



PLANNING COMMISSION

December 5, 2013

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

December 5, 2013

(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

APPROVAL OF MINUTES:

* November 7, 2013

SITE/FINAL PLANS:

PUBLIC HEARINGS:

OLD BUSINESS:

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

NEW BUSINESS:

- * 1. 2014 Comprehensive Plan Update, Summary of October 2nd Public Open House Comments
-- adjourn meeting to Conference Room No. 2

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

October 14, 2013 Zoning Board of Appeals meeting minutes

November 5, 2013 City Council meeting minutes

Summary of Environmental Activity Report – October 2013

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

DRAFT

PLANNING COMMISSION

November 7, 2013

The City of Portage Planning Commission meeting of November 7, 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, Wayne Stoffer, Miko Dargitz and Paul Welch.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

None.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner; and Charlie Bear, Assistant City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the October 17, 2013 meeting minutes contained in the agenda packet. Commissioners Dargitz and Stoffer stating they would be abstaining from voting since they were not present at the meeting. A motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was approved 7-0-2 with Commissioner Dargitz and Stoffer abstaining.

SITE/FINAL PLANS:

1. Flagstar Bank, 401 Romence Road. Mr. Forth summarized the staff report dated November 1, 2013 regarding the request by Mr. Larry Harris, on behalf of Flagstar Bank and NWA Properties, to construct an approximate 4,000 square foot building and associated site improvements along the western portion of 401 Romence Road. Mr. Forth also referred the Commission to the revised site plan that was provided with the final agenda and which included only minor changes from the plan included with the original agenda packet. Commissioner Dargitz asked what work remains to be completed according to the Michigan Department of Environmental Quality (MDEQ) wetland permit. Mr. Forth stated a sheet pile wall along the southern portion of the site and filling along the southwest/west portions of the site still needs to be completed.

Mr. Larry Harris of L.L. Harris Associates (applicant's representative) was present to support the site plan and explain the development project. Mr. Harris provided a history of the MDEQ wetland permit, the conservation easement recorded along the southern portion of the site, work that was completed in 2007-2008 with construction of the Sonic Restaurant site and remaining work that needs to be completed along the southern and western portions of the site. Mr. Harris stated the property owner is currently working with the MDEQ to obtain an extension to the wetland permit so that remaining site work can be completed.

DRAFT

Commission Stoffer asked about grade and visibility issues associated with the vehicular connection between the Flagstar Bank site and the adjacent Shoppes @ Romence Village shopping center to the west and the crossing of the bike trail. Mr. Harris discussed the finished grade of the vehicular connection between the two sites, the proposed double retaining wall, visibility along the bike path and signage that will be installed.

After additional discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to approve the Site Plan for Flagstar Bank, 401 Romence Road, subject to MDEQ approval and/or reissuance of the 2007 wetland permit.

PUBLIC HEARINGS:

None.

NEW BUSINESS:

None.

OLD BUSINESS:

1. City of Portage 50th Anniversary Celebration – October Passbook Drawing. Commissioners Felicijan and Dargitz conducted the October Passbook drawing and two prizes were awarded: Valerie Vuk was selected the winner of a five pound cheese/cracker tray from Danes Party Store and Raymond Hocevar was selected the winner of a \$10.00 gift card from Tim Hortons.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

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



Department of Community Development

TO: Planning Commission

DATE: November 27, 2013

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: 2014 Comprehensive Plan Update, Summary of October 2nd Public Open House Comments

Attached for Planning Commission review are the following documents related to the input received during the October 2, 2013 Public Open House:

1. Primary community-wide issues and opportunities identified.
2. Land Use Opportunities Map. This map geographically locates several of the land use issues/opportunities identified during the public open house.
3. Transportation Analysis Map. This map also geographically locates several issues/opportunities associated with transportation-related improvements (motorized and non-motorized) identified during the public open house.
4. Detailed list of comments received at each station.
5. Comments obtained from the Youth Advisory Committee.

This information will be used by the Commission to assist in the formulation and prioritization of goals and objectives.

In addition to the Public Open House comments, LSL Planning is in the process of finalizing the Existing Conditions report. This report will be ready for Commission review in January 2014.

The Commission is advised to review the attached material for discussion during the December 5, 2013 workshop meeting.

S:\2013-2014 Department Files\Board Files\Planning Commission\PC reports\2014 Comprehensive Plan Update\2013 11 27 PC Summary of Open House Comments.doc

