



PLANNING COMMISSION

November 7, 2013

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

November 7, 2013

(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

- * October 17, 2013

SITE/FINAL PLANS:

- * 1. Site Plan: Flagstar Bank, 401 Romence Road

PUBLIC HEARINGS:

NEW BUSINESS:

OLD BUSINESS:

1. City of Portage 50th Anniversary Celebration – October Passbook Drawing

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

September 9, 2013 Zoning Board of Appeals meeting minutes

October 8, 2013 City Council meeting minutes

October 8, 2013 City Council special meeting minutes

October 17, 2013 City Council, Kalamazoo Township, Kalamazoo County joint special meeting minutes

Summary of Environmental Activity Report – September 2013

New York Times Article – Resident requested it be provided to the Commission

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

DRAFT

PLANNING COMMISSION

October 17, 2013

The City of Portage Planning Commission meeting of October 17, 2013 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

MEMBERS PRESENT:

Dave Felicijan, Bill Patterson, Allan Reiff, Rick Bosch, Betty Schimmel, Brian Somers and Paul Welch.

MEMBERS ABSENT:

Wayne Stoffer.

MEMBERS EXCUSED:

Miko Dargitz.

IN ATTENDANCE:

Michael West, Assistant City Planner; and Randy Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission in the Pledge of Allegiance.

Chairman Welch introduced newly appointed Commissioner, Brian Somers, and welcomed him to the Planning Commission.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the October 3, 2013 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the minutes as submitted. The motion was approved 6-0-1 with Commissioner Somers abstaining.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Special Land Use Permit: Car Zone, 8232 and 8302 Portage Road. Mr. West summarized the staff report dated October 11, 2013 regarding the request by Car Zone, Inc. to establish an automobile dealership at 8232 and 8302 Portage Road. Mr. West indicated the applicant was proposing to reuse the existing building/site with interior renovations planned within the south and east portions of the building to accommodate a vehicle service/repair area and office space. No exterior site improvements or modification were proposed. Mr. West indicated the application fulfills the Zoning Code requirements for issuance of a special land use permit and was recommended for approval. Mr. West also referred the Commission to an October 13, 2013 letter received from Dennis and Donella Laskowski (1814 Thrushwood) that was included in the final agenda.

Chairman Welch asked if there was any planned use of the miniature golf course. Mr. West summarized previous conversations with the applicant regarding this matter and indicated the miniature golf course would not be reopened as a separate use, but may be occasionally used by customers of the automobile dealership.

DRAFT

Mr. Neil Fryling, representative of Car Zone, Inc. was present to support the application and explain the proposed automobile dealership. The Commission, Mr. West and Mr. Fryling next discussed various aspects of the project including vehicle parking/display areas, planned vehicle servicing and the zoning of the western portion of the property.

The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed special land use permit. A motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to close the public hearing. The motion was approved 6-0-1 with Commissioner Somers abstaining. After a brief discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to approve the Special Land Use Permit for Car Zone, 8232 and 8302 Portage Road. The motion was approved 6-0-1 with Commissioner Somers abstaining.

NEW BUSINESS:

None.

OLD BUSINESS:

1. Comprehensive Plan, Public Involvement Plan – Information Only. Mr. West referred the Commission to the Public Involvement Plan prepared by LSL Planning that was included with the agenda materials. Mr. West stated the Plan explains the efforts to engage the public throughout the Comprehensive Plan Update process and indicated the document is dynamic and subject to change as the process moves forward. Mr. West also indicated that Mr. Forth and Commissioner Dargitz attended the Youth Advisory Committee meeting on October 14th, provided an overview of the Comprehensive Plan Update process and received comments from the committee members.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Michael West, AICP
Assistant City Planner

TO: Planning Commission

DATE: November 1, 2013

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

SUBJECT: Site Plan for Flagstar Bank, 401 Romence Road.

I. INTRODUCTION:

A site plan has been submitted by Mr. Larry Harris of L.L. Harris Associates, on behalf of Flagstar Bank and HWA Properties, owner of the property, requesting approval to construct an approximate 4,000 square foot building and associated site improvements along the western portion of 401 Romence Road. The property is zoned B-2, community business and encompasses four acres of land. Flagstar Bank has an option to purchase the west 1.8 acres from HWA Properties.

II. ANALYSIS:

Access to the site will be from the existing full-service Romence Road driveway that was constructed as part of the Sonic Drive-In Restaurant in 2008 and intended to be shared with future development. Additionally, a vehicular interconnection will be constructed to the adjacent Shoppes @ Romence Village shopping center and will also provide access to the signalized intersection at Romence Road. Storm water from the development will be collected and conveyed to the Consolidated Drain Regional Storm Water Treatment System located to the south as planned during the design phase of the consolidated drain project. Finally, outdoor lighting units associated with the proposed bank project will be installed and maintained consistent with ordinance standards with shielded fixtures.

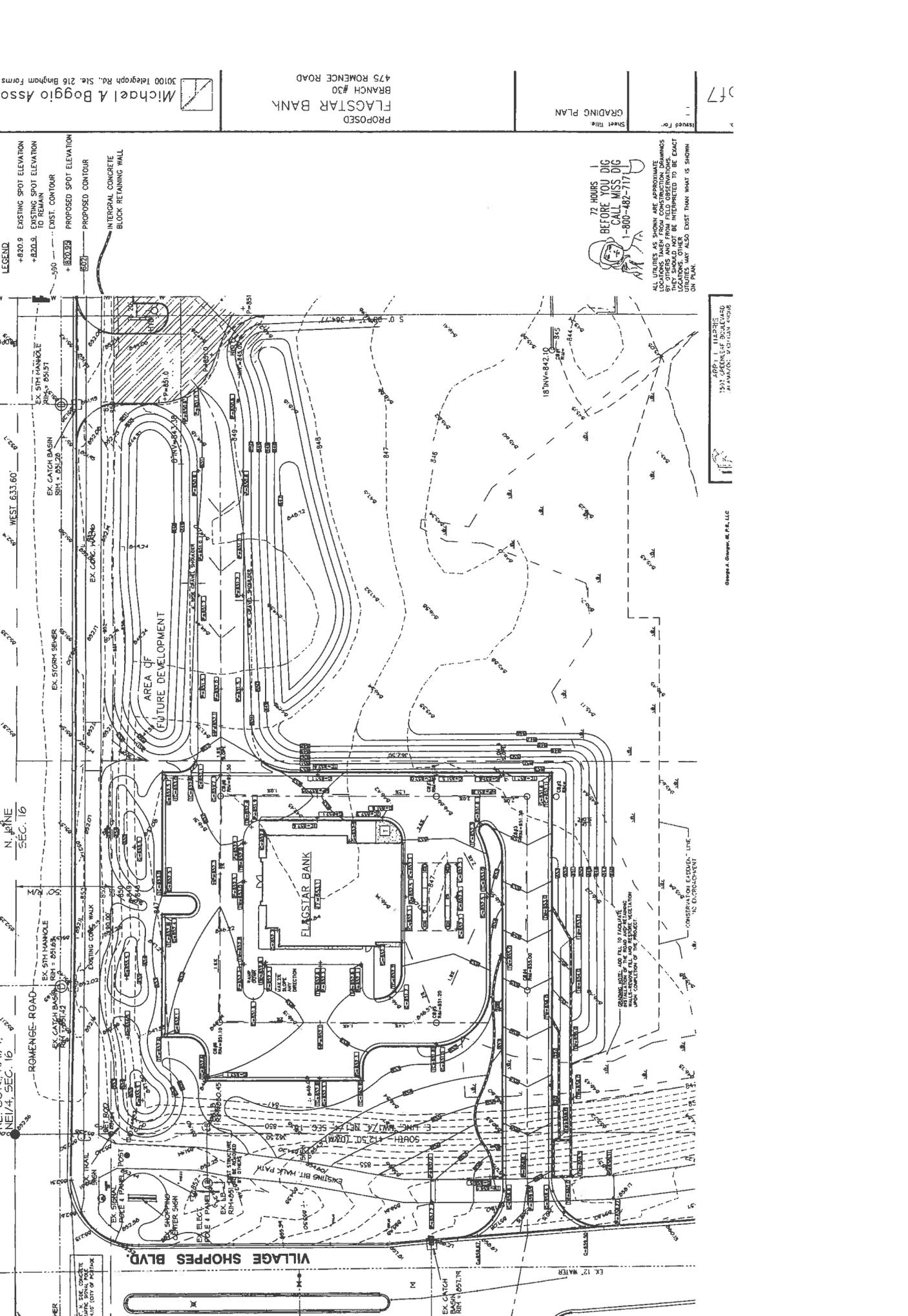
Along the southern portion of the site there exists a regulated wetland area. In October 2007, the Michigan Department of Environmental Quality (MDEQ) issued a permit allowing a 0.29 acre area of wetland to be filled conditioned upon the property owner executing a conservation easement over the remaining 0.8 acre wetland area. The location of the conservation easement area is shown on the site plan. The conservation easement has been executed and recorded; however, not all work associated with the MDEQ permit has been fully completed. The MDEQ permit expired in December 2009; however, the applicant is working with the MDEQ to reissue the permit to allow completion of the previously approved site work which includes excavation, fill and construction of a retaining wall.

