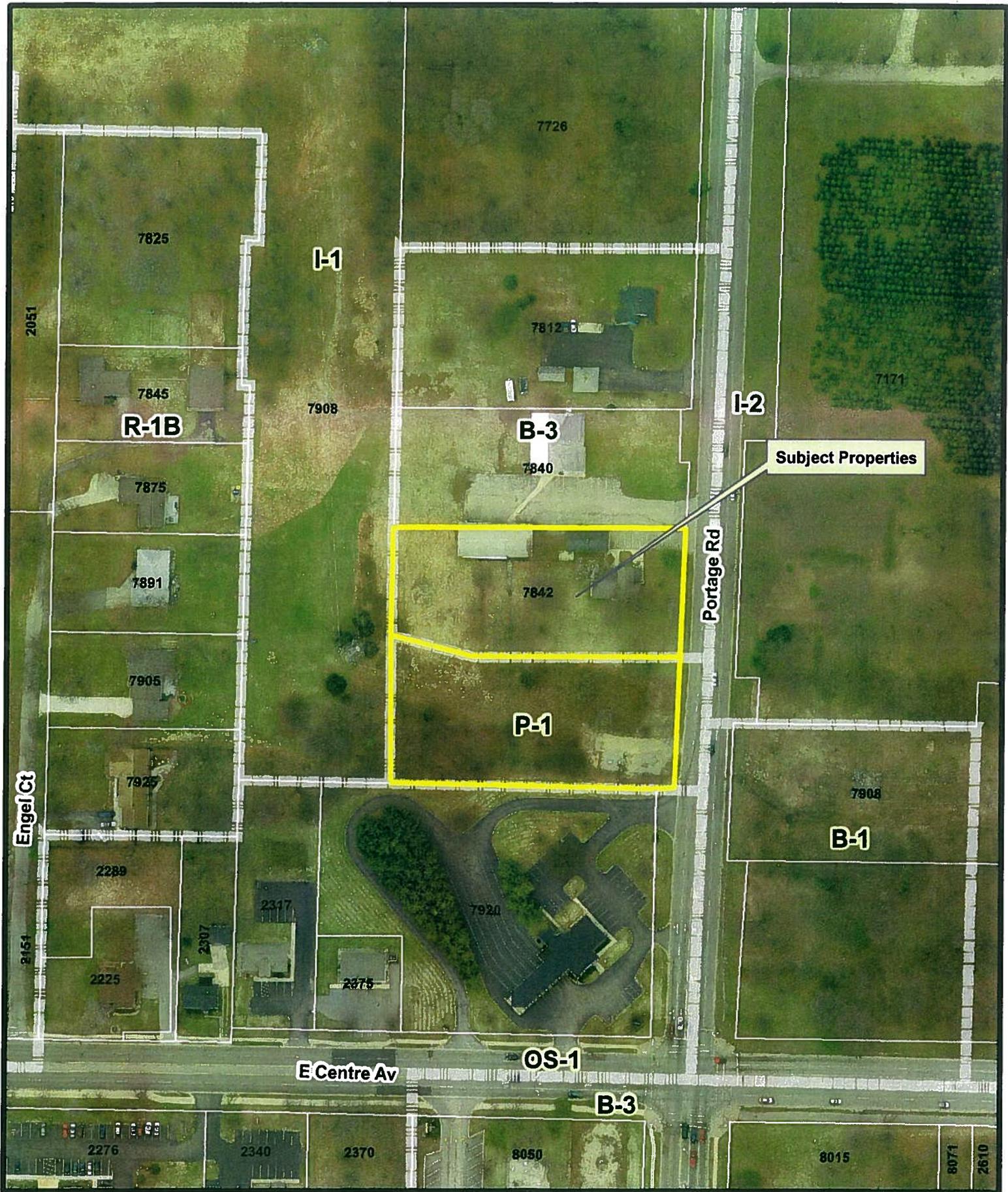
Consistent with the Comprehensive Plan and to facilitate pedestrian movements to/from the proposed micro-brewery/restaurant, staff has advised the applicant that installation of a sidewalk along the Portage Road frontage would be appropriate. In lieu of installing the sidewalk with the development project, the applicant has requested to defer sidewalk installation until “...future development of the sidewalks from the City or adjoining businesses takes place...” (see attached letter). Sidewalk is present south and west of the subject site, along the north and south sides of East Centre Avenue. While a sidewalk is not currently present along the Portage Road frontage of the adjacent PNC Bank parcel to the south (approximately 300 feet), installation of sidewalk along the Portage Brewing Company zoning lot would facilitate pedestrian traffic from East Centre Avenue to the micro-brewery/restaurant, through the PNC Bank parking lot, until a permanent sidewalk connection is completed. Both single family and multiple family residences exist within close proximity to the proposed micro-brewery/restaurant. These include apartment units to the west, single family residences to the west along Engle Court and single family residential neighborhoods to the south and west (along the south side of East Centre Avenue and east side of Portage Road). Additionally, there are many employees working at area businesses along East Centre and Portage Road that may also patronize the Portage Brewing Company. Given these area characteristics, staff believes installation of the sidewalk is appropriate with the development project.

III. RECOMMENDATION

The site plan has been reviewed by the City Administrative departments. Staff recommends the site plan for Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road, be approved subject to the following conditions:

- 1) A copy of a fully executed license agreement being provided to the Department of Community for parking on the Consumers Energy Company parcel (7908 Portage Road);
- 2) Review and approval of a lot line adjustment application for 5-foot strip of land proposed to be transferred from 7840 Portage Road to 7842 Portage Road;
- 3) Approval of the request to exceed the maximum parking requirement for the use and allow construction of 100 total parking spaces based upon documented evidence provided by the applicant that the additional parking is necessary and will not adversely impact the subject property, surrounding properties or related natural features;
- 4) Installation of a 6-foot tall screening fence and deciduous tree plantings (minimum 2½ inch caliper, 30-feet on-center) or a staggered row of 6-8 foot tall evergreen trees spaced ten feet on-center along the western portion of 7842 Portage Road; and
- 5) Installation of a 5-foot wide concrete sidewalk along the full frontage (7842 and 7908 Portage Road) of the zoning lot.

Attachment: Aerial Photograph
Communications from Mike and Ruth Stoddard dated September 13, 2012 (parking/sidewalk requests)
Site Plan Sheets



Aerial Photo
7842 & 7908 (portion thereof)
Portage Road



1 inch = 150 feet
2009 Pictometry Imagery

RECEIVED

SEP 13 2012

COMMUNITY DEVELOPMENT

Attention Community Development:

September 13, 2012

This letter is in regards to the zoning code 45-520.0 of the zoning code that states in part that "no parking lot shall have parking spaces totaling more than an equal amount to ten percent greater than the minimum requirement".

Our site plan currently indicates 50 parking spots, with a 100 parking spots proposed.

Our staff on a busy night will be upwards of 30 employees. The future beer garden will have 2000 square feet of useable square footage.

With consideration to the high volume restaurant, outdoor area, and employee parking we would like to request an increase of parking to 100 spaces.

Thank you for the consideration.