November 27, 2013

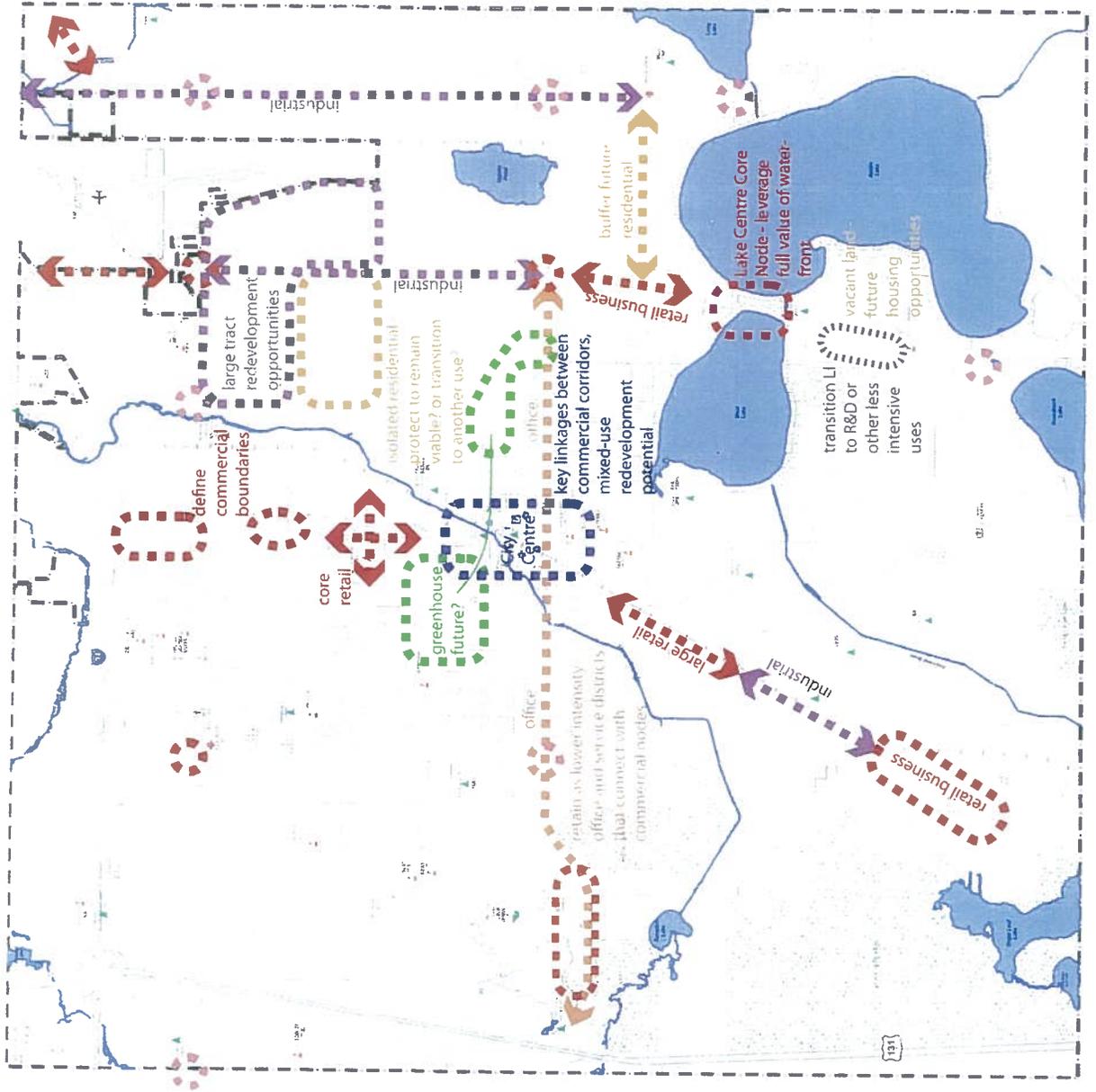
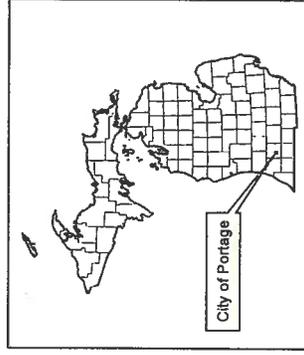
Community-wide issues and opportunities to consider during the Plan Update

The following list of community wide issues were identified through the public input process, including a public open house and Youth Advisory Committee meeting, as well as through city staff and consultant analysis. The attached analysis maps summarize many of the issues and opportunities identified.

1. Continue the investment to expand and/or enhance city parks, bikeways and multi-use trails with emphasis on connecting areas not served by the central/existing bikeway and trail system.
2. Encourage more mixed use developments, especially in the City Centre Area.
3. Focus on maintaining and/or improving residential neighborhoods, especially older areas, by addressing vacant/foreclosed housing, property maintenance and building code concerns.
4. Lake Center Area: Enhance Portage Road to be a vibrant, commercial corridor that is walkable and safe.
5. Create a complete streets policy that addresses multi-modal transportation elements including sidewalks, shared shoulder bike lanes, multi-use trails and connections to public transit
6. Retain South Westnedge as a regional business anchor but continue efforts to improve traffic flow and safety.
7. Define boundaries of the core South Westnedge commercial area and develop

Land Use Opportunities

 Primary Commercial Node
 Secondary Commercial Node
 City Boundary



1 inch = 3,200 feet

strategies to buffer from adjacent residences

8. Create aging in place opportunities to ensure Portage residents can maintain an active lifestyle throughout their lifecycle and by providing a variety of housing types to accommodate a variety of age groups, with a special focus on seniors.
9. Evaluate potential (re)development options for large parcels of land, including the conversion of greenhouses if a transition to other uses were to occur.
10. Provide transportation guidance for locations identified as problematic such as intersections/crossings at Centre, Old Centre, Vincent, Oakland, amongst others

Decent representation from businesses, include Lake Center businesses.

Vision Statements and Goals

- Promote the use of riparian buffers next to lakes and streams
- Do a better job of promoting mixed-use planning and mass transit options such as light rail
- Preserve/restore Eliason Reserve as a unique natural treasure, yes

Community Identity + Character

Comment Cards:

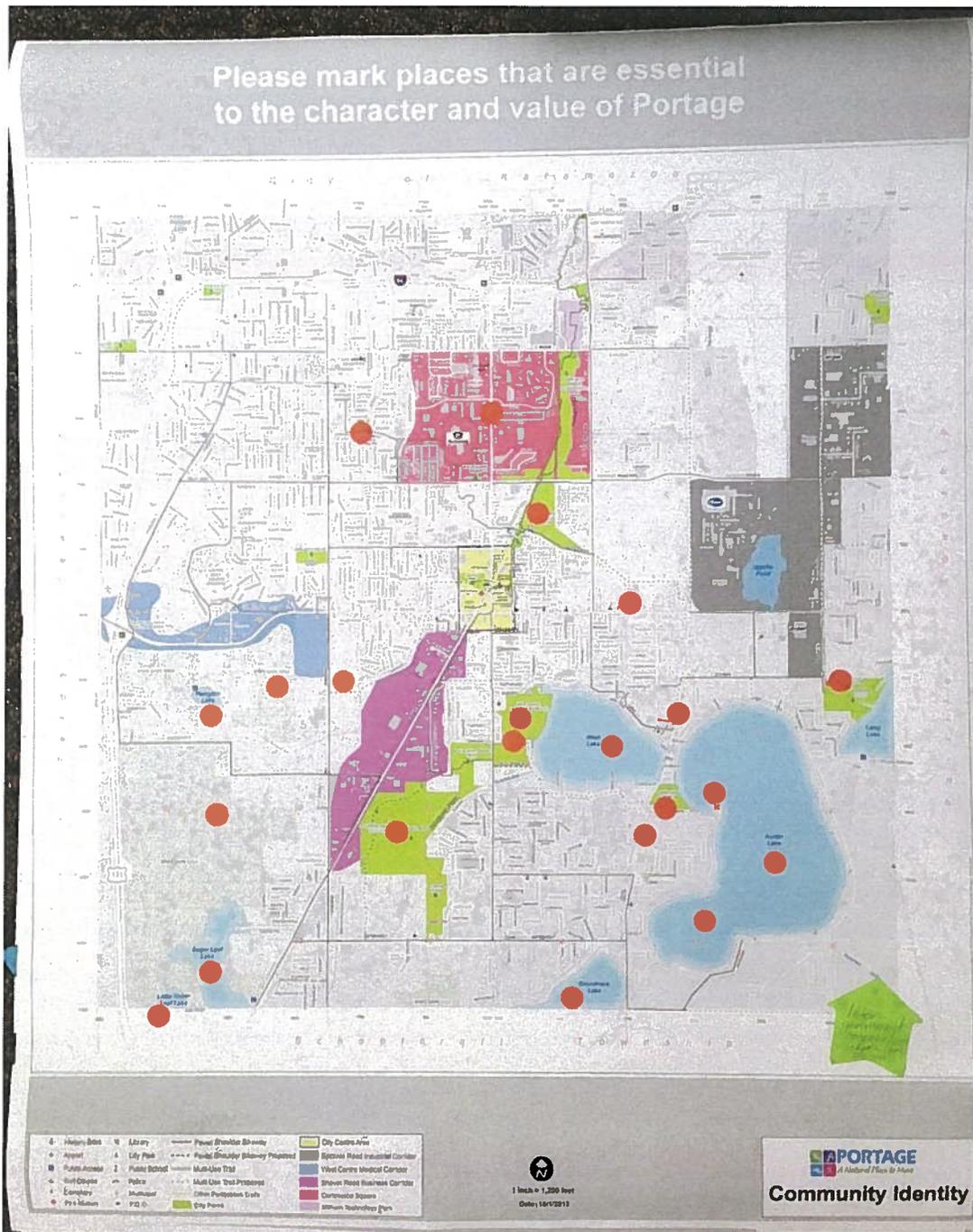
Q. When you tell someone you are from Portage, Michigan and they ask “What’s it like? What do you say?”