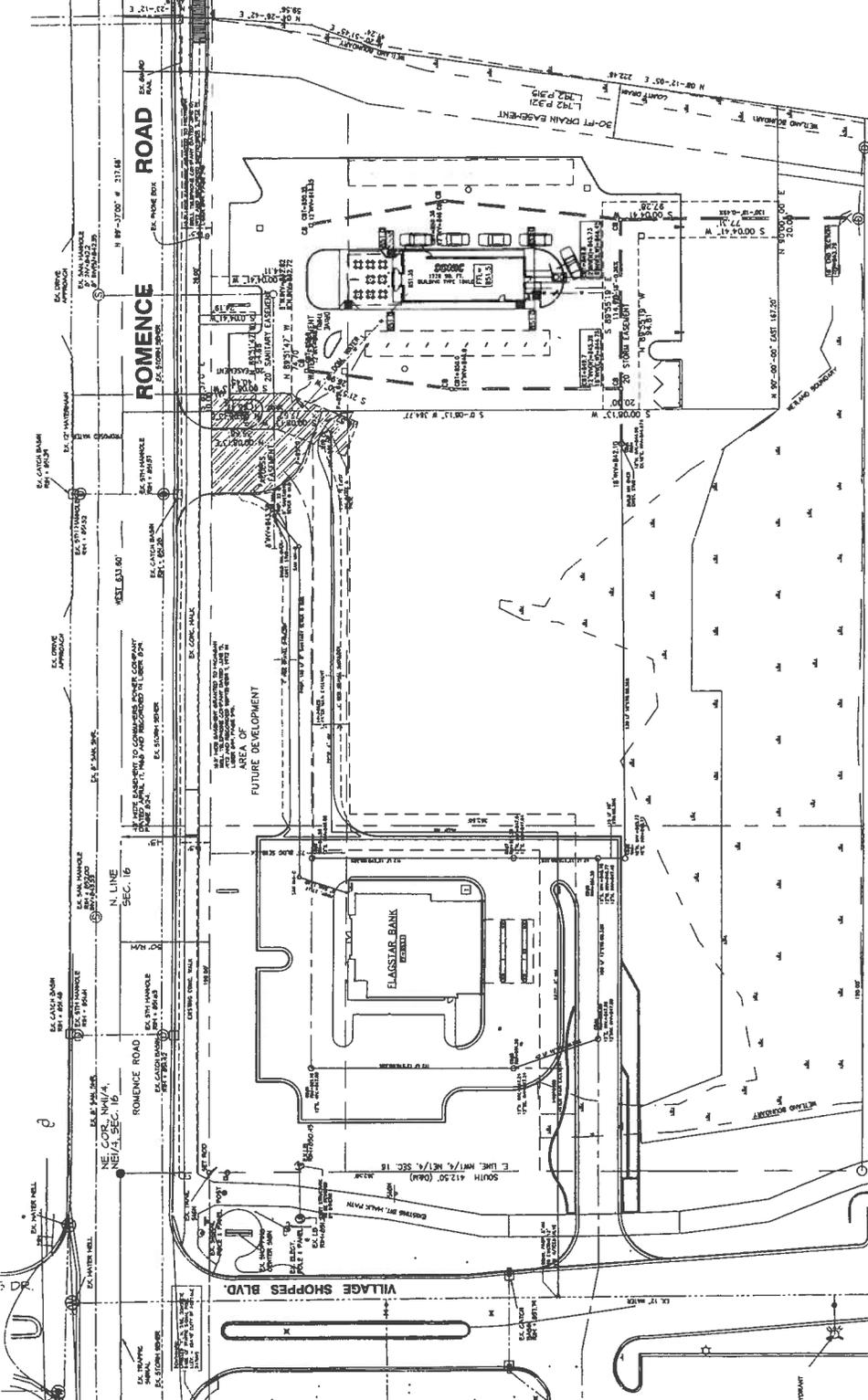
III. RECOMMENDATION:

The site plan has been reviewed by the City Administrative departments. At the time of the agenda distribution, the revised site plan had not been received from the applicant; however, only minor changes were needed. The revised site plan will be provided to the Commission prior to the start of November 7th meeting. Subject to submission of the revised plan, staff recommends the site plan for Flagstar Bank, 401 Romence Road, be approved subject to MDEQ approval and/or reissuance of the 2007 wetland permit.

Attachment: Preliminary Site Plan Sheets

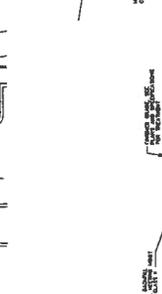
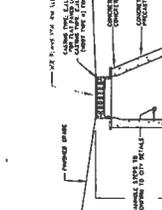
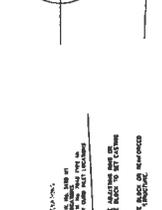
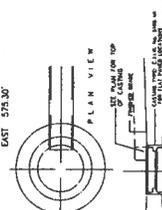
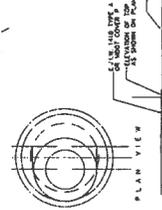
s:\commdev\2013-2014 department files\board files\planning commission\pc reports\site plans\flagstar bank, 401 romence road sp.doc





72 HOURS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS TAKEN FROM CONSTRUCTION DRAWINGS BY OTHERS AND ARE NOT TO BE CONSIDERED AS EXACT LOCATIONS. UTILITIES MAY ALSO EXIST THAT WHAT IS SHOWN ON PLAN.

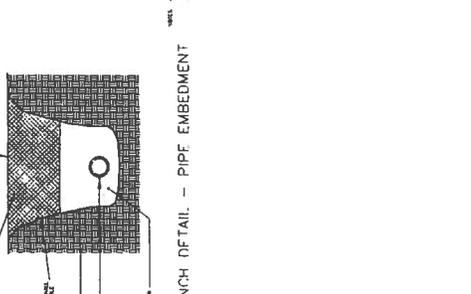
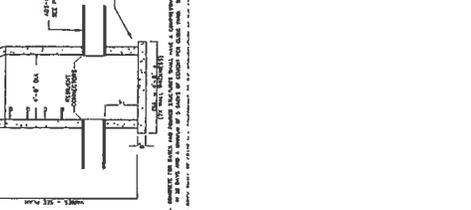
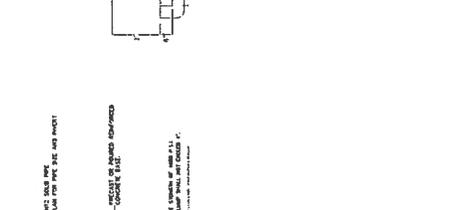
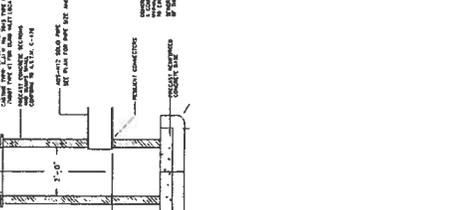
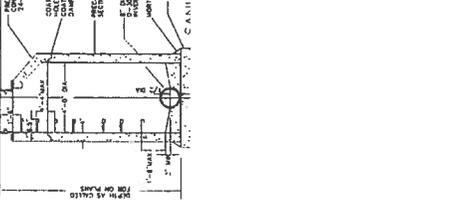


NOTE: THE BOUNDARY LOCATION FOR 0.3 FT. CHANGES BASED ON THE 1997 SURVEY. SHOWN LOCATIONS ARE AT 1" EIGHTH.