Mike and Ruth Stoddard

RECEIVED

SEP 13 2012

COMMUNITY DEVELOPMENT

Attention Community Development:

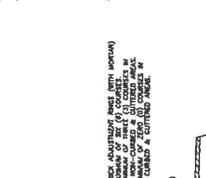
September 13, 2012

This letter is in regards to the proposed five-foot concrete sidewalk on lot 7842 and 7908 Portage road parcels. The initial request was to provide a concrete sidewalk along the entire frontage of both lots.

Our development group would like to request a deferment of installation of the sidewalk. Our development group requests that once future development of the sidewalks from the City or adjoining businesses takes place, we will fully participate in the development of the sidewalk.

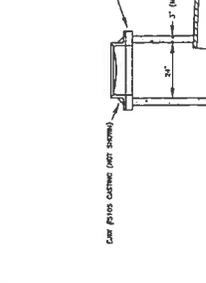
Thank you for the consideration.

Mike and Ruth Stoddard



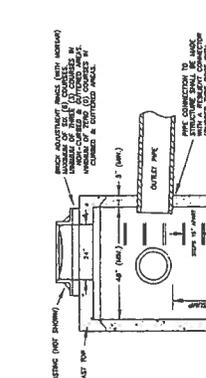
24" STORM SEWER INLET
NO SCALE

NOTES:
1) STRUCTURE SHALL HAVE A 2" RAMP UNLESS SLOPE OF OUTLET PIPE EXCEEDS 1:10.
2) HEIGHT OF STRUCTURE SHALL BE 18" MIN. BUT SHALL NOT EXCEED 5' 0" FEET.
3) SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
4) SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
5) SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
6) SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
7) SEE RELATED CITY OF PORTAGE STANDARD DETAILS.



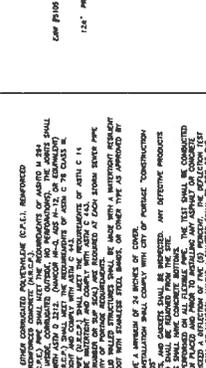
48" STORM SEWER STRUCTURE W/FLAT TOP
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 48" DIA. AND SHALL REQUIRE 6" MIN. COVER.
2) STRUCTURE SHALL BE CONCRETE AND SHALL BE 18" MIN. HIGH.
3) STRUCTURE SHALL BE 18" MIN. HIGH AND SHALL BE 48" DIA.
4) STRUCTURE SHALL BE 18" MIN. HIGH AND SHALL BE 48" DIA.
5) STRUCTURE SHALL BE 18" MIN. HIGH AND SHALL BE 48" DIA.
6) STRUCTURE SHALL BE 18" MIN. HIGH AND SHALL BE 48" DIA.
7) STRUCTURE SHALL BE 18" MIN. HIGH AND SHALL BE 48" DIA.



12" PRECAST PIPE STORM SEWER INLET
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
2) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
3) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
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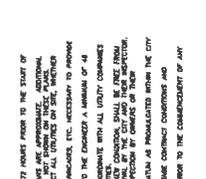
UTILITY TRENCH DETAIL
NO SCALE

NOTES:
1) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
2) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
3) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
4) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
5) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
6) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.
7) TRENCH SHALL BE 18" MIN. DEEP AND SHALL BE 18" MIN. WIDE.



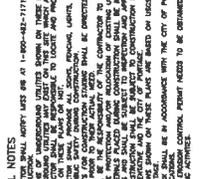
WATER MAIN
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
2) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
3) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
4) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
5) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
6) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
7) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.



THICKENED EDGE SIDEWALK
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
2) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
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6) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
7) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.



NON-THICKENED EDGE SIDEWALK
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
2) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
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MEDIUM DUTY PAVEMENT CROSS SECTION
NO SCALE

NOTES:
1) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.
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7) STRUCTURE SHALL BE 12" DIA. AND SHALL REQUIRE 6" MIN. COVER.

GENERAL NOTES

- CONTRACTOR SHALL VERIFY LINES ARE AS SHOWN PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTOR SHALL VERIFY ALL UTILITIES ARE SHOWN ON THE PLAN AND SHALL BE PROTECTED PRIOR TO CONSTRUCTION.
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STORM SEWER NOTES

- STORM SEWER SHALL BE 18" MIN. DIA. UNLESS OTHERWISE SPECIFIED.
- CONCRETE POLYETHYLENE GLASS FIBER REINFORCED (CPFR) PIPE SHALL BE USED FOR ALL STORM SEWER.
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SOIL EROSION CONTROL NOTES

- CONTRACTOR SHALL INSTALL SOIL EROSION CONTROL MEASURES AS SHOWN ON THE PLAN.
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WATER MAIN NOTES

- CONTRACTOR SHALL VERIFY ALL UTILITIES ARE SHOWN ON THE PLAN AND SHALL BE PROTECTED PRIOR TO CONSTRUCTION.
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CONSTRUCTION NOTES

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CONSTRUCTION DETAILS & NOTES
PORTAGE BREW PUB
PART OF S.E. 1/4 OF SECTION 14, CITY OF PORTAGE, WISCONSIN
Ingersoll, Watson & McMachen, Inc.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
122 East Main Street - Portage, Michigan 49802 - Phone 269 341-6188 - Fax 269 341-6555

DATE: 9/03/2012
SHEET: 53
JOB NO.: 36024

CITY OF PORTAGE
AUXILIARY VALVE LOCATION
SD-144

CONCRETE THURTELL BLOCKS SHALL HAVE A MECHANICAL JOINT BETWEEN WATER MAIN AND HYDRANT. CONCRETE SHALL BE GREATER THAN 3000 P.S.I. AND MUST BE USED.

CONC. SPILL CURB (6" HIGH BACK)
NO SCALE

NOTES FOR ALL CONCRETE CURBING:
1) CONCRETE SHALL BE 3000 P.S.I. OR GREATER AND SHALL BE LAPPED OR JOINTED.
2) CONCRETE SHALL BE 3000 P.S.I. OR GREATER AND SHALL BE LAPPED OR JOINTED.
3) CONCRETE SHALL BE 3000 P.S.I. OR GREATER AND SHALL BE LAPPED OR JOINTED.
4) CONCRETE SHALL BE 3000 P.S.I. OR GREATER AND SHALL BE LAPPED OR JOINTED.

THICKENED EDGE SIDEWALK
NO SCALE

NOTES:
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4) CONCRETE SHALL BE 3000 P.S.I. OR GREATER AND SHALL BE LAPPED OR JOINTED.

NON-THICKENED EDGE SIDEWALK
NO SCALE

NOTES:
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MEDIUM DUTY PAVEMENT CROSS SECTION
NO SCALE

NOTES:
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IN WALK BEFORE YOU DIG
1-800-487-1111

TO: Planning Commission **DATE:** September 14, 2012
FROM: Vicki Georgeau, ^{VJ} Director of Community Development
SUBJECT: City of Portage 50th Anniversary Celebration – suggestions and ideas

In a July 31, 2012 communication to advisory boards and commissions (see attached), City Council discussed the upcoming 50th Anniversary of the City of Portage incorporation and planning efforts for a year-long program of activities and events to commemorate this anniversary. To assist in planning effort, City Council is seeking input from the various Advisory Boards and Commissions, along with input from city residents. Receipt of written ideas and suggestions from the various Advisory Boards and Commissions is requested by September 28, 2012.