- I like the intersection greenspace like at Romance and Oakland. Can we do that more at major intersections?
- Great people, lakes, parks, bike paths, sr. centers.
- Nice place to live, good schools, lot of retail, nice bike paths, good parks.
- It is a city with great parks, transport activities and flexibly responds to the citizenry.
- Stifling
- I love living here
- The Parks, trail system and the aesthetics of the city.
- A great city to live in.

Q. What will it take to keep/attract the “future” residents? (new families, young professionals, seniors?)

- Arts and culture
- Maintain a dedicated professional staff. Respond to young families and professional. Adopt technological and other changes. Don’t become the Bill Knapps of Governors.
- 3, Mixed use planning/zoning that allows retail/commercial transit/light rail that allows people to not drive and work, live, and play in same area.
- Neighborhood identification signs (Plat names would be an example)
- keeping those special areas up and walk paths having safe asphalt or cement areas

- My job is to work with communities to help them define an identity that makes them different from others--basically to define their competitive advantage in the State. The differentiator for Portage is the Parks, quality of life for families and individuals. I think to create Portage into a Smart City with technology availability and a high quality of life by promoting the parks, healthy living and the environment is what the new knowledge workers are looking for and there is not another municipality that has defined this as their image in our region.
- affordable housing/ many opportunities



Online Survey Question *“What are 2 or 3 parts of the city that are essential to the character and value of Portage?”*

- Walk paths and parks
- The landscaping, the parks, and the Romence Blvd area.
- great place for dining and shopping

Summary: Natural features are most important: waterbodies, preserves, parks

Transportation

Comment Cards:

Q. What is one thing that could be done that would result in more people walking and biking?

- Having places where people live, work and play be close together.
- More City bikelanes
- some neighborhoods need some connecting sidewalks that make sense to get some where easier, such as schools and stores
- Continuing to extend the walkways to connect more neighborhoods and beautifying some of the existing areas. Some area could use wildflowers and other landscaping to make them all a bit different, possibly a fountain too. I love the wooded look but some of the paths like the route to 131 (northwest bikeway) past 12th St. could use some landscaping features. Its nice to follow the trails and come to different environments or settings that were different from the last one. Some have playgrounds, some wetlands, others forest and streams, so possibly gardens or other landscape features in the others.
- more lighting on walking trails

Q. My least favorite place to drive is?

- Westnedge. It is always very busy and crowded.
- Traffic lights at Centre & Greenspire are needed.
- Westnedge, big street, too fast
- Portage Road south of Centre needs to be more attractive. It needs a look all its own and with more landscaping. It looks like the worn down

section of Portage. A lot has been done but it needs an identity as a shopping district. It has the lakes and maybe vintage lamp posts and a central park area with walkways so it looks like a waterfront area.

- None

Map Comments - Transportation:

- Bike facility along Osterhout to connect parks to Lake Center district
- City council subcommittee has Lake Center committee - discussed pedestrian crossings pros and cons
- Connect bike path to Schrier Park
- Road diet on Portage south of Woodbine
- Austin Ct: look at extending bike path along utility easement or to E Shore (to east) to Highland St
- Add separate bike trail or improve existing on Westnedge south of Melody
- Walking paths around state game area and connection to sidewalks and neighborhoods
- 3-way light or roundabout or close off boulevard so no left turns either way with addition of SW MI Dermatology traffic will increase significantly (Centre and Old Centre)
- Possible signal at Cooley and Centre or crosswalk
- Dedicated recreation trail connecting Woodbridge Hills to existing recreation trail (near Moorsbridge)
- Unsafe road for kids to cross, no speed control by police department (Moorsbridge)
- Put a sidewalk on Muirfield past St Anthony on east side of street between Moorsbridge and St Anthony crossing alleviating crossing at Moorsbridge and Muirfield
- Need safe routes to school near West Middle School, Moorsbridge Elementary
- A pedestrian bridge would be great here, there is a fair amount of traffic throughout the day and can be hard to cross (refuge island on Oakland south of Milham)
- Traffic signal at Rosewood/Oakland

- Improved traffic signal timing on Westnedge (between Milham and Romence)
- Walkway on west side of Portage from Centre to Milham
- Anyway to connect northeast neighborhood to the bike trails?
- Sidewalks along both sides of Westnedge – Kilgore to Centre
- Road connection Fir Tree to Beacon Harbor
- Oakland Dr add bike lane in gap Kilgore to I-94
- Walking and bike trail around Wellfield connection neighborhood to Westnedge

Online Survey Question “What are 2 or 3 areas in Portage that need transportation or infrastructure improvements?”