Michael A. Boggio, P.E., LLC
 3100 Telegraph Rd., Ste. 216 Bingham Farms MI 48025
 (248) 258-5152

SEPT. 11, 2013
 503 ORCHARD BLVD., ANN ARBOR MI 48106
 (734) 769-4888
 FAX: (734) 769-0310

DESIGNED: LARRY W. HARRIS
 CHECKED: JAMES W. HARRIS



Sheet Title:
FLAGSTAR BANK
BRANCH #30
475 ROMENCE ROAD
PORTAGE, MICHIGAN

Michael A Boglio Assoc. Architects
(248)-258-5151
3100 Telegraph Rd., Ste. 216 Bingham Farms MI 48025

Scale: 1" = 20'
NORTH

KEY:
 CONCRETE CURB
 EROSION CONTROL FABRIC
 STRAW BALE
 RIPRAP
 MULCH
 SILT FENCE
 SILT FENCE WITH STRAW
 SILT FENCE WITH STRAW AND MULCH

SOIL EROSION CONTROL NOTES

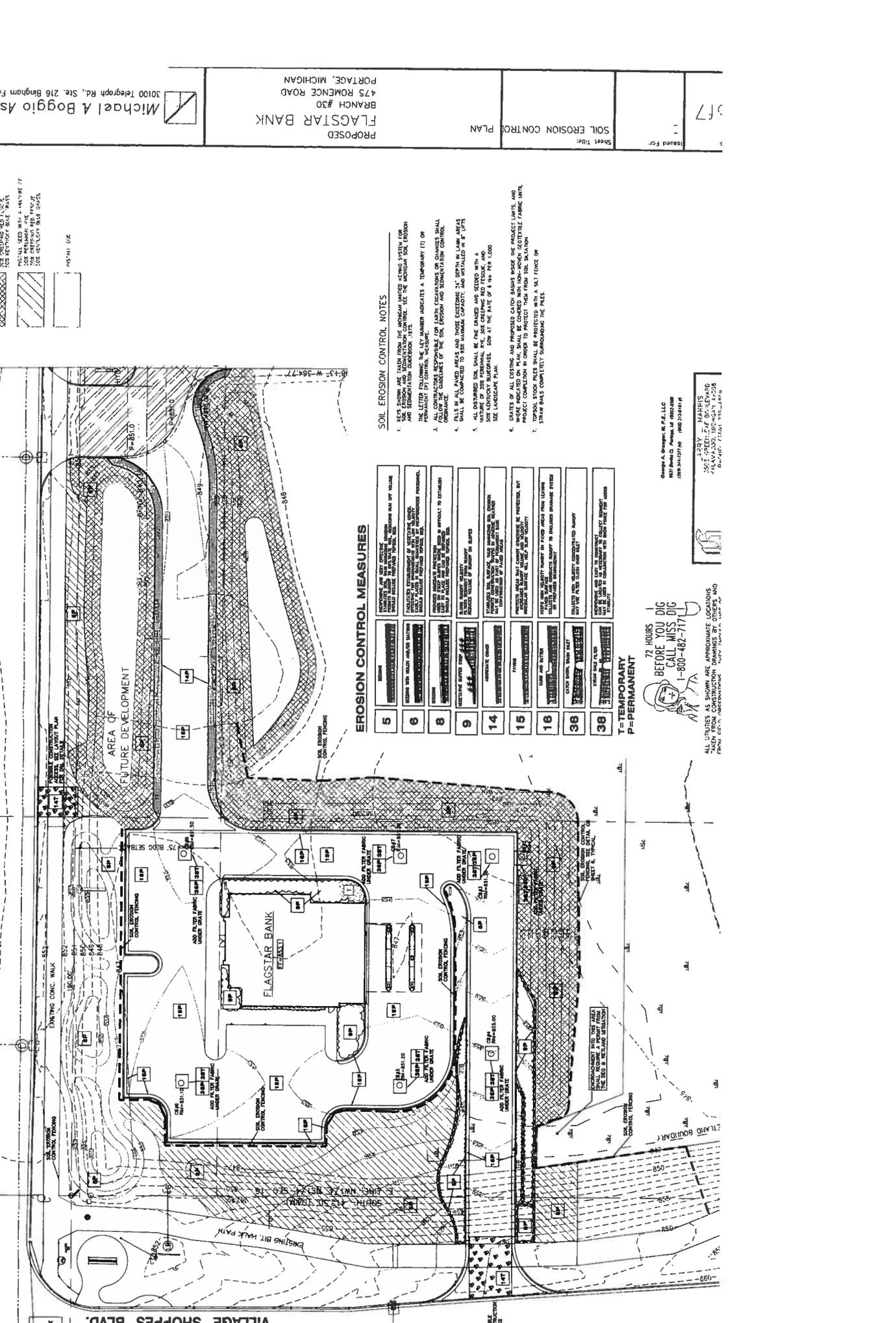
1. SOIL EROSION AREAS FROM THE MICHIGAN LIMITED LETTING SYSTEM FOR CONSTRUCTION SHALL BE IDENTIFIED BY THE MICHIGAN SOIL LOSS AND SEMIQUANTIFICATION COEFFICIENT (SEI).
2. ALL CONTRACTORS RESPONSIBLE FOR EARTH OPERATIONS OR CHANGES SHALL FOLLOW THE GUIDELINES OF THE SOIL EROSION AND SEMIQUANTIFICATION CONTROL PLAN.
3. FILLS IN ALL PAVED AREAS AND THOSE EXCEEDING 1" WITHIN 60 DAYS AFTER THE DATE OF 20% FORMAL P.V.E. JOB CLOSING OR FILLING, AND WITHIN 90 DAYS AFTER THE DATE OF 10% FORMAL P.V.E. JOB CLOSING OR FILLING, SHALL BE COMPACTED TO THE MAXIMUM CAPACITY AND STABILIZED WITH 10% LIME.
4. ALL DISTURBED SOIL SHALL BE FINE GRADED AND SEEDED WITH A MIXTURE OF 20% PERENNIAL P.V.E. JOB CLOSING RED FESCUE, AND 80% BERMUDA GRASS. SEED SHALL BE SOWN AT THE RATE OF 5 LBS. PER 1,000 SQ. YD. OF SOIL.
5. GRATES OF ALL DRAINAGE AND PROPOSED GUTTER BASINS INSIDE THE PROJECT LIMITS, AND ALL OTHER DRAINAGE STRUCTURES, SHALL BE PROTECTED WITH A 2" X 2" X 1/4" GALVANIZED STEEL GRATE IN ORDER TO PROTECT THEM FROM SOIL SETTLEMENT.
6. TOPSOIL STOCK PILES SHALL BE PROTECTED WITH A SILT FENCE OR STRAW BALE COMPLETELY SURROUNDING THE PILES.

EROSION CONTROL MEASURES

5	CONCRETE CURB	CONCRETE CURB SHALL BE 4" HIGH AND 4" WIDE. CURB SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
6	EROSION CONTROL FABRIC	EROSION CONTROL FABRIC SHALL BE PLACED OVER THE DISTURBED AREA TO PREVENT EROSION.
8	STRAW BALE	STRAW BALES SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
9	RIPRAP	RIPRAP SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
14	MULCH	MULCH SHALL BE PLACED OVER THE DISTURBED AREA TO PREVENT EROSION.
15	SILT FENCE	SILT FENCE SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
16	SILT FENCE WITH STRAW	SILT FENCE WITH STRAW SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
36	SILT FENCE WITH STRAW AND MULCH	SILT FENCE WITH STRAW AND MULCH SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.
38	SILT FENCE WITH STRAW AND MULCH AND CONCRETE CURB	SILT FENCE WITH STRAW AND MULCH AND CONCRETE CURB SHALL BE PLACED AT THE EDGE OF THE DISTURBED AREA TO PREVENT EROSION.

72 HOURS BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171

ALL UTILITIES SHOWN ARE APPROXIMATE LOCATIONS TAKEN FROM CONSTRUCTION DRAWINGS AND FIELD SURVEY. VERIFY ALL UTILITIES PRIOR TO ANY CONSTRUCTION. MISS DIG, 1-800-482-7171.



George A. Boglio, P.E., LLC
4675 Romence Road, Portage, MI 49783-2808
(248) 258-5151 (F) (248) 258-5152 (C)

Miss Dig
72 HOURS BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171

MATERIALS TRANSMITTED

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – September 9, 2013

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

MEMBERS PRESENT: Doug Rhodus, Jeffrey Bright, Mariana Singer, Lowell Seyburn, Tim Bunch, Glenn Smith, and Michael Robbe.

MEMBERS EXCUSED: James White

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Randy Brown, City Attorney

APPROVAL OF THE MINUTES: Smith moved and Rhodus seconded a motion to approve the August 12, 2013 minutes with the correction that Lowell Seyburn called the meeting to order. Upon voice vote, motion was approved 7-0.

OLD BUSINESS:

ZBA #13-1, 9136 Shaver Road: Mais summarized the request for a variance from the conflicting land use screening requirements along the north property line where abutting a nonconforming single family dwelling. Mr. Larry Harris, property owner's representative, stated the practical difficulties included the change in grade near the north property line, the existing mature vegetation, and the presence of an easement for AT&T and Consumers Energy.

A public hearing was opened. Ed Stiller, owner of 9126 Shaver Road, stated other people dumped much of the debris that was on his property but would soon complete the cleanup. He was also upset by the applicant's property being rezoned several months earlier. Seyburn responded the Board was not involved with either issue.

A motion was made by Singer, seconded by Bunch to grant a variance from the conflicting land use screening requirements along the north property line where abutting a nonconforming single family dwelling. There are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include: the topographic differences between the adjacent properties, the presence of above and below ground utilities, the nonconforming status of the adjacent residence, and surrounding zoning/land use pattern. The immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments and 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: Rhodus-Yes, Singer-Yes, Bright-Yes, Robbe-Yes, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 7-0.