The Planning Commission preliminarily discussed this item during the August 16th and September 6th, 2012 meetings. Additional suggestions and ideas were also provided by Commissioners through email communications. Attached for Planning Commission review is a DRAFT communication to City Council that summarized suggestions and ideas provided to date.

The Planning Commission is advised to review and finalize this DRAFT communication during the September 20, 2012 meeting so that suggestions and ideas can be forwarded to City Council prior to the requested completion date.

Attachment: July 30, 2012 Communication from City Council
September 20, 2012 DRAFT Communication from Planning Commission to City Council

RECEIVED

JUL 31 2012

CITY OF PORTAGE

COMMUNITY DEVELOPMENT

COMMUNICATION

TO: Portage Advisory Boards and Commissions*

DATE: July 30, 2012

FROM: Portage City Council

SUBJECT: City of Portage 50th Anniversary Celebration

In December 1963, Portage Township incorporated as the City of Portage and 2013 marks the 50th anniversary of the city's incorporation. The Portage City Council intends to establish a year-long program of activities and events to commemorate the 50th anniversary as a city. In preparation, the Council is seeking input from all Portage Advisory Boards and Commissions. Residents of Portage are also being requested to provide similar input and the city has established a web form for the submission of resident suggestions. The form can be accessed by visiting www.portagemi.gov and clicking on the 50th Anniversary icon.

The Portage City Council intends to consider Advisory Board input, as well as resident input, in establishing a program of activities and events. In order to facilitate the planning process, receipt of Advisory Board input by September 28, 2012 is requested. Written suggestions should be directed to the Office of the City Manager.

Your participation in assisting the Council with development of the 50th anniversary event and activity schedule is appreciated.

- * James Cheesebro, Planning Commission
 - Ruth Caputo, Chair, Environmental Board
 - Mark Reile, Chair, Historic District Commission
 - Marc Meulman, Chair, Human Services Board
 - Mike Zajac, Chair, Park Board
 - Ruth Ann Meyer, Chair, Senior Citizens Advisory Board
 - Sujay Dewan, Chair, Youth Advisory Committee
- c: Maurice S. Evans, City Manager
- Staff Liaisons: Christopher Forth, Planning Commission ✓
 - Christopher Barnes, Environmental Board
 - Erica Eklov, Historic District Commission
 - Elizabeth Money, Human Services Board
 - William Deming, Park Board
 - Jill Hess, Senior Citizens Advisory Board
 - Adam Herringa, Youth Advisory Committee

 **DRAFT**

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: September 20, 2012

SUBJECT: City of Portage 50th Anniversary Celebration – suggestions and ideas

Pursuant to your July 30, 2012 communication, the Planning Commission reviewed and discussed the above captioned item during the August 16th, September 6th and September 20th, 2012 meetings. The following represents suggestions and ideas that were provided by the Commission for the upcoming City of Portage 50th Anniversary Celebration:

- Activities of events that emphasize the City Centre Area.
- A landmark to commemorate the 50th Anniversary.
- Have a contest to get residents involved including the schools.
- Construction of a clock tower in the City Centre Area.
- Tree plantings in honor of the 50th Anniversary.
- Establish a community garden.
- Use the occasion to implement “placemaking” initiatives.
- Building a monument to the history of Portage.
- Construction of a museum in the City Centre Area that celebrates the past, present and future of Portage (utilization of an existing building or relocation of a historic building).
- Promote local businesses and involve them in the celebration.
- Provide opportunities for businesses/residents to “sponsor” different elements of the city such as park benches, trees, small garden areas, splash pad, decorative streetlights, fountains, inscribed pavers in a plaza area (similar to the Air Zoo), bike racks and median strips. Include a small engraved plaque/plate commemorating the sponsorship.

The Commission appreciates the opportunity to provide input on planning efforts for this important event.

Sincerely,

James Cheesebro
Chairman

MATERIALS TRANSMITTED

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – August 13, 2012

The City of Portage Zoning Board of Appeals meeting was called to order by Vice Chair Seyburn at 7:00 p.m. in the Council Chambers. Four people were in the audience.

MEMBERS PRESENT: Timothy Bunch, Doug Rhodus, Betty Schimmel, Lowell Seyburn, Michael Robbe, Mariana Singer, and Glenn Smith.

MEMBERS EXCUSED: Jeffrey Bright, Rob Linenger

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Charles Bear, Assistant City Attorney

APPROVAL OF THE MINUTES: Singer moved and Bright seconded a motion to approve the July 9, 2012 minutes with one change. Upon voice vote, motion was approved 7-0.

NEW BUSINESS:

ZBA #12-01, 550 Ring Road: Staff summarized the request for a Temporary Use Permit to allow outdoor furniture sales from August 22, 2012 through October 30, 2012. Mike O’Grady stated Art Van was requesting the Temporary Use Permit because they were undergoing a significant interior store remodel over the next several months and wanted to be able to continue to conduct sales while the project was underway.

A public hearing was opened. Ryan Simpson with the Kalamazoo Regional Chamber of Commerce spoke in favor of the request. The public hearing was closed.

A motion was made by Bunch, seconded by Singer, to grant a Temporary Use Permit to allow outdoor furniture sales from August 22, 2012 through October 30, 2012, conditioned upon: 1) a 2A:10ABC fire extinguisher is provided and placed in a conspicuous location; 2) ‘no smoking’ signs be placed on all tent sides; and 3) a 20-foot separation be required between tents, tent parts, buildings and vehicles. Upon roll call vote: Bunch-Yes, Schimmel-Yes, Robbe – Yes, Seyburn-Yes, Singer-Yes, Smith-Yes, Rhodus-Yes. Motion passed 7-0.

ZBA #12-02, 6925 South Westnedge Avenue: Staff summarized the request for variances to replace a nonconforming freestanding sign that would: a) measure 175 square feet in area (including a 17 square foot electronic message display sign) where a maximum 84 square feet is permitted; b) measure 30 feet in height where a maximum 25 feet height is permitted; c) be set back five feet where a minimum 10-foot setback is required; and d) be allowed to continue after substantial site and building improvements have been completed, as proposed in a preliminary site plan dated April 20, 2012. Paul Nystrom was present on behalf of the applicant and stated McDonald’s was proposing to significantly reduce the freestanding sign’s degree of nonconformity. Mr. Nystrom stated marketing research showed the size of the sign had a direct impact on impulse sales and that the proposed sign’s height and area were the minimum necessary due to the trees near the street partially obstructing its visibility.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Bunch, seconded by Smith, to grant a variance to replace a nonconforming freestanding sign that would: a) measure 175 square feet in area (including a 17 square foot electronic message display sign) where a maximum 84 square feet is permitted; b) measure 30 feet in height where a maximum 25 feet height is permitted; c) be set back five feet where a minimum 10-foot setback is required; and d) be allowed to continue after substantial site and building improvements have been completed, as proposed in a preliminary site plan dated April 20, 2012; conditioned upon 1) no freestanding sign be erected on Admiral Avenue; 2) the sign be erected prior to the commencement of construction of the site and building improvements proposed on the April 20, 2012 site plan; 3) and

the variance from Section 42-544(B)(6) is limited to the construction proposed on the April 20, 2012 site plan and provided the site and building improvements are completed within 12 months of the date the variance is granted, as the granting of the variance will result in the removal of a nonconforming sign and replacement by a sign that, while not meeting the requirements of the Zoning Code is nonetheless in keeping with its spirit and intent. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Upon roll call vote: Bunch-Yes, Schimmel-Yes, Robbe – No, Seyburn-Yes, Singer-Yes, Smith-Yes, Rhodus-Yes. Motion passed 6-1.