- Don’t have a bus come from the Downtown area to the mall, it is bringing young kids that are very disruptive to the Crossroads Mall
- I would like to see the new Eliason Park developed more.
- Public transportation is good, no improvement is needed

Map Comments – Lake Center:

- Lake Center: not much development in 30 years: consider overlay zoning for district to spur investments
- Lake Center needs reinvestment: zoning problems, owners rent and don’t make improvements
- Character of Lake Center: water? Retro motif? Other? Doing a flag banner
- Lake Center had a district wide garage sale to raise money for the Autism Center
- Lake Center refuge islands, streetscape, power lines underground, farmer’s market



Land Use and Development

Comment Cards:

Q. One thing I really like about my neighborhood is...

- Close to where I work. It also looks fairly nice
- I can access all the things I need within ¼ mile of my house, bank, grocery store, hardware, drug store, gas station, park, church, etc. – Lake Center.
- It is convenient to everything (Woodbridge Hills)
- The sidewalks, the mature trees, and the easy connection to the trail system.
- It is quiet, safe and well maintained

Q. Something that is missing from my neighborhood is...

- Streetscaping – investment to make the roadway more attractive; connectivity across Portage Road for pedestrians and bicycles
- Rezone Kilgore Road property North of Lowe's and West of Westnedge to retail.
- Traffic light at Centre Street and Greenspire.
- A few key sidewalks and a street light that covers the area of Heather ridge, Its black and that is the South entrance to the neighborhood. And a red, green and yellow lite at Old Centre/Centre or no left turns or BLOCK OFF BLVD (close it)
- I am pretty happy with my neighborhood
- neighborhood watch program

Map notes:

Preserve:

- Lakes
- Fire station #3
- West Lake Nature Preserve
- State Game Area
- Good buffer from industrial uses on east side south of Bishop
- Trail at Oakland just south of Milham
- Beautiful boulevard at West Centre

- The parks and current walkpaths
- The landscaped boulevards, the Tree City concept, the trail system and parks.
- Parks, walking trails, shopping areas

Enhance:

- In general, need to maintain older housing, address vacant and/or foreclosed housing, plan for vacant lots where homes were razed
- Some blighted properties in the “states” district (north of Milham between Oakland and Lovers Lane)
- Potential for a farmers market or grocer for a better and healthier neighborhood (northeast)
- Zone for mixed-use development (Romence/Lovers Lane area)
- Eco-house development opportunity? Demonstration project at Romence and Lovers Lane
- Enhance greenspace just west of City Centre district
- Lexington green park
- Residences leaving along Centre between Lovers Lane and Portage
- Needs lighting at Corstange/Zylman/Portage
- More commercial, improve commercial and access management South Shaver east of Oakland
- Improve access to preserve/state game area
- Farmers market on newly acquired 16 acres off Osterhout
- The PCOC front on Center st across from the High School its a mess to say the least, we invest millions in a new school and have that across the street
- Portage Road south of Center, landscaping on some of the new trails near 131 (Northwest Bikeway?), Oakland Drive does not have a good bike lane south of Center.
- nothing comes to mind.

Transform:

- Vacant land at Milham/Lovers Lane/Portage convert outside frontage to commercial office and industrial

- Turn Pfizer building and adjacent land into an art center like a Frederick Meijer Garden (Portage/Romence)
- Airport Inn (only place sexual molesters can live)
- Trailer park in northeast
- Greenhouses
- Flooding issues on Forest/Newells
- No lighting, very dark need street lights at Heather Ridge
- Restore native environmental conditions at Eliason Reserve
- Encourage commercial development south on Shaver, Portage, and Sprinkle
- Only one elementary school on east side
- The Portage Northern housing area, Shaver Road corridor
- Portage Road (south of Center), Oakland Drive (south of Center) primarily a trail or paved road area since the road is pretty broken up, more large community events.
- nothing

Non-motorized/transportation:

- Continue trail to Kalamazoo on Lovers Lane
- Why do bike routes dead end on Romence between Oakland and Lovers Lane?
- Improve trail continue asphalt south Westnedge south of Central Elementary School
- Continue paved shoulder on Shaver near big boxes
- Extend Vanderbilt to Westnedge
- More trail mileage markers



Lake Center Area

Preserve

- Specialty shops are unique. They've been here for ages... but need new shops to keep coming.
- Restore areas; don't demolish the character. For example... non-conforming signage (i.e. signage at West Lake Drive In) is part of the eclectic charm of the area.
- Keep wooded areas around neighborhoods. They are excellent places to play and provide a nice place to walk and even have planned trails.
 - Portage Rd is fine, just slow it down especially at Bacon and Osterhout
 - The roads are nice with the sidewalks
 - all are good as they are

Enhance

- Schools as the center of the community
- Neighborhood 'hubs' are the schools
- Small buildings along the corridor are nice, but how do we "dress them up" and make them destinations?
- The street needs to be more attractive so that people will want to SLOW down and visit businesses. Right now it is just a commuting corridor and no one really stops.
- Need better branding for the area. But the eclectic look is what we love! We don't want it to look like Westnedge or make it generically the same. Retro... Beachy... Is it possible?
- Use vacant areas for events
- Lakeview Park is an Anchor. Make better connections from neighborhoods with bikeways, safer sidewalks and routes. Trees... make it beautiful.
- Branding Ideas: colored or stamped concrete sidewalks, banners, more boats painted by artists, hold art contest with boats, quirky, patchwork ideas that are unique.
- DON'T want grandfathered uses, need to help business owners beautify their properties without having to bring them up to complete code.
- Daanes area Boating Company (make is more like a marina)

- Add a plaza to stop at, add walkways at waterfront such as the old drive-in (or develop this as a waterfront area, vintage lamp posts along the road with banners, better landscaping for beautification.
- nothing

Transform

- Bury the power lines so that trees can be planted
- workmanship on Forest street reconstruction is terrible. It was supposed to make drainage better; it is now worse. The rolled curb creates huge puddles and is going to get damaged by snow plows. It was a waste of money since it doesn't work, looks ugly and will be destroyed this winter. The drain is also not located in the right place and they destroyed the person's yard that it is near.
- Vacant buildings – can SWMI First help?
- Reuse of some buildings are impossible because they need to be brought up to code or have a limited number of uses they could actually be used for.
- Promote mixed-use and buildings on empty lots that are easily adapted to changing uses. One reason that some buildings are vacant is because they were for a specific use. Keep them small(ish) so that small business owners/ start ups can afford them.
- Traffic calming! sidewalks, make the area safer for bicycles.
- Use overlay zoning to create a district that is unique. Non-conforming uses that can be legal.
- Change the speed limit from 45 to 35 (then people will actually go 45...)
- Events: Run/ Walk; More garage sales; Farmer's market; art market
- Work on parking issues (are there any??)
- The grocery store
- Develop a waterfront area with possibly food vendors, landscaping to help connect all the businesses into one unified look, give the area its own identity as a shopping district.
- nothing

General Conversation

- People relocate to the area for work or the school access.