ZBA #13-2, 665 Mall Drive: Mais summarized the requests for: a) a variance to erect a 194 square-foot "Dunham's Sports" wall sign on the west elevation where a minimum 150 square feet is permitted; b) a variance to erect a 112 square-foot "Sears Outlet" wall sign on the west elevation where a maximum 100 square feet is permitted; c) a variance to erect a 15 square-foot "merchandise pickup" directional sign on the north elevation where a maximum four square feet is permitted; and d) a 268 square-foot "Dunham's Sports" wall sign on the east elevation where no additional wall signage is permitted. Mais noted the applicant had submitted revised information significantly reducing request d) from the 859 square foot wall sign included in last month's agenda to 268 square feet by removing the background frame that code required be included as sign area. Additionally, the applicant indicates they intend to erect their second permitted freestanding sign near the southeast corner of the building to help identify the tenants from Ring Road, which had not previously been discussed. As a result, the applicant does not agree with staff's recommendation that a sign on the east elevation be permitted in lieu of a second sign. Lastly, the

applicant states variances a) and b) are needed because the west elevation has reduced visibility due to its distance from Martin Luther King Drive.

Seyburn inquired if staff was changing its recommendations based on the information provided by the applicant. Mais stated staff has modified the language from the previous report and appreciates the applicant has now provided some rationale for the sign requests on the west elevation. Mr. Josh Weiner and Mr. Steve Vandersloot were present to answer questions. Mr. Weiner stated the variances for wall signs on both the east and west elevations were needed to increase tenants' visibility if not from South Westnedge then from other nearby commercial properties. Mr. Weiner stated the same walls could have significantly more signage if they had more tenants and that the proposed signs were not out of character with the area. Seyburn inquired if the applicant was likely to lose the tenants if they did not get the variances. Mr. Weiner said yes. Robbe stated he did not see what difference it would make having slightly larger signs than permitted by code on the west elevation, and asked why the applicant couldn't simply reduce the letter sizes a few inches and make them conforming. Mr. Weiner asked why the board couldn't simply grant a variance for letters that were only a few inches larger. Singer noted the building was very non-descript and while large, did not have good visibility. Seyburn inquired if the applicant would be utilizing any changeable copy board signs. Mr. Weiner said no. Mr. Vandersloot stated the practical difficulties were the building's orientation, and noted the additional sign areas available for "big box" retailers under Section 42-552(I) did not help Sears because their tenant space was 83 feet wide but deep enough they had over 36,000 square feet of floor area. Rhodus noted view of the east elevation was obstructed by other buildings and did not see how a larger sign would correct that situation. Mr. Weiner stated the view was obstructed from some angles but not others and the larger sign would be visible at points along Mall Drive and JC Penney Drive. Mr. Vandersloot stated the applicant was willing to reduce their proposed signage on the east elevation from 268 to 250 square feet, thereby matching the size of the wall sign recently approved for Dick's Sporting Goods. Bright inquired if smaller signs tended to get lost. Mr. Vandersloot stated they do and that he was aware of studies that showed that larger signs posed less traffic safety risks than smaller signs.

A public hearing was opened. Joe Hollander, 1822 West Milham, stated he owned the senior living facility at 610 Mall Drive and supports the requested variance, because the residents don't like living near a vacant building.

A motion was made by Bright, seconded by Singer to grant: a) a variance to erect a 194 square-foot "Dunham's Sports" wall sign on the west elevation where a minimum 150 square feet is permitted; b) a variance to erect a 112 square-foot "Sears Outlet" wall sign on the west elevation where a maximum 100 square feet is permitted; c) a variance to erect a 15 square-foot "merchandise pickup" directional sign on the north elevation where a maximum four square feet is permitted; and d) a 250 square-foot "Dunham's Sports" wall sign on the east elevation where no additional wall signage is permitted. There are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include the industrial appearance of the building, the building entrance orientation toward the parking lot, and the view from MLK Drive and other nearby commercial properties is impaired. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to adequately identify a business which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood and; the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments and 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: Rhodus-No, Singer-Yes, Bright-Yes, Robbe-No, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 5-2.

ZBA #13-3, 9033 West End Drive: Mais summarized the request for a variance to construct a 30-foot by 40-foot accessory building on a zoning lot separate from the principal use. Seyburn observed that the

Board had on previous occasions treated similar requests where dwellings and accessory buildings were on the opposite sides of West End Drive as separate zoning lots and that a use variance was needed for this request. Mr. Lutz stated all the houses on the east side of West End Drive had accessory buildings on the west side. He had spoken to nine of the property owners on West End Drive and none indicated any objection to his request. Singer inquired if any homes along West End Drive were constructed on the west side of the street. Mr. Lutz stated no.

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

A motion was made by Singer, seconded by Smith to grant a use variance to construct a 30-foot by 40-foot accessory building on a zoning lot separate from the principal use, conditioned upon 1) construction of the accessory building on lot 45 be conducted concurrent with construction of the dwelling on lot 12, 2) the combined accessory building area of the proposed 1,200 square-foot detached accessory building on lot 45 and any accessory building constructed on lot 12 not exceed the ground floor living area of the dwelling, and 3) that the accessory building on lot 45 be owned and used in conjunction with the dwelling (principal use) to be constructed on lot 12. There are unique circumstances that create an unnecessary hardship, which include the surrounding development pattern along West End Drive; that the land cannot be reasonably used consistent with the uses allowed in the zoning district, the variance will not alter the essential character of the neighborhood nor be a detriment to adjacent properties; the variance will not materially impair the intent and purpose of this article or the district in which the property is located; and the immediate unnecessary hardship causing the need for the variance request was not created by the applicant. In addition, the application and supporting materials, staff report, and all comments and 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: Rhodus-Yes, Singer-Yes, Bright-Yes, Robbe-Yes, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 7-0.

NEW BUSINESS:

ZBA #13-4, David Corstange, 1711 & 1749 East Centre Avenue: Mais summarized the request for a Temporary Use Permit to sell Christmas trees and holiday plants November 29, through December 23, 2013, and annually thereafter. Mr. Corstange stated he had nothing to add to staff's summary.

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

A motion was made by Smith, seconded by Bright, that the application is found to be consistent with the provisions of Section 42-622(D) and a Temporary Use Permit be granted to sell Christmas trees and holiday plants November 29, through December 23, 2013 and annually thereafter, in accordance with the application materials submitted, conditioned upon review and approval by city staff annually thereafter. Upon roll call vote: Rhodus-Yes, Singer-Yes, Bright-Yes, Robbe-Yes, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 7-0.

OTHER BUSINESS:

None

STATEMENT OF CITIZENS:

None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

CITY COUNCIL MEETING MINUTES FROM OCTOBER 8, 2013

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

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

The City Clerk called the roll with the following members present: Councilmembers Cory A. Bailes, Jim Pearson, 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 September 24, 2013 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

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

* **APPROVAL OF ACCOUNTS PAYABLE OF OCTOBER 8, 2013:** Motion by Urban, seconded by Sackley, to approve the Check Register of October 8, 2013, as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

SUMMIT POLYMERS, INC. – PA 198 TAX ABATEMENT: Mayor Strazdas opened the public hearing, explained the process and deferred to City Manager Maurice Evans for a summary of the request. Mr. Evans indicated how fortunate the City of Portage is to have Summit Polymers, Inc., at 4750 Executive Drive place an application for an Act 198 Tax Abatement with an investment of \$5.69 million in the community for machinery and equipment and a 55,000 square foot building. He also mentioned the added benefit of the retention of 201 jobs plus the addition of 23 new jobs. He noted that the abatement request is for six (6) years for real property and three (3) years for personal property which is in alignment with the City Council Act 198 Policy award and that the Administration recommends approval of the request.

Mayor Strazdas called for comments or questions of City Council. Hearing none, he asked the applicant to come forward for comment. Scott McCallister came forward and introduced Jennifer Crabtree, both from Summit Polymers, Inc., and outlined the nature, focus and scope of their automotive supports plastic parts operation. He indicated that the business is extremely efficient, with a low cost and high quality approach to manufacturing, plus a narrow profit margin. Discussion followed. At the request of Mayor Pro Tem Reid, Mr. McCallister described the new jobs as technical, skilled robotic and robotic support jobs, including operators, plant supervisors and engineers, who would be supporting robotic paint lines and larger assembly lines. Discussion followed.

Mayor Strazdas opened the public hearing to comments from those citizens present. Hearing none, he entertained a motion to close the public hearing. Motion by Randall, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Urban, to adopt Resolution No. 4-13, approving the Industrial Facilities Exemption Certificate for Summit Polymers, Inc., at 4750 Executive Drive for six years on the real property and three years on the personal property in the total amount of \$5.69 million, and approve the tax abatement agreement and affidavit between the City of Portage and Summit Polymers, Inc. Mayor Pro Tem Reid indicated that this adopted Resolution is in alignment with the City Council Policy for P.A. 198 Tax Abatements of an award of six (6) years of abatement for real property and three (3)

years for personal property. Mayor Strazdas thanked Summit Polymers, Inc., for their risk and investment of \$5.69 million in the community. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 135 of City of Portage Resolution Book No. 45.