OTHER BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT: There being no further business, the meeting was adjourned at approximately 7:39 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

CITY COUNCIL MEETING MINUTES FROM AUGUST 14, 2012

The Regular Meeting was called to order by Mayor Strazdas at 7:32 p.m.

At the request of Mayor Strazdas, Father Robert Creagan of St. Catherine of Siena Catholic Church gave an invocation and City Council and the audience recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Upon a voice vote, the July 24, 2012 Regular Meeting Minutes were approved as presented. The vote was 5 to 0 with Councilmember Urban and Councilmember Sackley abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Pearson to read the Consent Agenda. Councilmember Randall asked that Item F.5, Police Vehicle Equipment Changeover, be removed from the Consent Agenda. Motion by Pearson, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF AUGUST 14, 2012:** Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of August 14, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

CONCEPTUAL PLAN AMENDMENT FOR TRADE CENTRE HOLDINGS, LLC, 420 AND 750 TRADE CENTRE WAY: Mayor Strazdas asked Department of Community Development Director Vicki Georgeau to review the Conceptual Plan Amendment. Director Georgeau provided an overview of the project and a brief history of the property involved. She also explained the height modification and modified setback requests associated with the project. Director Georgeau reviewed the support of the Planning Commission for the project and that of neighboring properties. She also emphasized the wetland mitigation that has been and will be completed. Councilmembers Sackley and Urban inquired as to the height of the proposed building as it relates to the existing two office buildings. Specifically they inquired about the starting grade for the proposed structures as compared to the starting grade for the existing structures. Director Georgeau explained that the proposed buildings would be in character with current structures and that the height differential would be minimal. She deferred to the developer for exact information.

Mr. Greg Dobson, American Village Builders, 4200 W. Centre Avenue, Portage, spoke in support of the project and emphasized his appreciation for the staff and elected officials of the City of Portage in supporting this development. He also highlighted his appreciation for support in relocating West Fork Crossing and in the wetland mitigation. He then informed City Council that construction of a Courtyard by Marriott would begin on Wednesday, August 15th. The property of the Marriott, he stated, was in the process of being sold to TMI of South Dakota. In response to the height questions posed by Councilmembers Urban and Sackley, Mr. Dobson stated that the starting grade for the existing buildings was 860.5 feet and the proposed buildings would be at 858.7 feet.

Mayor Strazdas expressed support for the development, his pleasure with the transformation of the gateway to the community and inquired as to what is being done to ensure there will be a similar architectural relationship between each building. Mr. Dobson pointed out there are architectural restrictions on the restaurant pads and shared a rendering of the proposed office building. He reassured City Council that any future buildings will stay true to the designs of the existing structures. Mayor

Strazdas then inquired as to the timeframe for development. Mr. Dobson replied that construction of a hotel and related restaurant was imminent, construction of a second hotel is envisioned to begin in about one year and that a related restaurant was likely. Mr. Dobson then said that there was nothing definite related to the construction of a third office building.

Mr. Joe Gesmundo, American Village Builders, spoke in support of the project and was complimentary to City Council and staff for their support and effort in transforming a former unattractive area of the City of Portage into something that the entire Portage and Kalamazoo community can be proud of. Discussion followed.

Motion by Urban, seconded by Randall to close the public hearing. Upon a voice vote, motion carried 7 to 0. Councilmember Urban inquired of Attorney Brown if the various modifications to heights and setbacks needed to be enumerated in the motion. Attorney Brown deferred to Director Georgeau who explained that these requested modifications are considered to be included in the Conceptual Plan. Attorney Brown then stated that, given this, all that is needed is a motion to approve the Conceptual Plan. Motion by Urban, seconded by Sackley, to approve the Trade Centre Holdings, LLC, Conceptual Plan Amendment, 420 and 750 Trade Centre Way. Several members of City Council thanked Mr. Gesmundo, American Village Builders and other developers for working so diligently to implement exciting developments in their home community. They also expressed gratitude that the developments take place in close partnership with all interested parties. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **FEMA CORPORATION – PA 198 TAX ABATEMENT:** Motion by Pearson, seconded by Reid, to accept the application for an industrial tax abatement for 1716 Vanderbilt Avenue; and adopt Resolution No. 1-12 setting a public hearing on the expansion of Industrial Development District No. 55 for 1716 Vanderbilt Avenue on August 28, 2012. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 425 of City of Portage Resolution Book No. 44.

* **PRELIMINARY PLAT OF OAKLAND FARMS NORTH, 9810 OAKLAND DRIVE:** Motion by Pearson, seconded by Reid, to approve the Preliminary Plat of Oakland Farms North, subject to the conditions identified in the September 9, 2011 Department of Community Development report. Upon a roll call vote, motion carried 7 to 0.

* **TAX EXEMPTION FOR CENTRE STREET VILLAGE APARTMENTS:** Motion by Pearson, seconded by Reid, to accept for first reading an ordinance to amend the Codified Ordinances of the City of Portage to grant Centre Street Village II Limited Dividend Housing Association Limited Partnership a tax exemption, establish a payment in lieu of taxes for the Centre Street Village Apartments located at 2151 East Centre Avenue; and take final action on August 28, 2012. Upon a roll call vote, motion carried 7 to 0.

* **FINAL SITE PLAN FOR VERIZON WIRELESS (MONO-PINE), 8080 OAKLAND DRIVE:** Motion by Pearson, seconded by Reid, to approve the Final Site Plan for Verizon Wireless (mono-pine), 8080 Oakland Drive. Upon a roll call vote, motion carried 7 to 0.

POLICE VEHICLE EQUIPMENT CHANGEOVER: Councilmember Randall stated that she takes the budget process seriously and recalls asking staff about the types of vehicles that are being purchased and was told that they were sedans, not SUVs. She then stated that the vehicles involved in this changeover are Chevy Tahoe's. She expressed concern about the added operating costs of SUVs versus sedans and the cost of the changeover per vehicle. City Manager Evans explained that the purchases were implemented last October and delivery was only recently made. He stated that he takes the concerns of Councilmember Randall to heart. He continued by stating that quotes were obtained, a low bid awarded and he then reviewed the number of items involved in a retrofit. City Manager Evans

stated that he hoped these vehicles would last longer than more traditional vehicles but that the agenda item for tonight is strictly for a retrofit, not for new vehicles. Councilmember Pearson asked that City Administration be mindful of the concerns expressed regarding vehicle purchases. Motion by Sackley, seconded by Reid, to approve the expenditure for four police vehicle equipment retrofits by Emergency Vehicle Products, in an amount not to exceed \$39,600.48, and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ELECTION POLLING PLACES AND RATE OF COMPENSATION RESOLUTION:**
Motion by Pearson, seconded by Reid, to adopt the Resolution Designating Polling Places and Rate of Compensation for the November 6, 2012 General Election. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 429 of City of Portage Resolution Book No. 44.