–There is a disconnect between residents and the City officials. Residents feel that the city is difficult to work with. However, business owners feel that the City has been working with them to achieve many goals.

Map Notes:

Map 1: Lake Center North

General:

- Housing neighborhood
- Walkability, uses in proximity to businesses
- Garage sale was noticeable and good for the corridor
- Embrace the differences

Location-specific:

- Develop Pfizer along road (Zylman)
- Gateway feature (at Centre)
- Slow down traffic and friendly to businesses (north of Zylman)
- Bury power lines (at Zylman)
- Bury lines so we can have TREES! (at Zylman)
- Need lights on Corstange off Portage Rd to Oakside
- Slow traffic at Center and the Park, currently 45 mph
- Question re: telephone poles with pink ribbons (near Zylman)
- Widen sidewalks and include bikelane (near Forest)
- Traffic light at Forest and Portage Rd, crossing is difficult for bikes and peds (bank, store)
- Ames – north safety for cars turning

Map 2: Lake Center South

Location-specific:

- Preserve wooded areas for recreation (across from Lakeview Park)
- Fill in residential (between Woodbine and Stanley)
- Create streets for connections (through Stanley/Woodbine property)
- Speed indicator lights (Bacon/Auburn Woods/Wetherbee area)
- More multi-family (vacant property north of Osterhout)

Map 3: Lake Center Existing Land Use

General:

- Slow traffic
- Farmer's Market in district

Location-specific notes:

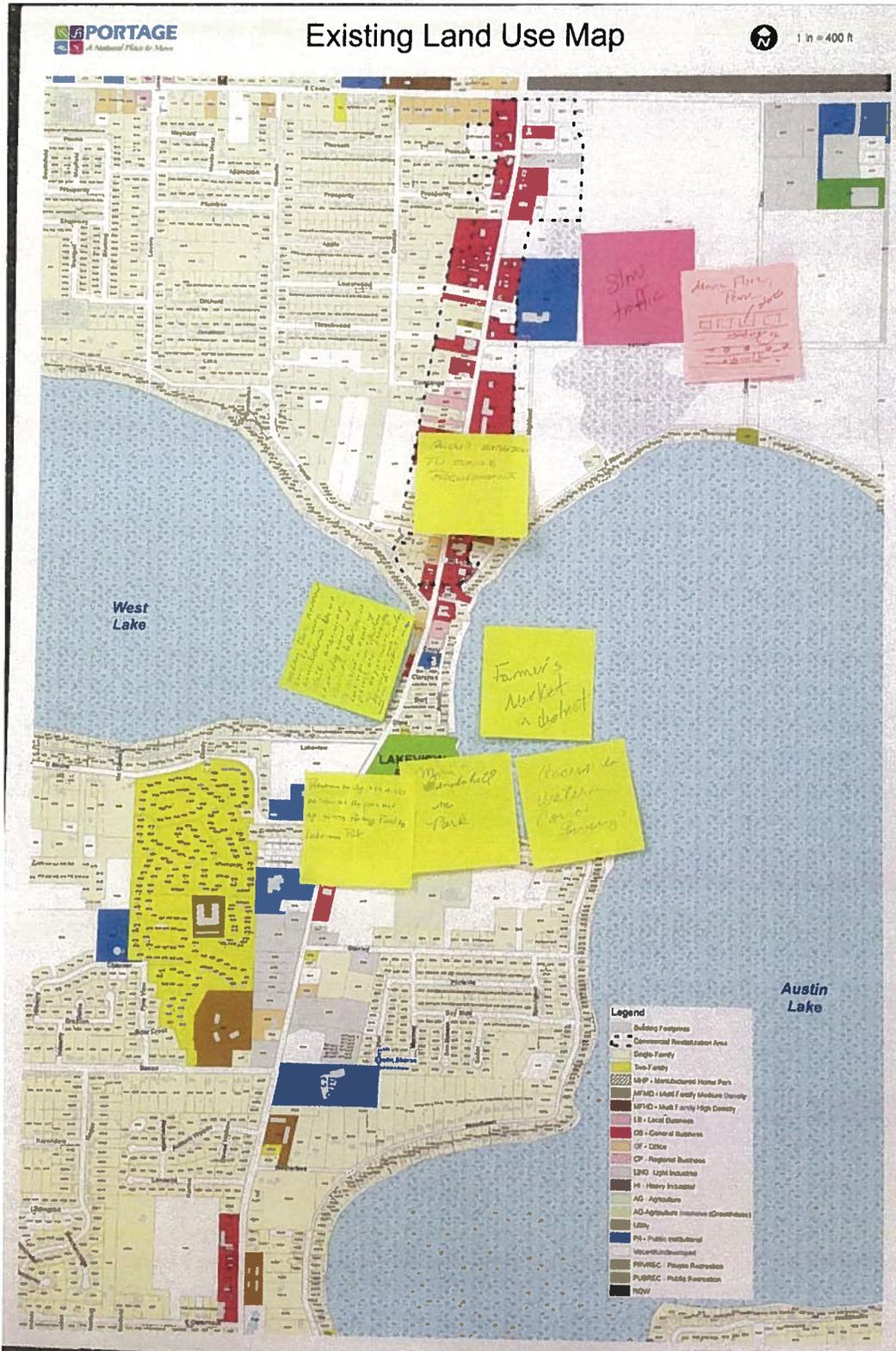
- Allow exception to zoning requirement (between Corstange and Forest)
- Widen this narrow corridor with cantilevered boardwalk, encourage redevelopment of Mavcon and drive-in to include a boat-up food take-out, fueling point etc. through all experience developer and overlay area on district (isthmus between Dixie and McClish)
- Mini-band shell in Lakeview Park
- Access to water, canoe livery? (next to Lakeview Park)
- Pedestrian bridge like across Milham at the park and go across Portage Road to Lakeview Park



