



PLANNING COMMISSION

November 20, 2014

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

November 20, 2014

(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

- * October 2, 2014
- * November 6, 2014

SITE/FINAL PLANS:

PUBLIC HEARINGS:

- * 1. Final Report: Rezoning Application #14/15-2, 4713 and 4707 (west 10-feet), West Milham Avenue

OLD BUSINESS:

NEW BUSINESS:

1. Planning Commission Training – Roles and Responsibilities
-- Adjourn to Conference Room No. 1

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

MAP 2015 Training Workshops for Planning & Zoning Officials
October 21, 2014 City Council regular meeting minutes

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

PLANNING COMMISSION

October 2, 2014

 DRAFT

The City of Portage Planning Commission meeting of October 2, 2014 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 12 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission in the Pledge of Allegiance.

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Richmond, Schimmel, Bosch, Dargitz, Felicijan, Welch, Stoffer and Patterson. Chairman Welch indicated he did receive a request from Commissioner Somers to be excused from the meeting. A motion was made by Commissioner Schimmel, seconded by Commissioner Dargitz, to approve the role excusing Commissioner Somers. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the September 18, 2014 meeting minutes contained in the agenda packet. Commissioners Dargitz, Felicijan and Bosch indicated they were not present at this meeting and would be abstaining. A motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 5-0-3 with Commissioners Dargitz, Felicijan and Bosch abstaining.

SITE/FINAL PLANS:

1. Revised Site Plan/Request to Exceed Maximum Parking Provision: Latitude 42, 7842 and 7908 (portion thereof) Portage Road. Mr. West summarized the staff report dated September 26, 2014 regarding a request by Mike and Ruth Stoddard to expand a previously approved parking lot and exceed the maximum parking provision of the Zoning Code. Mr. West summarized the previous 2012 and 2013 approvals granted for Latitude 42 including the September 20, 2012 site plan approval that also included authorization from the Planning Commission to exceed the maximum parking provision of the Zoning Code and construct a total of 100 parking spaces. Since construction of the Latitude 42 micro-brewery/restaurant in 2013, Mr. West stated the owner has determined the previously approved 100 parking spaces is inadequate to serve the development. In conjunction with the revised site plan, Mr. West indicated the applicant has also submitted a written request and supporting documentation to exceed the maximum parking provision of the Zoning Code to allow a total of 131 parking spaces to serve the development project.

Mr. Mike Stoddard (owner/applicant) and Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant engineer) were present to support the revised site plan and request to exceed the maximum parking provision of the Zoning Code. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the Revised Site Plan and request to Exceed the Maximum Parking Provision and construct a total of 131 parking spaces for Latitude 42, 7842 and 7908 (portion thereof) Portage Road. The motion included a finding that the additional parking spaces are necessary to support the use and will not adversely impact the subject property, surrounding properties or related natural features. The motion was unanimously approved 8-0.

2. Final Plan: 1st Source Bank, 2301 West Centre Avenue. Mr. Forth summarized the staff report dated September 26, 2014 regarding a request from Hebard & Hebard, on behalf of 1st Source Bank, to construct a 3,000 square foot bank building and associated site improvements along the northwest portion of 2301 West Centre Avenue. Mr. Forth stated the bank project represents the second development within the Oakland Hills at Centre Planned Development. Mr. Forth reviewed specific aspects of the final plan including access, storm water management and sidewalk installation. Mr. Forth stated the final plan has been designed in substantial conformance with the approved tentative plan/narrative and was recommended for approval.

Mr. Greg Dobson of American Village Development was present to support the application and explain the development history of the Oakland Hills at Centre Planned Development. Mr. Dobson introduced the development team including representatives of 1st Source Bank. Commissioner Dargitz asked when the residential portion of the planned development would begin. Mr. Dobson stated that construction of the residential component of the development was closely tied to completion of the Oakland Hills Planned Development to the south. Mr. Dobson indicated an amendment to the previously approved tentative plan involving the residential component of the development would likely be submitted to the Planning Commission for consideration within the next 6-9 months. After a brief discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to recommend to City Council that the Final Plan for 1st Source Bank, 2301 West Centre Avenue, be approved. The motion was unanimously approved 8-0.

3. Site Plan: Kenco Development, 6501 Portage Road. Chairman Welch briefly explained a potential conflict of interest associated with this application and indicated he would recuse himself from discussion and voting on this site plan agenda item.