COMMUNICATION:

RESOLUTION AGAINST FRACKING: Mayor Strazdas asked City Manager Evans if he had any comments. Mr. Evans stated that he had no comments related to the topic but that, in the future, City Administration would simply bring similar communications to City Council without a specific recommendation.

Elizabeth Chiaravalli, 412 Elm Street, Kalamazoo, commended City Council on their focus on environmental health and wellness. She then stated that a ban on fracking would be a continued demonstration of this commitment. Ms. Chiaravalli reviewed the process of fracking, the potential hazards involved and the importance of communities taking a stand. She asked City Council to support a ban on fracking in Portage.

Mr. Tim Earl, 6862 Shallowford Way expressed concern about local government weighing into what he considers to be a national debate. He stated that the federal government has asked the Environmental Protection Agency to look into fracking and questioned the expertise of a local government to make a sound policy decision. Mr. Earl suggested that the scientific community is looking into fracking and has yet to come to a consensus and stated that the group behind the requested ban is trying to use local communities as pawns in a larger debate.

Mayor Strazdas stated that Portage City Council has not historically taken a position on national and state issues instead focusing on issues that are local. Councilmember Sackley shared that this is a topic being actively discussed in the local community and that there is a wealth of local information and resources on which to draw related to this topic. Motion by Sackley, seconded by Urban, to receive the communication from Theresa Lockhart requesting consideration of a Resolution Against Fracking. Councilmember Urban reiterated that this City Council has not historically taken a stance on political issues instead focusing on the local community and sees no reason to change. He also expressed concern about some of the language used and positions taken in the requested resolution. Mayor Pro Tem Reid thanked Ms. Chiaravalli for raising the issue and agreed with other comments that it is not appropriate for City Council to take on this resolution. Upon a roll call vote, motion carried 7 to 0.

Ms. Chiaravalli spoke and shared that the Michigan Department of Natural Resources is holding an auction of mineral rights in October and that fracking may quickly be coming to Portage. She shared a letter from the DNR to surface owners that the mineral rights under their homes and properties could be auctioned and highlighted a sale of mineral rights in Yankee Springs in Barry County as an example. She then asked City Council to educate themselves and to better understand the topic of fracking.

UNFINISHED BUSINESS:

* **REZONING APPLICATION #11-04, EAST CENTRE AVENUE BETWEEN LAKEWOOD DRIVE AND GARDEN LANE – CITY COUNCIL RECONSIDERATION:**
Motion by Pearson, seconded by Reid, to accept reconsideration of Rezoning Application #11-04 for

first reading and set a public hearing for September 11, 2012, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, consider approving Rezoning Application #11-04 and rezone 7932 Lakewood Drive, 707, 743, 775 and 903 East Centre Avenue, and the southern 264-feet of 801, 809, 815, 821 and 827 East Centre Avenue to OS-1, office service, with the northern 198-feet of 801, 809, 815, 821 and 827 East Centre Avenue to remain zoned R-1A, one family residential. Upon a roll call vote, motion carried 7 to 0.

CITY COUNCIL BEST PRACTICES ON FORMATION OF CITY COUNCIL COMMITTEES AND RESPONSIBILITIES: Mayor Strazdas opened the discussion and asked City Council to begin reviewing the document and offering suggested changes. City Council reviewed the document one section at a time. Councilmember Pearson highlighted the statement “committee meetings must take place in City Hall” and suggested that it be changed to “committee meetings must take place in a public place, normally in Portage City Hall.” Councilmember Pearson then reviewed the rationale for his suggestion. Councilmember Sackley expressed concerns with holding meetings at a location other than City Hall and discussed how such a meeting could be arranged. City Attorney Brown opined that wherever a meeting is held it must be properly noticed. There was a question of accessibility and Attorney Brown stated that most public places should be accessible and that, if not a specific legal requirement, it should be taken into consideration and included. There was debate as to whether a meeting could or should be held in a “public place” or a “publicly owned place.” Mayor Pro Tem Reid and Councilmember Urban expressed support for holding committee meetings in City Hall. Councilmember Randall expressed support for committees being able to meet in publicly owned locations and that this flexibility would be a service to residents. Councilmember Campbell expressed support for holding meetings at locations other than City Hall.

Councilmember Pearson restated his suggestion by offering that “committee meetings must take place in a publicly owned location, fully ADA accessible, but normally Portage City Hall.” Discussion followed regarding transparency, the use of City Hall conference rooms, any potential confusion and how City Council and the public could be notified of meetings outside of City Hall.

Councilmember Sackley suggested that the language state something similar to “committee meetings must take place at City Hall unless otherwise approved by City Council.” Mayor Strazdas asked each Councilmember for their opinion on the topic and summarized that there is consensus that most every meeting would be in City Hall. However, Mayor Strazdas stated that one proposal offers more flexibility in meeting outside of City Hall and the other is more forceful in holding meetings at City Hall. Mayor Strazdas asked City Council to work toward a final consensus. Discussion followed on how both City Council and the public could be notified of a meeting outside of City Hall and what role City Council could or should have with approving such a meeting.

Councilmember Pearson provided an example of a situation in which a committee meeting might need to be held at a location other than City Hall. Mayor Pro Tem Reid highlighted the need for appropriate notice and how that might be achieved. Mayor Strazdas stated that his position is that a committee should not need permission from City Council to meet outside of City Hall but emphasized the importance of providing as much notice as possible. Discussion followed on the matter of ensuring the public is properly noticed of committee meetings especially if a meeting date and time should change.

City Attorney Brown pointed out that the policy under discussion was adopted at the last meeting but that eventually a motion will need to be made to alter the policy. Mr. Brown clarified what constitutes a “publicly owned building” and offered the following language for consideration by City Council: “committee meetings shall take place at City Hall except that a meeting may take place at a publicly owned location in the City after notice is given at a regularly scheduled City Council Meeting.” Discussion on the proposed motion followed. Councilmember Sackley inquired how City Council would be notified. Attorney Brown stated that it could be included as an agenda item or in the “Reminder of Meetings” but would not be subject to approval by City Council. Motion by Pearson, seconded by Sackley, to modify the language of the *City Council Best Practices on Formation of City Council Committees and Responsibilities* by replacing the language “committee meetings must take

place in City Hall” with “committee meetings shall take place at City Hall except that a meeting may take place at a publicly owned location in the City after notice is given at a regularly scheduled City Council Meeting.” Upon a voice vote, motion carried 7 to 0.