Map 1: Lake Center North



Map 2: Lake Center South



Map 3: Lake Center ELU

YOUTH ADVISORY COMMITTEE

Input on Portage, October 14, 2013

What the Youth Advisory Committee likes about Portage:

1. Quality education and facilities
2. Multi-use trails
 - Connectivity (can get to a various destinations such as Celebration Cinema or Crossroads Mall using the trail network).
 - Alternative way to get around without the need for a car.
 - The off-road multi-use trails are a safe alternative to public streets (don't have to worry about cars).
3. Efforts by the city to preserve the natural areas of the community.
4. Efforts to balance the natural and manmade environments.
5. Like living in a smaller city but close to major urban centers such as Grand Rapids, Chicago or Detroit.
6. Safety and security of living in a smaller city.
7. Concentration of the commercial areas. They are easy to get to and from.
8. People in the community are very friendly.
9. Zoning. Residential areas are protected from the impacts associated with businesses.

What the Youth Advisory Committee does not like about Portage:

1. Poor mass transit (None of the committee members had ever ridden a bus in Portage).
2. No convenient and direct mass transit option from Portage to downtown Kalamazoo (e.g. non-stop or few stops from Crossroads Mall).
3. No separate PNHS football stadium.
4. Need more entertainment options similar to Craig's Cruisers or Full Blast.
5. More efforts are needed to better publicize events/activities sponsored by the city (i.e. Facebook or Twitter).
6. Need more locally-owned and operated businesses.
7. Need a health food store such as Sawalls.

8. Bring back the Summer Entertainment Series.
9. Plow the multi-use trails in the winter.
10. Need more public awareness of the excellent parks and recreational opportunities.
11. Don't have an e-edition of the Portager (i.e. magazine app.).
12. Don't plow residential streets soon enough after a snowfall.

What the Youth Advisory Committee wishes Portage had:

1. Bike trails on 12th Street
2. More sidewalks in residential neighborhoods
3. More restaurants around the lake areas
4. Canoe/kayak rentals at Ramona/Lakeview parks
5. Coffee house and wi-fi at parks (e.g. Ramona Park)

Reasons why some of the Youth Advisory Committee members won't stay/return to Portage after high school/college:

1. Larger cities offer more independence to children.
2. Will consider living abroad.
3. Want to experience other locations.
4. More opportunities in larger cities (e.g. jobs).
5. Portage is not a location for college age people, but may move back later in life.

One member said he will stay in Portage because he likes the safety, security and quality schools/education.

MATERIALS TRANSMITTED

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – October 14, 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: Jeffrey Bright, Lowell Seyburn, Tim Bunch, Glenn Smith, Michael Robbe, and Philip Schaefer.

MEMBERS EXCUSED: Marianna Singer, Doug Rhodus, James White

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

APPROVAL OF THE MINUTES: Robbe moved and Bunch seconded a motion to approve the September 9, 2013 minutes as submitted. Upon voice vote, motion was approved 6-0.

OLD BUSINESS:

NEW BUSINESS:

ZBA #13-5, 9625 Woodlawn Drive: Mais summarized the request for a 2.5 foot side yard setback to construct a new dwelling 2.5 feet from the (north) side property line where a minimum five-foot side yard is required. James Deters stated the 2.5 foot setback was requested for only the garage portion of the dwelling and that the remainder of the dwelling would only need a six inch variance. He stated there was strong neighborhood support for the request and that granting the variance would result in an aesthetically appealing addition to the neighborhood. Mr. Deters stated when the property was surveyed he found the lot was parallelogram shaped, making it slightly narrower than he realized. Mr. Deters inquired that if the Board did not grant his request, could they consider as an alternative granting a six inch variance allowing the garage to be flush with the rest of the dwelling. Mais replied the Board could consider lesser variances. Seyburn inquired if the applicant had attempted to negotiate an easement with the neighbor to the north. Mr. Deters stated he had already asked if the neighbor would be willing to sell additional land to avoid the need for a variance but the neighbor was not agreeable.

A public hearing was opened. Robert Keech, 2523 Stanley Avenue stated he did not understand why someone would buy property without knowing whether the house they wanted to build would be permitted. Mr. Keech stated there were already enough access problems with lakefront properties caused by people wanting to build larger homes on narrow lots and was therefore opposed to the variance. John Seelman, 9613 Woodlawn, stated he owned the adjacent property to the north and was in favor of the variance as the proposed dwelling would be obscured from his view due to the detached garage at the south end of his property. Arthur Roberts, 9614 Woodlawn, and Dan Buskirk, 9602 Woodlawn, both stated they were in favor of the variance. The public hearing was closed.

Schaefer requested clarification whether the subject property was a buildable lot without needing a variance, and if a new dwelling could be constructed in a conforming location. Mais stated both were the case. Bunch stated he appreciated the challenges narrow lots present, but observed the Board could not cite financial considerations as a reason to grant a variance. A motion was made by Robbe, seconded by Bunch to grant a variance for a new dwelling to be constructed 4.5 feet from the (north) side property line where a minimum five-foot side yard is required. There are exceptional circumstances applying to the property that do not apply to other properties in the zoning district, which include the substandard size and width of the lot, the variance is necessary for the preservation and enjoyment of a substantial property right, the right to use a limited width property which is similar to that possessed by other properties in the vicinity; the immediate practical difficulty causing the need for the variance request was not created by the applicant, 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: Bright-Yes, Robbe-Yes, Schaefer-No, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 5-1.

ZBA #13-06, 6295 & 6355 South Westnedge Avenue: Mais summarized the request for a variance to erect 172 square feet of wall signs where a maximum 100 square feet is permitted. David Kapusansky stated the practical difficulties stemmed from the building being setback almost 600 feet and that the view of the building was partly obstructed by other buildings in front. Smith inquired if Aldi had gotten sign variances at their other locations in Kalamazoo County and if the wall signs were comparable. Mr. Kapusansky stated they did not need sign variances but also did not face the same visibility issues at the other locations, and that the signage was similar.