SOUTH WESTNEDGE AVENUE WATER MAIN PROJECT #315-W: Mayor Strazdas opened the public hearing and deferred to Mr. Evans for an explanation. Mr. Evans noted that this is in alignment with the City Council goal regarding public improvements to continue to improve infrastructure to meet demonstrated needs and that the objective to reach this goal is to continue to improve the water system. He deferred to Transportation and Utilities Director Chris Barnes, who addressed the necessity of the South Westnedge Avenue Water Main Project #315-W and the Special Assessment that would be required. He provided a history of the request, a description of the proposed project and a map to outline the project. He continued with his explanation, including the cost breakdown, health and safety reasons for the water main and a detailed explanation of the impact of the project using the map. Mayor Strazdas asked for comments or questions from City Council and discussion followed. In response to Councilmembers Randall and Sackley, Mr. Barnes indicated that over a majority of the property owners favored the project, and Mr. Evans disclosed that Utilities Engineer Kendra Gwin informed him that 26 of the 46 property owners were in favor of the project.

Mayor Strazdas opened the public hearing to comments from those citizens present. Garrett Hoogstraten, 175 Matteson Court, asked whether Matteson Court was included in the project as it is a part of the plat, Mr. Barnes answered in the affirmative. When Mr. Hoogstraten asked whether sewer was a part of the project since sewer was originally in front of his property but was moved a hundred feet back, Mr. Barnes indicated that there is a lift station at the end of South Westnedge, but would need time to research to determine whether Matteson Court can be serviced by that lift station. Discussion followed. Councilmember Sackley asked for a report back regarding the sanitary sewer line option on Matteson Court given that construction crews would be in the area, disruption could be minimized and cost could be reduced as a result. Discussion followed.

Lowell Seyburn, 10546 South Westnedge Avenue, spoke in favor of the project and explained. Discussion followed. Mayor Strazdas asked if there were any further comments from those citizens present. Hearing none, he entertained a motion to close the public hearing. Motion by Urban, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Urban, seconded by Sackley, to adopt Resolution No. 3 for the South Westnedge Avenue Water Main Project #315-W, directing the preparation of the special assessment roll. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 139 of City of Portage Resolution Book No. 45.

METSA COURT WATER MAIN PROJECT #314-W: Mayor Strazdas opened the public hearing and deferred to Mr. Evans for an explanation. Mr. Evans reiterated that this project is also in alignment with the City Council goals regarding public improvements to continue to improve infrastructure to meet demonstrated needs and that the objective to reach this goal is to continue to improve the water system. He again deferred to Transportation and Utilities Director Chris Barnes, who addressed the necessity of the project and noted that this is in response to a petition received from 75% of the four (4) parcel owners on Metsa Court, a private street, and provides a dependable water supply and enhances fire protection in the area. He provided an overview of the project, including location, service lines, hook-up options and cost. He explained some of the irregularities contained in the project owing to the unique shape of the parcels, outlined the Special Assessment process and stated the goal is to have installation in Spring 2014. Discussion followed. In answer to Councilmember Urban, since the water is being placed under the road, but because this is a private roadway, the City of Portage is not paying for the repaving of the roadway, only the width of the cut and explained. Discussion followed.

Mayor Strazdas opened the public hearing to comments from those citizens present. There being no further discussion, motion by Sackley, seconded by Urban, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Pearson, seconded by Randall, to adopt Resolution No. 3 for the Metsa Court Water Main Project #314-W, directing the preparation of the special assessment roll. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 143 of City of Portage Resolution Book No. 45.

REPORTS FROM THE ADMINISTRATION:

* **TAX EXEMPTION (PAYMENT IN LIEU OF TAXES) FOR CENTRE STREET VILLAGE APARTMENTS:** Motion by Urban, seconded by Sackley, 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 and establish a Payment in Lieu of Taxes for the Centre Street Village Apartments located at 2151 East Centre Avenue; and take final action on October 22, 2013. Upon a roll call vote, motion carried 7 to 0.

* **PRELIMINARY CONDOMINIUM SUBDIVISION FOR THE PRESERVE II, 5000 GRAND ARBRE TRAIL:** Motion by Urban, seconded by Sackley, to approve the Preliminary Condominium Subdivision for The Preserve II, 5000 Grand Arbre Trail, conditioned upon approval of variances from Subdivision Regulations pertaining to private streets and the arrangement of streets, the maximum number of lots on a cul-de-sac street, sidewalk and pedestrian circulation and submittal of the detailed engineering drawings for the public infrastructure improvements. 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 Senior Citizen Advisory Board of July 17, 2013.

Portage Public Schools Board of Education Regular of August 19, 2013.

Portage Park Board of September 4, 2013.

Portage Human Services Board of September 5, 2013.

Portage Planning Commission of September 19, 2013.

COUNCIL COMMITTEE REPORT:

COUNTYWIDE PUBLIC TRANSIT SYSTEM LEADERSHIP TEAM MEETING - COUNCILMEMBER TERRY URBAN: Mayor Strazdas introduced the item and deferred to Councilmember Urban, who outlined the make-up of the County-wide Public Transit System Administrative Work Group (AWG) consisting of Kalamazoo County Administrator Peter Battani, Kalamazoo City Manager Jim Ritsema, Portage City Manager Maurice Evans, Kalamazoo County Transit Authority Director Bill Schomisch and Metro Transit Director Sean McBride. He mentioned that he helped initiate this effort after the 2000 Census when there was a dispute over funds and, out of the efforts of the Kalamazoo Area Transportation Study (KATS), there was the encouragement of the city and KATS to work well together and further discussion resulted in the formation of a County Transit Authority.

He noted the report from last winter on the way to move forward on completing the transition to consolidate countywide public transit was unsatisfactory to a number of those who read it; and, the Leadership Team asked the Administrative Team to go back, do a better job and come up with a plan that moves the process forward to an endpoint, which they did.

In response to the dissatisfaction with the original report, Councilmember Urban indicated that the group added representation from the City of Portage, the Mayor, City Manager Evans and himself, as well as a couple of township supervisors to help round out the Administrative Group and what has become to be known as the Leadership Team which includes both of the elected officials as well as the

professional administrators. He indicated that the expanded group met for the third time last week and specified that City Council will be getting a revised plan with specific milestones, specific responsibilities and specific timelines which adds up to about two years with many significant hurdles to overcome in the areas of legal, financial, millage, political, negotiations on issues between the County and the City. He indicated that it is a set timeline with goals and responsibilities. He noted that all governing boards will approve documents applicable to their areas of responsibility by the end of October. He also mentioned that action needs to be taken to reconcile the Articles of Incorporation of the Kalamazoo Transit Authority Board (KTAB), Kalamazoo City and the County Transit Authority regarding incompatible offices sections and explained that Sean McBride will be taking over on a contract basis from Bill Schomisch in anticipation that it will all end up under Mr. McBride's jurisdiction. Also, at the City of Kalamazoo October 21, 2013 Commission Meeting, there will be the service agreement for contracting for Mr. McBride's services for consideration.

Councilmember Urban advised of the discussion on the AWG report on the future governance structure of the system, model options for governance, including the make-up of the membership and the selection process. He explained that under the state legislation we are allowed to have multiple millages, so we will have two transit authorities. He said that the name may change and the governance is yet to be decided. He noted that the Administrative Work Group presented a report with surveys of other transit authorities to the Leadership Team and asked for comments regarding the make-up of the county transit authority board to contact him so he may provide that information in the form of feedback to the board by October 15.

Once the City of Kalamazoo approves it, Councilmember Urban said it will be distributed to all of the townships and cities for review and consideration of support. He asked for a vote of support in the form of an approval, endorsement, etc. within the next couple of months. He also mentioned that there may be a presentation from Mr. McBride as well as others who are involved. He summarized what to expect in the near future, what will be required in the form of support from the City Council and the voters and urged input and endorsement. Discussion followed.

When Councilmember Pearson asked at what stage would a Resolution of Endorsement be appropriate owing to his reading of the winter report, Councilmember Urban advised him to disregard the report as it is woefully out of date and was unsatisfactory to a number of those who read it; also, once the City of Kalamazoo approves the replacement plan, the action items and timelines contained in it will be revealed to all of the townships and cities for consideration.

Mayor Strazdas asked City Council to ponder a Resolution of Endorsement based on past practice and policy, as the City of Portage is not a contractual body nor a taxing authority in this matter. Councilmember Urban emphasized that this matter does involve and impact the citizens of Portage and expressed his support for a Resolution of Endorsement. Discussion followed.