Mayor Strazdas asked City Council for their thoughts on other parts of the policy. Councilmember Randall expressed concern with the language “use of city staff” in the sentence “Committees will not be empowered to make final decisions on any governmental policy, nor any matter involving the expenditure of city funds, resources and/or the use of city staff.” She stated that city staff must be used to be able to provide committees with information they need to conduct their business. City Manager Evans stated that it is the duty of the City to provide committees with the staff they need to conduct their work. Mayor Strazdas stated that City Administration has gone on record that they would provide committees with the resources needed to conduct their business unless the request is too onerous and that, if the request is deemed onerous, would communicate this fact back to the committee. Councilmember Pearson suggested that the phrase “use of city staff” be replaced with “and/or the direction of city staff.” There was discussion on the definition of “use” and “direction.” Mayor Strazdas suggested the phrase “that city staff must provide reasonable resources” be worked into the policy. Attorney Brown pointed out that a committee of three councilmembers cannot direct City Administration to do anything unless empowered by City Council. After discussion, no change was made to the language as there was consensus that City Administration would provide committees with reasonable support.

Councilmember Pearson inquired of City Attorney Brown whether a committee was limited specifically to their charge because oftentimes unanticipated yet related issues come up. Attorney Brown said that it becomes a judgment call because related issues will always come up. He continued by stating that it would be too limiting for a committee to focus exclusively on a particular charge. Councilmember Sackley agreed and provided examples but suggested that whenever issues overlap it would make sense for the committee chairmen to come together to address the matter and, if necessary, to bring the matter back to City Council for resolution.

There was no other discussion on the *City Council Best Practices on Formation of City Council Committees and Responsibilities*. Mayor Strazdas thanked City Council for the discussion.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

- Portage Human Services Board of May 3, 2012.
- Portage Environmental Board of June 13, 2012.
- Portage Senior Citizens Advisory Board of June 20, 2012.
- Portage Park Board of July 11, 2012.
- Portage Youth Advisory Committee of July 16, 2012.
- Portage Construction Board of Appeals Draft of July 30, 2012.

AD HOC COMMITTEE REPORT:

CITY MANAGER EVALUATION AND COMPENSATION COMMITTEE:

Councilmember Urban stated that this committee has had two meetings and that a recommendation on compensation would be forthcoming at the next City Council Meeting. He then shared the reasons why the recommendation is a little later than usual. Attorney Brown stated that reports of committees must be accepted by a motion. Councilmember Randall inquired if, under the *City Council Best Practices on Formation of City Council Committees and Responsibilities* policy, written notes must be taken from committee meetings and submitted to the City Clerk for inclusion in the agenda. Discussion followed. Attorney Brown stated that reports should only be given if notes are part of the agenda packet so therefore there is written communication. Mayor Strazdas thanked Attorney Brown and stated that, based on this, no report was given. Councilmember Urban withdrew his report. Councilmember Pearson shared that he recalled City Attorney Brown opining that if a committee held an initial meeting

and no decisions were made, an oral report would be acceptable. He expressed that it is good to know publicly that a committee had met. Attorney Brown stated that a report like the one just given would be acceptable except that notes of the meeting would need to be provided to the Office of the City Clerk for inclusion in the agenda. Councilmember Sackley, who is on the City Manager Evaluation and Compensation Committee, stated that information about their meeting would be included in the next City Council Agenda Packet in order to comply with the policy.

NEW BUSINESS:

CLOTHING DONATION BOXES: Councilmember Pearson raised the topic of the various large and colorful clothing/donation boxes that are appearing at numerous locations around Portage. He asked Councilmembers to comment on whether city staff should be asked to look at these boxes, not necessarily the charities behind them, as to whether they comply with city ordinances and, if so, whether some type of regulatory framework should be put in place. Councilmember Urban stated that when this issue was initially raised there was only one in Portage and now there are many more. He stated that he would like to see, not only the boxes, but the owners of the boxes investigated, especially those owned by for-profit companies. Mayor Strazdas stated his support and asked City Administration to provide a report on where these boxes are located, what ordinances may be applicable and, if this is happening elsewhere, are there any best practices that can be utilized. Mayor Pro Tem Reid asked, in addition to the three tasks raised by the Mayor, if the report could include information on what the traffic patterns around these boxes are from an access and safety standpoint.

Councilmember Sackley shared a conversation he had with a local non-profit about the matter. He also shared that he recently asked City Administration for research on this topic and that Administration indicated that the City is limited on what can be done to regulate the boxes. He stated that, from an ordinance standpoint, perhaps those operated by for-profit organizations or non-profit boxes that have advertising could be regulated as signs. He then discussed the various business relationships involved in placing the boxes on a property and expressed support in City Administration looking into this topic. Motion by Pearson, seconded by Randall, "that City Council have staff study multiple fundraiser donation boxes appearing on properties in Portage and report back to Council. The report will include existing box locations, applicable regulations, ordinances and traffic flow concerns and staff recommendations." Councilmember Sackley asked that staff work with other governmental units on the topic. Upon a voice vote, motion carried 7 to 0.

BID TABULATIONS:

*** MAJOR STREET ASPHALT CRACK SEALING REPAIR – BID**

RECOMMENDATION: Motion by Pearson, seconded by Reid, to accept the low bid submitted by Interstate Sealant & Concrete of Waukesha, Wisconsin, in the amount of \$27,720 for select major street asphalt crack sealing repairs and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Elizabeth Chiaravalli, 412 Elm Street, Kalamazoo, stated that she would like to see City Council provide as much discussion and consideration on fracking as it provided to the topic of where City Council committees should meet or the presence of charitable donation boxes. She then implored City Council to conduct a study of fracking just as it proposed a study of the charitable donation boxes.

STATEMENTS OF CITY COUNCIL: Councilmember Urban reminded the community of the upcoming meeting of the Long Lake Governmental Lake Board. He stated that this meeting is to determine whether to continue forward with a weed management plan.

Mayor Strazdas asked City Manager Evans to review the plan for the vacancy on the Planning Commission during his closing comments. City Manager Evans stated that a report has been provided regarding a vacancy on the Planning Commission and whether City Council would like to hold a special meeting to make the appointment. Mayor Strazdas asked City Administration to advertise the vacancy and for Councilmembers to solicit applicants and that an interview time be determined at the meeting of August 28th. Councilmember Sackley emphasized the importance of attendance at the meetings of the boards and commissions. He asked that the importance of attendance be emphasized to the members of the Planning Commission. Mayor Strazdas stated that this has not been an on-going issue for the Planning Commission but that there was a recent incident in which there was not a quorum. He concluded by asking that an interview time be determined at the next City Council Meeting.

Mayor Pro Tem Reid informed the public that she had the honor of representing the Mayor and City Council at a recent Eagle Scout Court of Honor ceremony and expressed gratitude for being able to witness the leadership and dedication of the youth at the ceremony. She also announced that the Arts Council has selected the Public Media Network for recognition for their contribution to arts in the community.

Mayor Strazdas shared that he recently attended the Great Lakes Center for Autism and Research and that we are blessed to have such a world-class facility in Portage. He also shared that he recently attend an Eagle Scout Court of Honor for an individual who has struggled with autism and that he is proud to have such youth in the community.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:10 p.m.