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

A motion was made by Bright, seconded by Bunch to grant a variance to erect 172 square feet of wall signs where a maximum 100 square feet is permitted. There are exceptional circumstances applying to the property that do not apply to other properties in the zoning district which include the significant building setback and partially obstructed view, the variance is necessary for the preservation and enjoyment of a substantial property right, the right to identify a business which is similar to that possessed by other properties in the vicinity; the immediate practical difficulty causing the need for the variance request was not created by the applicant, 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: Bright-Yes, Robbe-Yes, Schaefer-Yes, Seyburn-Yes, Bunch-Yes, and Smith-Yes. Motion passed 6-0.

OTHER BUSINESS:

The Board welcomed Philip Schaefer as the new alternate.

Seyburn stated he recently became aware that he had helped prepare a land division many years earlier involving the property at 9033 West End Drive, which the Board recently granted a variance for (ZBA 13-03) but did not at the time of deliberations recall the connection. He stated even in the event that he would have made the connection at the time of deliberations, it would have made no difference in his findings or vote, nor would he consider it a conflict of interest.

STATEMENT OF CITIZENS:

None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 5, 2013

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

At the request of Mayor Strazdas, State Representative Margaret O'Brien 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 Reid, seconded by Sackley, to approve the October 22, 2013 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

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

PROCLAMATION: On behalf of the State of Michigan and the 97th Legislature, House Representative Margaret O'Brien and State Senator Tonya Schuitmaker provided a Tribute and Commendation to Councilmember Ed Sackley for his years of service to the entire regional community and recognized his wife, Jan, and his friend, Deb Shields, who were present in support.

* **APPROVAL OF ACCOUNTS PAYABLE OF NOVEMBER 5, 2013:** Motion by Reid, seconded by Urban, to approve the Check Register of November 5, 2013, as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

METSA COURT WATER MAIN PROJECT #314-W: Mayor Strazdas opened the public hearing and deferred to Mr. Evans for an explanation. Mr. Evans indicated that this is in response to a petition received from the four (4) parcel owners living on Metsa Court, a private street, and it was noted in the report that this will provide a dependable water supply and enhance fire protection in the area. He cited the cost of the improvement as \$50,000.00 with the share of the Special Assessment District as \$11,719.50 and the share of the City-at-Large as \$38,280.50. He indicated that the project will begin in the Spring of 2014 and be finished by the end of the construction season. He deferred to Transportation & Utilities Director Chris Barnes, who noted that the Special Assessment has two components, a frontage charge, capped at 80 feet of frontage for a single family dwelling at \$31.33 per front foot, and the charge for the water service lateral at \$960.00. He said that notice of the assessment and amortization schedules have been sent to each of the property owners which will be levied to them over a 20 year period. He stated that he is unaware of any opposition to the special assessment as presented.

In response to Mayor Pro Tem Reid, Mr. Barnes indicated that the \$960.00 was for the ¾ inch default-sized lead, and discussion followed regarding the letter sent with the option of a 1¼ inch lead, usually owing to the increased size of new houses, yet he pointed out these were moderately sized homes. Discussion followed.

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

Motion by Urban, seconded by Sackley, to adopt Resolution No. 5, confirming the special assessment roll for the Metsa Court Water Main Project #314-W. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 157 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 indicated that this is in response to a petition received from the affected property owners living on South Westnedge Avenue, and it was noted in the report that this will provide a dependable water supply and enhance fire protection in the area. He cited the cost of the improvement as \$375,000.00 with the share of the Special Assessment District as \$157,805.14 and the share of the City-at-Large as \$217,194.86. He deferred to Transportation & Utilities Director Chris Barnes, who noted that this project is along South Westnedge Avenue from Osterhout Avenue to Madison Court on the north end of Gourneck Lake. He indicated that this project also has two components, a frontage charge, capped at 80 feet of frontage for a single family dwelling at \$31.33 per front foot, and the charge for the ¾ inch water service lateral at \$960.00. He said that notice of the assessment and amortization schedules have been sent to each of the property owners which will be levied to them over a 20 year period. He stated that he is unaware of any opposition to the special assessment as presented, and if the Special Assessment roll is approved, the project will begin in the Spring of 2014.

Mayor Strazdas opened the public hearing to comments from those citizens present. There being no further discussion, 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 Randall, to adopt Resolution No. 5, confirming the special assessment roll for the South Westnedge Avenue Water Main Project #315-W. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 161 of City of Portage Resolution Book No. 45.

PETITIONS AND STATEMENTS OF CITIZENS: Nancy McDowell, 5646 Mount Vernon Avenue, expressed her fear of an abusive neighbor and asked for a City Ordinance to address abuse of the elderly. Having previously spent a long discussion of this matter with her, Mayor Strazdas encouraged her to contact the Police and Community Development Departments to resolve the issues.

REPORTS FROM THE ADMINISTRATION:

* **WORKERS' COMPENSATION EXCESS INSURANCE AND THIRD PARTY ADMINISTRATION CONTRACTS:** Motion by Reid, seconded by Urban, to award a one-year contract renewal to Safety National Casualty Corporation for workers' compensation excess insurance coverage for an annual fee of \$62,089 plus payroll adjustments; approve a one-year contract renewal with Eagle Claims Management for workers' compensation third party administration for an annual fee of \$8,735; and authorize the City Manager to execute all documents related to these contract renewals on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **CONSUMERS ENERGY FRANCHISE ORDINANCE RENEWAL:** Motion by Reid, seconded by Urban, to accept for first reading the proposed City of Portage Ordinance Amendment to the City of Portage Code of Ordinances by adding Article 10, Consumers Energy Electric Company Franchise to Chapter 14, Business, Sections 14-192 through 14-203; place the ordinance on file for public inspection and consider final adoption on December 3, 2013. Upon a roll call vote, motion carried 7 to 0.

* **MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT 13-5441 – SIDEWALK ON OREGON AVENUE (WEST VAN HOESEN BOULEVARD TO IDAHO AVENUE):** Motion by Reid, seconded by Urban, to approve Contract 13-5441 between the Michigan Department of Transportation and the City of Portage for sidewalks along the west side of Oregon Avenue from West Van Hoesen Boulevard to Idaho Avenue; adopt a Resolution authorizing the City Manager to sign Contract 13-5441; and authorize the City Manager to sign all other documents related

to the Michigan Department of Transportation for this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 165 of City of Portage Resolution Book No. 45.