Motion by Reid, seconded by Bailes, to receive the communication from Councilmember Terry Urban regarding recent activity for County-wide Public Transit. Upon a voice vote, motion carried 7 to 0.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Urban, seconded by Sackley, to reappoint Jeffrey Monroe and Daniel Vomastek (PPS) with terms ending December 31, 2019, and appoint Bradley Galin (PPS), as confirmed by Superintendent Mark Bielang, with unfulfilled term ending December 31, 2018, to the Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority; to reappoint Ruth Caputo and appoint Jamie McCarthy and David Mayfield with terms ending October 1, 2016, to the Environmental Board; to reappoint E. James Ebert and Russell Randall with terms ending December 31, 2016, to the Historic District Commission; to reappoint Effi Kokkinos, Elma (Pat) Maye and Shawn Havens with terms ending October 1, 2016, to the Human Services Board; to reappoint Kathleen Hoyle and Roger Smith with terms ending October 1, 2016, appoint Tim Earl with unfulfilled term ending October 1,

2015, and Jennifer Molner with term ending October 1, 2016, to the Park Board; to appoint Brian Somers with unfulfilled term ending May 31, 2016, to the Planning Commission; to reappoint Ruth Ann Meyer and appoint Mary Maisto and Monifa Jumanne with terms ending October 1, 2016, and appoint David Vernier and Helen Tubbs with unfulfilled Alternate terms ending October 1, 2014, to the Senior Citizens Advisory Board; and to appoint Philip Schafer with unfulfilled Alternate term ending February 28, 2014, to the Zoning Board of Appeals. Upon a roll call vote, motion carried 7 to 0.

BID TABULATIONS:

* **CONSOLIDATED DRAIN REHABILITATION PROJECT:** Motion by Urban, seconded by Sackley, to award a contract to M-K Construction Company of Brownstown, Michigan, for the Consolidated Drain Rehabilitation Project in the not to exceed amount of \$223,500 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **UTILITY SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM:** Motion by Urban, seconded by Sackley, to award a contract to Perceptive Controls, Incorporated, to design, furnish, program and install program logic controllers and radios for the utility Supervisory Control and Data Acquisition (SCADA) system at a not to exceed amount of \$187,425 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **BID RECOMMENDATION - 2014 PORTAGE SENIOR CENTER BUS TRIPS:** Motion by Urban, seconded by Sackley, to approve the low bid from Gail Andrus Travel, LLC, for motor coach services for the 2014 Portage Senior Center travel program in the amount of \$24,378.75 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Sackley highlighted Homecoming Week at Western Michigan University and encouraged everyone to support our local college football team.

City Manager Evans indicated that Agenda Item, M.3.e, Reminder of Meetings, Thursday, October 17, 7:00 p.m. regarding the Final Consolidated Dispatch Report Presentation at The Fetzer Center of Western Michigan University, 2350 Business Court, Kalamazoo, should read 7:30 p.m. instead of 7:00 p.m.

Mayor Pro Tem Reid announced that the *Kalamazoo Gazette* is sponsoring a Candidate Forum, Wednesday, October 9, 2013, at 6 p.m. at the Portage District Library, and that this is the only opportunity to hear from the City Council candidates on the November 5, 2013 General City Election.

Mayor Strazdas commented on a community quality event where a Circuit Court Judge, police officers and two busy attorney put on a mock trial over a stolen donut for a third grade class. He also spoke of the high quality of the applicants for the Boards and Commissions interviewed at the 5:15 p.m. meeting and expressed appreciation to all who are willing to volunteer in the community.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:56 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
OF OCTOBER 8, 2013 - BOARDS AND COMMISSIONS APPLICANTS**

Mayor Strazdas called the meeting to order at 5:20 p.m. The following Councilmembers were present: Councilmembers Cory Bailes, Jim Pearson, Patricia Randall, Edward Sackley and Terry Urban, Mayor Pro Tem Claudette Reid and Mayor Peter Strazdas. Also in attendance were City Manager Maurice Evans and City Clerk James Hudson.

The proceedings were:

- * 5:20-5:31 p.m., Council interviewed Davin Ojala for the Economic Development Corporation/Tax Increment Finance Authority and Brownfield Redevelopment Authority. Discussion followed.
- * 5:32-5:50 p.m., Council interviewed Ruth Caputo, David Mayfield, Bill Clegg, Davin Ojala and Jamie McCarthy for the Environmental Board. Discussion followed.
- * 5:51-6:00 p.m., Council interviewed Shawn Havens for the Human Services Board. Discussion followed.
- * 6:01-6:17 p.m., Council interviewed Kathleen Hoyle, Roger Smith, Bill Clegg, Jennifer Molner, Tim Earl and Shawn Havens for the Park Board. Discussion followed.
- * 6:18-6:34 p.m., Council interviewed Tim Earl and Brian Somers for the Planning Commission. Chairperson Paul Welch was present for questions and discussion. Discussion followed.
- * 6:35-6:44 p.m., Council interviewed Ruth Ann Meyer, Helen Tubbs and Monifa Jumanne for the Senior Citizens Advisory Board. Chairperson Larry Smith was present for questions and discussion. Discussion followed.
- * 6:45-7:14 p.m., Council interviewed Tim Earl, Jane Beachnau and Phil Schaefer for the Zoning Board of Appeals. Chairperson Lowell Seyburn was present for questions and discussion. Discussion followed.

ADJOURN: Mayor Strazdas adjourned the meeting at 7:15 p.m.

James R. Hudson, City Clerk

**MINUTES OF THE JOINT SPECIAL MEETING OF THE PORTAGE CITY
COUNCIL, THE KALAMAZOO TOWNSHIP BOARD OF TRUSTEES AND THE
KALAMAZOO COUNTY COMMISSION – OCTOBER 17, 2013**

Robert Beam, former Vice President of Business and Finance at Western Michigan University (WMU), and member of the Consolidated Dispatch Steering Committee, called the meeting to order at 7:35 p.m. He asked County Clerk Tim Snow to call the roll of the Kalamazoo County Commission.

Kalamazoo County Clerk Tim Snow called the roll with the following Kalamazoo County Commissioners present: Commissioners Carolyn Alford, David Buskirk, Jeff Heppler, David Maturen, Julie Rogers, Michael Seals, Phil Stinchcomb, Roger Tuinier and John Zull. Commissioners Brandt Iden and John Taylor were absent with excuse.

Mr. Beam asked Kalamazoo Township Clerk Don Thall to call the roll of the Kalamazoo Township Board of Trustees. Kalamazoo Township Clerk Don Thall called the roll with the following Township Trustees present: Ronald Reid, George Cochran, Pamela Goodacre, Steven Leuty, Don Martin, Mark Miller and Donald Thall. Also present was Kalamazoo Township Police Chief Tim Bourgeois.

Mr. Beam asked Portage City Clerk to call the roll of the Portage City Council. The following Councilmembers were present: Councilmembers Cory Bailes, Jim Pearson, Ed Sackley and Terry Urban, Mayor Pro Tem Claudette Reid and Mayor Peter J. Strazdas. Councilmember Patricia Randall was absent with excuse. Also in attendance were City Manager Maurice Evans, Deputy City Manager Brian Bowling and City Clerk James R. Hudson.

Mr. Beam introduced L.R. Kimball Representatives, Shawn Walker and Sherry Griffith Powell, who provided information on their company and their personal work experiences that uniquely qualify each of them to serve the needs of the Consolidated Dispatch Steering Committee.

Ms. Walker summarized the project and discussed the scope of the work survey, the development of a comprehensive business plan that examines five consolidation alternatives, each with different participants, and noted that there are five (5) Public Safety answering points (PSAP's) to be consolidated in Kalamazoo County. She discussed the methodology used and explained that they reviewed the existing conditions in the technical, operational and budgetary information areas. She said that they interviewed a variety of stakeholders, analyzed all data collected, set budgets for each alternative, finalized the report, and provided a draft of it. She noted that they looked at the current environmental findings and high priority findings and found that the County Fire Services are not receiving the same level of dispatch received by law enforcement in the City of Portage and Kalamazoo City Public Safety Departments.

Ms. Walker expressed a concern that there was inadequate PSAP supervision available for dispatch due to multi-tasking and addressed the inoperability issue owing to the use of different individual platforms and the fact that the PSAP staff members are located in three different locations making communications among groups cumbersome.

Ms. Walker reviewed the current operational environment and said that the staffing in the Kalamazoo County Sheriff's Office (KCSO) is not sufficient to provide adequate service for County agencies with the level of sworn personnel assigned to work dispatch positions. She said key PSAP technologies are in place in the Kalamazoo Department of

Public Safety (KDPS) facility, are capable of expansion and have the required functionality; however, she pointed out that the Portage and WMU facilities will need technology upgrades in the near future. She also said that County fire radio infrastructure and equipment needs to be upgraded and the current practice of transferring medical calls to third party providers needs to be eliminated. She recommended one dispatch, one set of technologies and one maintenance contract.

Ms. Walker outlined some of the benefits as a result of consolidated dispatch: service improvements, particularly for County fire agencies; more on-duty staff during peak periods; access to technology that may have been cost prohibitive on an individual agency basis; all classes of service receive the same high level of service; standardized training that provides consistent service; career ladder for employees which increases employee retention and lowers training costs; regional approval to maximize efficient use of field personnel resources and increase interoperability; human errors minimized; text and photo to 911 capability; and easier to increase consolidation and data sharing in the future.