Adam Herringa, Deputy City Clerk

***Indicates items included on the Consent Agenda.**

CITY COUNCIL MEETING MINUTES FROM AUGUST 28, 2012

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

At the request of Mayor Strazdas, Reverend Patricia Catellier of Chapel Hill United Methodist Church gave an invocation and 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, Jim Pearson and Patricia M. Randall, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Sackley, seconded by Reid, to approve the August 14, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

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

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF AUGUST 28, 2012:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of August 28, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

FEMA CORPORATION – PA 198 TAX ABATEMENT: Mayor Strazdas introduced Community Development Director Vicki Georgeau, who explained the tax abatement process and provided an explanation and overview of the request for a three-year tax abatement on personal property and a six-year tax abatement on real property. Ms. Georgeau indicated that this was within Industrial Development District No. 55, and reviewed the Preliminary Environmental Analysis, the Project Impact Analysis and the Property Tax Analysis for City Council and the audience. Discussion followed.

Jeff Hoffman, President of FEMA Corporation, provided a history of FEMA since coming from California in 1972, and indicated that 30% of the employees are engineers or have a technical background. He indicated that the 180 employees are owners, expressed his appreciation for City Council granting tax abatements in the past and humbly asked that Portage partner with FEMA as it has in the past 40 years. Discussion followed.

Mayor Strazdas opened the public hearing for public comment. There being no comment, motion by Sackley, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Campbell, to adopt Resolution No. 2-12 expanding Industrial Development District No. 55 and Resolution No. 3-12 setting a public hearing on the issuance of the Industrial Facilities Exemption Certificate for FEMA Corporation for real and personal property in the estimated amount of \$3.65 million on September 11, 2012, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 431 and 433 of City of Portage Resolution Book No. 44.

PETITIONS AND STATEMENTS OF CITIZENS:

* **PETITION - WATER MAIN ON METSA COURT FROM PORTAGE ROAD TO THE WEST END:** Motion by Urban, seconded by Reid, to refer the Water Main Petition for Metsa Court

from Portage Road to West End to City Administration for review and report. Upon a roll call vote, motion carried 7 to 0.

FORMER MAYOR BETTY LEE ONGLEY, 8620 TOZIER LANE: Former Mayor Betty Lee Ongley thanked Technology Services and Community Marketing Director Devin Mackinder for his work on the “We Get It” Joint Portage Marketing Effort, a collaborative initiative with the Portage Public Library and the Portage Public Schools and commented that it was the 92nd Anniversary for the Right to Vote for Women in the country.

REPORTS FROM THE ADMINISTRATION:

- * **APPLICATION FOR SPECIAL LICENSE FOR SALE OF BEER, WINE AND SPIRITS:** Motion by Urban, seconded by Reid, to resolve to submit an application to the Michigan Liquor Control Commission for a Special License for the sale of beer and wine for consumption on the premises at Celery Flats Historical Area – Hayloft Theatre, 7335 Garden Lane, for *Shindig at the Hayloft* on October 13, 2012, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.
- * **MICROBREW AND SMALL WINE MAKER LICENSE FROM PORTAGE BREWING COMPANY:** Motion by Urban, seconded by Reid, to adopt the resolution of approval for a Microbrew and Small Wine Maker license request from Ruth Stoddard of Portage Brewing Company, planned for 7842 Portage Road. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 435 of City of Portage Resolution Book No. 44.
- * **SPECIAL MEETING TO INTERVIEW PLANNING COMMISSION APPLICANTS:** Motion by Urban, seconded by Reid, to set a Special Meeting on Tuesday, September 11, 2012, beginning at 6:30 p.m. to interview Planning Commission applicants. Upon a roll call vote, motion carried 7 to 0.
- * **CLOSED SESSION:** Motion by Urban, seconded by Reid, to hold a closed session immediately following the regularly scheduled City Council Meeting of August 28, 2012, to discuss a personnel matter. Upon a roll call vote, motion carried 7 to 0.
- * **JULY 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the July 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.
- * **DEPARTMENT MONTHLY REPORTS:** Motion by Urban, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

- * **MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING NOTICE:** Motion by Urban, seconded by Reid, to receive the communication from the Michigan Municipal League regarding the Annual Meeting Notice. Upon a roll call vote, motion carried 7 to 0.

KALAMAZOO COUNTY COUNCIL OF GOVERNMENTS (COG) VICE PRESIDENT MAYOR PRO TEM CLAUDETTE REID: Mayor Pro Tem explained the original purpose of COG, how it evolved and the reason for considering new by-laws at this time. Discussion followed. Motion by Strazdas, seconded by Reid, to receive the communication from Mayor Pro Tem Claudette Reid as

Kalamazoo County Council of Governments (COG) Vice President. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

TAX EXEMPTION FOR CENTRE STREET VILLAGE APARTMENTS: After an explanation from Community Development Director Vicki Georgeau, motion by Reid, seconded by Urban, to receive the withdrawal communication from The Lockwood Companies Direct Asset Management Representative Robert J. Salomon dated August 27, 2012, to Community Development Director Vicki Georgeau. Upon a roll call vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Public Schools Board of Education Special and Committee of the Whole Work Session of June 4, Special and Regular of June 11, and regular of July 9, 2012.
Portage Zoning Board of Appeals of July 9, 2012.
Portage Youth Advisory Committee of July 30, 2012.
Portage Planning Commission of August 2, 2012.

AD HOC COMMITTEE REPORT:

“WE GET IT” JOINT PORTAGE MARKETING EFFORT: Mayor Strazdas provided a report regarding the “We Get It” Joint Portage Marketing Effort, a collaborative initiative with the Portage Public Library and the Portage Public Schools. Motion by Urban, seconded by Campbell, to receive the report from Mayor Strazdas regarding the “We Get It” Joint Portage Marketing Effort. Upon a voice vote, motion carried 7 to 0.

NEW BUSINESS:

SIGN ORDINANCE COMMITTEE: At the request of Mayor Strazdas, motion by Reid, seconded by Pearson, to accept the resignation of Councilmember Campbell and appoint Mayor Strazdas to the City Council Sign Ordinance Committee. Upon a voice vote, motion carried 7 to 0.

NOTIFICATION OF TREE REMOVAL BY UTILITIES: After some discussion, motion by Pearson, seconded by Urban, to direct the Administration and the City Attorney to investigate and report back on the best practice policy for notification of tree removal by utilities. Upon a voice vote, motion carried 7 to 0.

RECESS: 8:24 p.m.
RECONVENE: 10:29 p.m.

CITY MANAGER EVALUATION COMMITTEE: Mayor Strazdas reconvened the meeting and deferred to City Manager Evaluation Committee Chair Urban, who read from a performance review report, and listed some of City Manager Evans’ activities, attributes and contributions to the community. He cited some of his many accomplishments, his willingness to collaborate, his encouragement and communication with employees and the resultant increase in customer service in the city. He indicated that Mr. Evans has not asked for a salary increase in three years and the Committee recommended a change in his compensation but could not reach a consensus on the amount. Mayor Strazdas asked for comment. There being none, he asked for a motion for the purposes of discussion.