Mr. Forth introduced the item and summarized the staff report dated September 26, 2014 regarding a request by Scannell Properties to construct an approximate 300,000 square foot, 48-foot tall warehouse/distribution facility and associated site improvements along the northern approximate 39 acres of 6501 Portage Road. Mr. Forth discussed various aspects of the project including access, roadway improvements planned to Portage Road (left-turn lane and right-turn deceleration lane), Federal Aviation Authority (FAA) approval and storm water management. Mr. Forth also discussed the presence of mature tree lines along the west, south and east sides of the development site and the applicant's commitment to preserve the west and south tree lines to screen the outside trailer storage/parking area and the loading/unloading docks.

Mr. Alan Smaka of Wightman & Associates (applicant engineer) was present to support the application and explain the development project. Mr. Smaka introduced the development team including representatives of Kenco Development. Mr. Smaka discussed the pending Michigan Department of Transportation grant application for the roadway improvements and also confirmed the applicant's commitment to preserve the mature trees lines. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the Site Plan for Kenco Development, 6501 Portage Road, subject to retention of the mature tree lines. If the tree lines are damaged or removed during or after construction, replacement will be required. The motion was unanimously approved 7-0.

PUBLIC HEARINGS:

1. Final Report: Rezoning Application #15-1, 6291 South 12th Street. Mr. West summarized the final staff report dated September 26, 2014 regarding a request from Pinefield, LLC to rezone 6291 South 12th Street from R-1B, one family residential to R-1T, attached residential. Mr. West indicated the rezoning would facilitate future expansion of the Pinefield Townhomes development project. Mr. West discussed the surrounding land use/zoning designation of adjacent properties, Comprehensive Plan and Future Land Use Map designations for the subject property and surrounding properties and stated the proposed R-1T zone was consistent with these designations.

Bob Deppe (applicant/owner) was present to support the proposed rezoning application. The public hearing was reconvened by Chairman Welch. No citizens spoke regarding the proposed rezoning application.

 DRAFT

A motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 8-0. A motion was then made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15-1 be approved and 6291 South 12th Street be rezoned from R-1B, one family residential to R-1T, attached residential. The motion included a finding that the proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern. The motion was unanimously approved 8-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

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

Respectfully submitted,

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

 DRAFT

PLANNING COMMISSION

November 6, 2014

The City of Portage Planning Commission meeting of November 6, 2014 was called to order by Vice-Chairman Felicijan at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 12 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Vice-Chairman Felicijan led the Commission in the Pledge of Allegiance.

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Patterson, Felicijan, Dargitz, Somers and Stoffer. Vice-Chairman Felicijan indicated he did receive requests from Chairman Welch and Commissioners Bosch, Schimmel and Richmond to be excused from the meeting. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the role excusing Chairman Welch and Commissioners Bosch, Schimmel and Richmond. The motion was unanimously approved 5-0.

APPROVAL OF MINUTES:

Vice-Chairman Felicijan referred the Commission to the October 2, 2014 meeting minutes contained in the agenda packet. Commissioner Somers indicated he was not present at this meeting and would be abstaining. A motion was made by Commissioner Dargitz, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved 4-0-1 with Commissioner Somers abstaining.

SITE/FINAL PLANS:

1. Site Plan: Airway Lanes (Ropes Course), 5626 Portage Road. Mr. West summarized the staff report dated October 30, 2014 regarding a request by Airway Lanes to construct an outdoor ropes course along the east side of the existing Airway Lanes facility. Mr. West stated the climbing structure would be a maximum of 35-feet in height and would occupy an approximate 1,600 square foot area within the existing parking lot, between the outdoor miniature golf course and the Airway Lanes building. Mr. West indicated the 12 parking spaces located along the east side of the building would be eliminated and the area gated to prevent vehicular access. Mr. West discussed the initial review and approval of the climbing structure by the Federal Aviation Administration (FAA) and Michigan Aeronautics Commission (MAC), however, indicated the height identified in the original application was inadvertently referenced as 32-feet tall. Mr. West stated the applicant has since contacted the FAA to request a revised determination for construction of the climbing structure to a maximum height of 35-feet. Mr. West indicated that FAA determination of this revised request was still pending.

Mr. Marc Weise (applicant) was present to support the site plan and indicated a new application to FAA was needed for the climbing structure height change from 32-feet to 35-feet. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the Site Plan for Airway Lanes (Ropes Course), 5626 Portage Road, subject to the following conditions: 1) The climbing structure not exceed 35-feet in height, and, 2) FAA/MAC approval of the 35-foot tall climbing structure prior to issuance of building permits. The motion was unanimously approved 5-0.