* **9-1-1 CALL HANDLING AND RADIO REPLACEMENT:** Motion by Reid, seconded by Urban, to award a purchase, installation and maintenance contract to AT&T for hardware and software to upgrade the Portage Public Safety 9-1-1 call handling equipment at a cost of \$135,106 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.

* **2014 CITY COUNCIL MEETING SCHEDULE:** Motion by Reid, seconded by Urban, to establish the 2014 schedule of regular City Council meetings. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

* **COMMUNICATION FROM STATE REPRESENTATIVE MARGARET O'BRIEN:** Motion by Reid, seconded by Urban, to receive the communication from State Representative Margaret O'Brien regarding the City of Portage ranking on Movoto.com. Upon a roll call vote, motion carried 7 to 0.

* **RICHARD RITSEMA, 306 GABARDINE AVENUE – PETS IN CEMETERIES:** Motion by Reid, seconded by Urban, to refer the communication from Richard Ritsema regarding concerns with recreational pet activities in city cemeteries to the Administration for review and a report. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

* **RE-APPOINTMENT FOR THE HISTORIC DISTRICT COMMISSION:** Motion by Reid, seconded by Urban, to reappoint Christine Broberg to the Historic District Commission for a term ending December 31, 2016. 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 September 14, 2013.

Portage Public Schools Board of Education Regular Business of September 23 and Committee of the Whole Work Session of October 14, 2013.

Portage Planning Commission of October 3, 2013.

COUNCIL COMMITTEE REPORT:

COMMUNICATION FROM THE PROPERTY COMMITTEE: Councilmember Bailes provided a review of the November 4, 2013 Communication regarding activities of the Council Property Committee as it related to the outlots at 7200 Balfour Drive, 1600 Friendly Avenue and 7138 Capri Street. He also disclosed that the City of Portage has retained Paul Valentin of Jaqua Realtors to market the property at 10323 Archwood Drive through March of 2014 and explained. Discussion followed.

In response to Councilmember Urban regarding 1600 Friendly Avenue, Councilmember Sackley indicated that the original offering was for \$3,000.00 and each adjacent property owner would split the lot and split the cost at \$1,500.00 each; however, only one offer was received for \$2,500.00 from Scott Heusinkveld for the entire outlot and the other adjacent property owner made no response.

He said that the Committee recommended approval since there was no response from the other adjacent property owner and only one closing costs would be incurred.

Motion by Sackley, seconded by Urban, to receive the communication from the Property Committee regarding a Committee Activity Update as presented by Councilmember Cory Bailes and directed the Administration to prepare the documents and the sales agreements to accommodate the offer from Richard and Sue Huntington, and Todd Titus and Kim Nicholls, to purchase 7200 Balfour Drive for \$3,000, or \$1,500 for each couple for each respective half of the outlot; as well as the documents and the sales agreements to accommodate the offer from Scott Heusinkveld to purchase 1600 Friendly Avenue for \$2,500 for the entire outlot; and to engage in additional communication with Maureen McGuire, 7132 Capri Street, in accordance with the memorandum provided to City Council via Materials Transmitted dated November 5, 2013. Councilmember Pearson pointed out that these properties were owned by the City, that the City is responsible for the insurance and the maintenance on the property, even though maintenance was not always performed by the City, and the City is now relieved of these responsibilities. He noted it was a win-win situation and a great job by the Council Property Committee. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Normally a strong supporter of the Portage High School football teams, Councilmember Bailes expressed support for his Alma Mater, Battle Creek Lakeview in the game, Friday, with Portage Central where he will have to wave across the field at the rest of his family.

Councilmember Sackley referred to a postcard mass-mailed by one of the candidates for City Council in the General City Election tonight that referred to water rates and the Senior Citizen discount which was found to be a violation of the law against discrimination on the basis of age. He encouraged citizens to check the Portage City website to review the utility rate study which addresses utility rates, the rate-setting process and discounts, or call Utilities Engineer Kendra Gwin at 329-4442.

Councilmember Pearson encouraged everyone as a reminder to attend the Spaghetti Fundraising Dinner and Silent Auction, 5:30 p.m. to 7:30 p.m., Thursday, November 7, 2013, Portage Middle School Cafeteria, 8305 South Westnedge Avenue, to support the Yonker Family of Portage to help pay for mounting expenses for their daughter, Becky, who has stage IV brain cancer.

Portage Mayor Pro Tem Claudette Reid said that the workers' compensation contract approval illustrates considerable savings the city has realized since becoming self-insured two decades ago. She noted that over the past 20 years, the self-insurance costs have been about \$100,000 a year, with the recent contract of \$62,089 showing even more savings; and prior to that, the city had been paying about \$620,000 a year for the insurance, so the annual cost for being self-insured over the 20-year span conservatively saved \$10,400,000. Also, as an occupational therapist with Michigan Rehabilitation Services, she said that self-insurance programs have a better history of staying in contact with injured workers, obtaining a more complete recovery for the worker and getting him or her back to work sooner.

Mayor Strazdas thanked all of the candidates who participated in the electoral process and recognized each of them for a good, clean, professional campaign. He also extended congratulations ahead of time to the winners.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:16 p.m.

James R. Hudson, City Clerk

*Indicates Items Included on the Consent Agenda.

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

<u>Project/Activity</u> Portage City Landfill	<u>Description</u> Ongoing groundwater monitoring of former municipal landfill.	<u>Status</u>
		<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>
<u>Site Inspection/Development Project Review</u>	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 5 site/building plans and/or plats completed in October 2013.</p>
<u>Sewer Connection Program</u>	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<p>-Sanitary sewer hookup permits issued in October 2013. 8 residential; 0 commercial. Two mandatory sewer connection deferral hearing requests approved by the deferral subcommittee in October.</p>
<u>West Lake Management Program</u>	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>
<u>Retention Basin Sampling Program (Groundwater Elevation)</u>	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 participated in a MDEQ Water Supply Emergency planning roundtable 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 October and resolved with property owner.* 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 Conversation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. 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 SWIPPI. 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. *2013 results will be received in November.* 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. *Native plant weeding and fall mowing is complete.* 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 October 2013 - 0. Number of environmental cleanups in October - 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.