Motion by Pearson, seconded by Reid, to give City Manager Maurice Evans a pay raise of 1.5% effective July 1, 2012, and to give him a one-time bonus of \$5,000. The members of the City Manager Evaluation Committee, Councilmembers Urban, Pearson and Sackley agreed Mr. Evans has exceeded expectations and is doing a fine job. The rest of City Council concurred. Mayor Strazdas pointed out that the challenge is how much to pay in the slow economy when people in this community are seeing little to no pay increase. However, he felt that an executive falls into a different category and that Mr. Evans is deserving of the increase. Discussion followed. Upon a roll call vote, motion failed 4 to 3. No: Councilmembers Sackley, Urban, Randall and Campbell. Yeas: Mayor Pro Tem Reid, Mayor Strazdas and Councilmember Pearson.

Motion by Urban, seconded by Reid, to give City Manager Maurice Evans a pay raise of 2.5% effective July 1, 2012, and to give him a one-time bonus of \$5,000. Discussion followed. Upon a roll call vote, motion carried 4 to 3. Yeas: Mayor Pro Tem Reid, Mayor Strazdas and Councilmembers Sackley and Urban. No: Councilmembers Campbell, Pearson and Randall.

BID TABULATIONS:

* **ICE CONTROL SALT PURCHASE:** Motion by Urban, seconded by Reid, to approve the purchase of ice control salt from Detroit Salt Company in the low bid amount of \$45.21 per ton for 1,500 tons at a total cost not to exceed \$67,815 for early delivery; Detroit Salt Company in the low bid amount of \$54.91 per ton for 1,100 tons at a total cost not to exceed \$60,401 for seasonal back up on an as-needed basis; and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ANGLING ROAD BUFFER TREE PLANTING PROJECT:** Motion by Urban, seconded by Reid, to award a contract for the planting and maintenance of 141 evergreen trees on Michigan Department of Transportation property to Spruce Trees Direct, LLC, of Byron Center, Michigan, in the amount of \$65,320 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Pearson announced that the West Lake Drive-In was open for business and wished them well.

Councilmember Urban thanked City Manager Evans for his fine service to the city this past year and the many years before. He recounted that City Council "hit a homerun" by selecting Maurice Evans to lead Portage as the City Manager then expressed his appreciation to Mr. Evans for all he has done for Portage. Mr. Urban reported that the Long Lake Governmental Board approved an Invasive Aquatic Species Management Program with a first year budget of \$40,000 and \$37,000 for years two through four. He indicated that the assessment will be assessed per parcel among 319 parcels and was championed by the Lake Association, taken to Pavillion Township to be delegated to the Governmental Lake Board as the appropriate taxing body that can effect these lake improvements, and had near unanimous agreement. He also indicated that at the same meeting, the Board reconfirmed the assessment of \$37,000 per year to operate the pump and, in both instances, Pavilion Township and the City of Portage contribute 8.33 %, and that the Board set a hearing on the Special Assessment Roll, 7:00 p.m., September 12, 2012, in City Council Chambers, City Hall.

City Manager Evans thanked City Council for their kind comments and for the work of the City Manager Evaluation Committee. He thanked them for the wage adjustment and the bonus, expressed his appreciation for the debate on the funding issue, said he enjoyed working for the city and City Council and vowed to continue to do his best.

Mayor Pro Tem Reid announced that the Transportation for Michigan Community Forums: Helping Decide How Michigan Rolls will take place Tuesday, September 11, 2012, at the Kalamazoo Regional Chamber of Commerce, 346 West Michigan Ave., Ste. 100, Kalamazoo, from 6:00 p.m. to 8:00 p.m. She made a plea for applicants who wish to serve on the Planning Commission to submit an

application to the City Clerk and plan to attend the Special Meeting on Tuesday, September 11, 2012, beginning at 6:30 p.m. Finally, she announced that the 2012 Kalamazoo Area Foot Chase will be held at Celery Flats, Portage, Saturday, September 9, 2011, at approximately 9:00 a.m. with registration from 7:00 a.m. until 8:30 a.m. She indicated that this is a 3.5-mile fun run patterned after a police foot chase in pursuit of a fleeing suspect and proceeds go to assist families of fallen police officers. She also mentioned that there is the option to walk and have the same experience.

Mayor Strazdas attempted to put the City Manager Review Process in perspective by indicating that there are cities in Michigan trying to figure out how to get rid of the City Manager and/or dealing with a plethora of negative issues. He commented that City Council all agreed to reward Mr. Evans, but could not come to a consensus on how much to award a very good employee of the city.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:54 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: August 22, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: July 2012 Summary Environmental Activity Report – Information Only

Attached please find the July 2012 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

SUMMARY ENVIRONMENTAL ACTIVITY REPORT

July 2012 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-City Council awarded a 3 year contract to American Hydrogeologic Corporation (AHC) 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. 2011 annual report submitted to MDEQ, with moderate groundwater quality improvements. <i>Investigation into methane gas presence in the groundwater is underway. First round of sampling completed in April 2012. Second round of sampling completed in June 2012. Initial results indicate no off-site impact. Report underway by AHC.</i>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. -Review of 9 site/building plans and/or plats completed in July 2012.
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	-Sanitary sewer hookup permits issued in July 2012: 7 residential; 1 commercial. One connection made as part of the Mandatory Sewer Connection Program. Four deferments were granted by the Sewer Deferment Committee.
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	-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. Additional areas requested by the Association for treatment. Amendment to the 2011 Treatment Program approved by City Council on August 9, 2011. <i>Lake Association has completed 2012 plan and lake treatment completed in May 2012. Review of program underway by Lakeshore Environmental Consultants.</i>
Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	-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. The 2011 annual report received. Groundwater results show that the general groundwater table on the east side of Portage has risen approximately one foot in 2011 and is generally at levels seen in 2009. *Groundwater levels, especially on the east side of Portage, have decreased in 2012 as a result of seasonal rainfall deficiencies.*

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 pending grant opportunities. 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. Next sampling scheduled for June 2012.

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 from 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 2014. 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 was submitted on January 20, 2012. Implementation is ongoing. Stormwater informational talk was given to Pfizer, Inc., employees on April 28, 2012. *MDEQ scheduled an audit of the program for July 12, 2012. Audit completed with satisfactory results. Several follow-up items with MDEQ to be addressed by staff.*

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. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

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. Grant outcome pending.

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. Implementation is ongoing.

Storm Sewer Outfall Testing

On March 23, 2011 City Council awarded a four year contract to Wightman Environmental to perform testing of (selected storm sewers). Surface water discharges. This work is required as part of the NPDES permit. 2011 annual report received with minor surface water impacts from the Woodland Avenue discharge. Testing will continue annually and is reported to MDEQ.

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. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. 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. *Plant tour for Stryker Engineering group was held on June 19, 2012. City Staff in conjunction with the Environmental Board is working on a sustainable native planting landscape design with Native Connections Inc. for the facility. Installation is planned for the Fall 2012.*

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 July 2012 – 0. Number of environmental cleanups in June – 0. Emergency spill response contract for 2012-13 with Terra Contracting is in place.

Hampton Wetland Area Water

Assistance with the Inverness

-Ongoing assistance with the Condominium Association to develop appropriate

Level

Condominium Association to Review Surface Water Levels

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.

Southwest Michigan Regional Sustainability Covenant

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

-On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to 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.