Ms. Walker then proposed full consolidation of the City of Kalamazoo, County of Kalamazoo, Township of Kalamazoo, City of Portage and WMU as the recommended alternative from L.R. Kimball. She said this would provide a maximization of consolidated benefits with the initial use of the KDPS facility, expansion of existing key technology, reduction of technology costs, an increase in service levels and operability.

Ms. Walker noted that there are multiple governance options and the one chosen must be carefully crafted to ensure the PSAP can function effectively; the contract must be comprehensive and not based on a handshake or existing positive relationships; and the contract should be considered a “pre-nup” with dissolution criteria that includes a minimum duration length. She recommended a governance model with joint powers of authority where the PSAP is independent of all agencies as this ensures a single-focused mission and increases career opportunities for staff. She also said that it is best to allow the director to manage in order for the PSAP to accomplish its mission to implement the dispatch plans provided.

Next, Sherry Griffith Powell addressed the cost for consolidation saying it is based upon estimates for personnel, technology, capital costs and operating expenditures. She warned that they are not an “apples to apples” comparison with current costs. She said costs are impacted by an increase in personnel, civilian management, a Fire Dispatch position, and employing a dedicated supervisory staff to meet best practices and technical support. She said that this is the ideal time for the Kalamazoo area to consolidate in order to recognize (and realize) cost savings since there is a facility available and all of the key systems are relatively new.

Ms. Powell indicated that the cost estimates in their report are high-level budgetary costs that will be impacted by the actual participants, the technical options, the number of dispatch positions, the organizational structure and the County level surcharge (\$0.42 versus \$3.00).

With regard to the County level surcharge level, Ms. Powell pointed out that of the 83 counties in Michigan, 66 are collecting some level of surcharge from phone customers. She evaluated the surcharge options, including the minimum \$0.42 per phone number, which requires only Kalamazoo County Board of Commission approval, no public vote requirement but does not cover 100% of the cost, versus the maximum \$3.00

per phone number, which does require voter approval, will cover 100% of the cost and has an annual contribution to a capital reserve fund. She emphasized that the greater community will eventually have to provide the expected standard of service outlined by Ms. Walker earlier in order to avoid liability.

Ms. Powell indicated that the key recommendations are that the Kalamazoo County fire service levels should be improved to meet National Fire Protection Agency (NFPA) safety standards whether or not any consolidation takes place; that full consolidation will be less expensive than it is now with participating agencies; that initially, the KDPS facility and technology should be utilized; that the \$3.00 surcharge should be considered to bring police and fire rescue service up to the same level across the County, to upgrade technology so technology requirements and future facility needs can be accommodated.

Ms. Powell advocated the joint powers governance model and indicated municipalities should commit to the next phase – development of the governance model and the cost distribution model. Finally, consideration should be given to moving Emergency Services dispatch to the new PSAP in the future (in order to eliminate third party contact and enable direct contact).

Ms. Powell took questions from the audience and explained the cost estimates contained within the preferred alternative which she indicated were on the higher end, including: \$750,000 one-time cost; \$5.4 million for personnel; \$850,000 annual budget for general costs; \$261,424 in reserve for system replacement and future facility replacement; State 911 Revenues of \$458,135; and State Training award of \$18,000. She explained the definition of “per device” as being primarily each land line number, cell phone number and internet phone number billed in Kalamazoo County. She indicated that this is based on a 252,000 population. Ms. Powell and Ms. Walker took questions from the audience and discussion followed.

Sheriff Rick Fuller recognized his fellow Consolidated Dispatch Steering Committee Members and praised their time and energy: Consultant/Project Manager Robert Beam, City of Portage City Manager Maurice Evans, City of Portage Public Safety Director – Police/Fire Chief Richard White, City of Kalamazoo City Manager Ken Collard, City of Kalamazoo Police Chief Jeff Hadley, Kalamazoo Township Supervisor Ronald Reid, Kalamazoo Township Treasurer George Cochran, Kalamazoo Township Police Chief Tim Bourgeois, Brady Township Supervisor Randy Smith, Comstock Township Supervisor Ann Nieuwenhuis, Kalamazoo County Fire Chief’s Association President Mark Barnes, Kalamazoo County Fire Chief’s Association Vice President Michael Corfman, Western Michigan University Police Chief Robert Brown, Western Michigan University Deputy Police Chief Blaine Kalafut, Kalamazoo County Medical Control Authority Director Dr. William Fales, and Kalamazoo County Administrator/Controller Peter Battani. Sheriff Fuller provided a history of 911 in Kalamazoo County since 1991 and noted that Kalamazoo County has always had two dispatchers handling 11 fire agencies and 9 police agencies since that time. He made a plea for support and spoke in favor of the proposed changes owing to the cost of computer-aided dispatch, an increase in cell phone calls in dispatch, an increase in costs for employees, an increase in the overall population, and a corresponding need for 911 services.

Mark Barnes, speaking as a Consolidated Dispatch Steering Committee Member, discussed the current risk factors, the shortcomings of PSAP dispatches and stressed the

importance of the Federal campaign, "Teach Granny to Text" because text messages get through dispatch when standard phone calls will not because of the volume of calls. Mr. Barnes made an emotional appeal for the municipalities to have the courage to change because he felt that Kalamazoo County should not be among the seventeen (17) counties in the State without a surcharge on the phone devices.

Tim Bourgeois, speaking as a Consolidated Dispatch Steering Committee Member, said that Kalamazoo is recognized as leaders in the State with the courts, with the "longest public safety department in the nation" (in the City of Kalamazoo) and with the Commission on Accreditation for Law Enforcement Agencies (CALEA) qualified Police Department in the City of Portage. He stressed the need for a redesign of consolidated dispatch in Kalamazoo County and encouraged pursuit of consolidated dispatch with an open mind to do what can be done now as "we owe it to our citizens and we owe it to our public servants."

Mr. Beam summed up, made the business case statement for consolidated dispatch and suggested what should be done next. He was certain that trying to work within current public safety budgets plus the \$0.42 to find consolidation was not feasible. He mentioned that the State and Federal Governments are going to require significant investment in equipment and personnel training and used "texting for the hearing impaired" as an example. He noted that the backbone of the system is the internet, not a bunch of wires, and stressed the need for appropriate funding for each position as a part of personnel costs. He expressed his belief in data parameters and stated that this is only a governance conversation at this time.

Peter Battani, speaking as a Consolidated Dispatch Steering Committee Member, noted that the next steps are to read the report, pay attention, ask questions, do the research, raise the concerns, gather the facts and talk to constituents. He said that using the Urban Cooperation Agreement, plan to come back with a governance structure. He also stressed that everyone needs to stay together to make this work.

ADJOURN: With the consent of County Board Chair David Maturen, Kalamazoo Township Board of Trustees President Ronald Reid and Mayor Peter Strazdas, Robert Beam adjourned the meeting at 9:30 p.m.

James R. Hudson, City Clerk

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
September 2013 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	<p>-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. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. Investigation into methane gas presence in the groundwater continues. First round of sampling completed in April 2012. Second round of sampling completed in June 2012. Initial results indicate no off-site impact Annual report submitted to MDEQ. Review meeting held September 21, 2012 with MDEQ with follow-up in October. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. 2013 sampling contract approved by City Council with AHC on July 23, 2013. Weekly methane sampling is continuing on-site to collect base line data.</p>
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.	<p>-Coordination with property owners and City or State agencies ongoing. -Review of 3 site/building plans and/or plats completed in September 2013.</p>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<p>-Sanitary sewer hookup permits issued in September 2013: 4 residential; 1 commercial. Two mandatory sewer connection deferral hearings requests approved by the deferral subcommittee in September.</p>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	<p>-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. Lake Association has completed 2012 plan and lake treatment completed in May 2012. Permitting complete for the 2013 season. Treatment to be performed by Aquatic Services, Inc. The Association has selected to use Restorative Lake Services for consulting services for 2013. Treatment application completed in mid-June. Follow-up inspection of treatment completed by Restoration Lake Services.</p>
Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	<p>-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be</p>

considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. This program will focus primarily on groundwater level information. The 2012 report received and groundwater levels, especially on the east side of Portage, have decreased as a result of seasonal rainfall deficiencies. Groundwater table elevations show about a 6 inch increase over 2012 levels due to recent rain events.

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. Staff has been invited by MDEQ to participate in Water Supply Emergency Planning. Emergency planning roundtable held on June 10, 2013. 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 2011 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. Sampling completed in June 2012 with minimal groundwater impacts. Sampling completed in June 2013 with results showing minimal impact.

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

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. SWIPPI was submitted for MDEQ approval on June 25, 2010. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. The 2010-11 annual report was submitted on January 20, 2012. MDEQ scheduled an audit of the program on July 12,

2012. Audit completed with satisfactory results. Several follow-up items with MDEQ were addressed by staff in December 2012. City website updated in February to provide education of Illicit Storm Water Discharge. Currently, staff is working on proposals with other local governments to use a billboard advertising campaign for pollution awareness. *One illicit discharge was investigated in September.* Program implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation

Kalamazoo River Mainstem Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River 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. 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 Watershed 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 for watershed update was awarded to Calhoun County Conservation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. No new development.

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 MDEQ on June 25, 2010, and part of the SWPPI. Two potential illicit discharges were investigated with MDEQ in February 2012. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. The 2013 program of investigating storm water outfalls began in June and is continuing. 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 which discharge to surface water. This work is required as part of the NPDES permit. The 2011 annual report received with minor surface water impacts from the Woodland Avenue discharge. The 2012 report received with continuing minor impacts from the Woodland Avenue outfall. Testing results are reported to MDEQ as part of the NPDES annual report.

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.

Facility is in operation with ribbon cutting held August 2, 2010. The facility is producing approximately one million gallons of water per day. 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. Regrading and installation of native landscaping seeding completed on November 16, 2012. *Spring 2013 germination produced promising results. Native species plants successfully established.* Staff currently working with the Environmental Board on informative signs and long-term maintenance plans.

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 September 2013 – 0. Number of environmental cleanups in September – 0. Emergency spill response contract for 2013-14 with Terra Contracting has been renewed.

Southwest Michigan Regional Sustainability Covenant

Collaborative effort with local government, academic, and other stakeholders to lead toward

-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

environmental, economic and social sustainability.

and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.

PORTHOGE
PLANNING
COMMISSION

Here Comes the Neighborhood

SUBURBIA beckons many poor and working-class families with the promise of better schools, access to non-dead-end jobs and sanctuary from the looming threat of urban violence. But many suburbanites balk at the prospect of affordable housing in their midst.

They fear that when poor people move next door crime, drugs, blight, bad public schools and higher taxes inevitably follow. They worry that the value of their homes will fall and the image of their town will suffer. It does not help that the poor are disproportionately black and Latino. The added racial element adds to the opposition that often emerges in response to initiatives designed to help poor families move to suburbs from inner cities.

Are the fears supported by facts? A comprehensive new analysis of what has transpired in Mount Laurel, N.J., since 140 units of affordable housing were built in that verdant suburb in 2000, answers with a resounding "no."

Families with incomes as low as \$8,150 — one-third of the poverty level — have been living in a town where the median income is 10 times higher for a family of four. "Climbing Mount Laurel," co-written by the Princeton sociologist Douglas S. Massey and several colleagues, concludes that this affordable housing has had zero impact on the affluent residents of that community — crime rates, property values and taxes have moved in step with nearby suburbs — while the lives of the poor and working-class families who moved there have been transformed.

In suburbs across America, the houses, schools, swimming pools and golf courses look just like those in Mount Laurel. The socioeconomic backgrounds of their residents are similar as well. Even the names of the subdivisions in Mount Laurel — the Lakes, Laurel Knoll, Tricia Meadows — are familiar in suburbia. So there is reason to believe that what's happening in Mount Laurel can be readily repeated.

THE Mount Laurel story begins on a Sunday morning in October 1970, when 60 black residents gathered in Jacob's Chapel, a Methodist church. The parishioners were deeply troubled by the fact that their sleepy farm town was being quickly transformed into a wealthy suburb in which many parishioners could no longer afford to live. They gathered in the chapel to await word on a proposal from a community group to build 36 affordable garden apartments in the center of town.

According to those present, the news was not good. "If you people can't afford to live in our town," a township official told the congregation, "then you'll just have to leave." The blunt announcement



ASHLEY GILBERTSON FOR THE NEW YORK TIMES

Edward V. Martino, who presided over the first trial in the case in 1971, said to me, township officials "were treating these people like cattle, even calling them the scum of the earth."

With the town finding one excuse after another to keep out affordable housing, the New Jersey Supreme Court issued a second landmark ruling in 1983. In the decision, known as Mount Laurel II, the justices ordered all New Jersey suburbs to rewrite their zoning laws and allow a "fair share" of affordable housing. But that was hardly the end of it. Not until 1997, after endless planning board hearings, council meetings, and multiple attempts to reach a legislative solution, was the housing development finally approved.

In 1999, construction started on the affordable housing complex. A year later, the first tenants moved into the Ethel R. Lawrence Homes, town houses whose clean, contemporary exteriors and manicured lawns blended in with nearby market-rate developments. Many came from disadvantaged communities like Camden, just 15 miles away, which has the nation's highest crime rate.

"A ghetto in the field" was how some townspeople envisioned the new housing. "Everyone was scared, apprehensive of the unknown," recalls Mount Laurel's former mayor, Peter McCaffrey, who had been booed by his constituents for supporting the venture. No one could predict whether life in and around the Mount Laurel complex would affirm or mock the ideals of faith, hope, tolerance and equality, names given to streets in the complex.

Thirteen years later the answer is at hand, and it is unambiguously positive. "Climbing Mount Laurel" shows that the well-off residents of the town have been unaffected by the new housing. There have been changes in life in Mount Laurel. But the changes are entirely consistent with those in demographically similar suburbs that surround the township. In all these communities, crime rates fell. Property values rose during the housing boom and dipped during the recession.

Tax rates declined. Even in the Mount Laurel neighborhoods closest to the affordable housing, property values were unaffected. To most residents, the fact that poor families now live in Mount Laurel has proved entirely irrelevant. Today, many well-to-do Mount Laurel residents don't even know that affordable housing exists there.

Where you live profoundly shapes who you are. "I would go as far as to argue that what is truly American is not so much the individual but neighborhood inequality," concludes the Harvard sociologist Robert J. Sampson in his landmark 2012 book, "Great American City." The families that migrated to Mount Laurel — earning from 10 to 60 percent of median income — obtained more than a nicer house. They secured a new lease on life, a pathway out of poverty for the adults and a solid education for the children.

"C LIMBING Mount Laurel" makes good use of what social scientists call a natural experiment — since there weren't enough units to accommodate everyone who wanted to live there, the researchers could compare the experiences of the successful and unsuccessful applicants. At the outset the two groups led similar lives, but much has changed since then.

Those who didn't secure housing report that their neighborhoods remain pockmarked by violence. But the families who came to Mount Laurel have settled into a tranquil world — so quiet, one resident tells me, that for the first year she had to keep the TV on to fall asleep. Deer are a familiar sight, and frogs sometimes land on their doorstep. "I used to be afraid of gunshots," another tenant says. "Now I'm afraid of skunks."

With less stress and better job opportunities, these families have done much better economically than the nonresidents. Two-thirds are working, compared with just over half of the nonresidents, and a third as many, 4 percent,

are on welfare. The sizable earnings gap, \$19,687 versus \$12,912 from wages, helps push the tenants living in the new housing out of poverty. The longer they stay in Mount Laurel, the better jobs they get and the more economically independent they become.

Their youngsters have also fared better. They study twice as many hours and spend more time reading. That extra effort is paying off — even though their schools are more academically rigorous, they earn slightly better grades.

On a sweltering day in August 2002, a thousand people came to the formal dedication ceremony in Mount Laurel. The civil rights icon Julian Bond described the moment as "bittersweet." To those who fought so long to open up this suburb, he said, the new homes were a proud achievement. But what about the poor people "locked into inner-city blight"?

The woes of the inner cities cannot be solved by opening up the suburbs. Many urban dwellers, embedded in networks of kin and kin, wouldn't dream of swapping the spiciness of the city for the white-bread pleasures of suburbia. And as "Climbing Mount Laurel" points out, "those mired in substance abuse, criminality, family violence and household instability" need more support than simply "a decent home in a peaceful neighborhood with good schools." Still, millions of families, trapped in terrible neighborhoods, would jump at the chance to move to a place like Mount Laurel.

"I wish other places could learn from our example," says Mr. McCaffrey, the former mayor, but that hasn't happened. Affordable housing is still too rare in suburbia, as zoning laws continue to segregate poor and working-class families. Despite the track record in Mount Laurel and the promise it holds for neighborhoods around the country, it's hard to imagine that the suburban drawbridge will be lowered anytime soon. It is a truism that fear and prejudice are not readily ousted by facts.

Zaibian Martinez, 13, a resident of the Ethel R. Lawrence subdivision in Mount Laurel, N.J., last week.

An affordable housing experiment in affluent suburbia that worked.

turned a modest request into a movement that spanned several decades.

For 30 years, local officials waged a battle against affordable housing, as "Mount Laurel" came to symbolize the struggle over the socioeconomic integration of suburbia. In "Our Town: Race, Housing, and the Soul of Suburbia," which my Berkeley colleagues John P. Dwyer and Larry A. Rosenthal and I published in 1995, we chronicled the controversy. It wasn't pretty.

Jose A. Alvarez, who was mayor in 1975 when the New Jersey Supreme Court sided with the parishioners in one of the most important civil rights decisions since Brown v. Board of Education, regarded the proposed housing units as a deadly threat. "It's like grafting a good healthy skin so you can graft in cancer skin and blend it in," he told me. As Judge

Frank Bruni is off today.