 DRAFT

PUBLIC HEARINGS:

1. Active Home Occupation Permit (Adela Strautkalns), 6820 Lovers Lane. Mr. West summarized the staff report dated October 30, 2014 regarding the request from Ms. Adela Strautkalns for an Active Home Occupation Permit to establish an approximate 132 square foot sales office within a portion of her single family residence located at 6820 Lovers Lane. Mr. West indicated the sales office serves the adjacent Lovers Lane Storage & U-Haul Rental facility located immediately to the north at 6800 Lovers Lane, which is also owned by Ms. Strautkalns. Mr. West stated the application satisfies the requirements for issuance of an Active Home Occupation Permit and was recommended for approval.

Ms. Adela Strautkalns (applicant/owner) was present to support the Active Home Occupation Permit application. After a brief discussion, the public hearing was opened by Vice-Chairman Felicijan. No citizens spoke regarding the proposed Active Home Occupation Permit. A motion was made by Commissioner Dargitz, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 5-0. A motion was then made by Commissioner Dargitz, seconded by Commissioner Somers, to approve the Active Home Occupation Permit for Ms. Adela Strautkalns (sales office), 6820 Lovers Lane. The motion was unanimously approved 5-0.

2. Preliminary Report: Rezoning Application #14/15-2, 4713 and 4707 (west 10-feet) West Milham Avenue. Mr. Forth summarized the preliminary staff report dated October 30, 2014 regarding a request from Bickford Cottage to rezone 4713 and 4707 (west 10-feet) West Milham Avenue from B-2, community business to OS-1, office service. Mr. Forth indicated the rezoning would facilitate future expansion of the Bickford Cottage senior living facility currently located at 4707 West Milham Avenue. Mr. Forth discussed the previous rezoning for the Bickford Cottage, the surrounding land use/zoning pattern, Comprehensive Plan and Future Land Use Map designations for the subject property and differences between the existing B-2 and proposed OS-1 zoning districts. The Commission and Mr. Forth briefly discussed the surrounding zoning pattern, past and present Future Land Use Map designations and previous rezonings in the immediate area.

Richard Eby (applicant/Bickford Cottage representative) was present to support the proposed rezoning application. Mr. Eby discussed the success of the Bickford Cottage facility since construction approximately nine years ago and plans for an approximate 8,000 square foot, 16-unit memory care expansion if the rezoning request was approved. Mr. Eby indicated letters explaining the proposed rezoning and planned expansion were hand delivered to neighbors to the south that abut the Bickford Cottage senior living care facility.

The public hearing was opened by Vice-Chairman Felicijan. Two citizens spoke regarding the proposed rezoning application: Dave Szybala (4836 Golden Ridge Trail) and Brian Menz (4736 Golden Ridge Trail). Both Mr. Szybala and Mr. Menz spoke in support of the proposed OS-1 zoning and the planned expansion of the Bickford Cottage senior living facility. No additional citizens spoke regarding the proposed rezoning. After a brief discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to adjourn the public hearing for Rezoning Application #14/15-2, 4713 and 4707 (west 10-feet) West Milham Avenue, to the November 20, 2014 meeting. The motion was unanimously approved 5-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

 **DRAFT**

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

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

TO: Planning Commission

DATE: November 14, 2014

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

SUBJECT: Final Report: Rezoning Application #14/15-2, 4713 and 4707 (west 10-feet) West Milham Avenue

I. INTRODUCTION:

An application has been received requesting that 4713 West Milham Avenue and the west 10-feet of 4707 West Milham Avenue be rezoned from B-2, community business to OS-1, office service. According to the applicant, the rezoning would facilitate future expansion of the Bickford Cottage senior living facility currently located at 4707 West Milham Avenue.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Bickford Cottage	4707 West Milham (west 10-feet)	00007-095-O	B-2	OS-1
Dalbara Mangat and Muukhtar Singh	4713 West Milham Avenue	00007-100-O	B-2	OS-1
Two parcels – 1.0 acre				

II. EXISTING CONDITIONS:

Land Use/Zoning	<p><u>Rezoning Site:</u> Nonconforming single family residence/detached garage (4713 West Milham Avenue) and the Bickford Cottage senior living facility (west 10-feet of 4707 West Milham Avenue). The Bickford Cottage senior living facility is a 24,500 square foot, 48 unit facility located on approximately 4 acres and zoned OS-1, office service, with the exception of the west 10-feet that is zoned B-2.</p> <p><u>East/South:</u> Single family residential neighborhood (Avalon Woods subdivision) zoned R-1B, one family residential.</p> <p><u>West:</u> Nonconforming single family residence (4721 West Milham Avenue) and vacant land zoned B-2, community business. Further to the west within Texas Township, the northwest and southwest corners of the West Milham Avenue/South 12th Street intersection are zoned C-3, Commercial District – Shopping Center.</p> <p><u>North:</u> Across West Milham Avenue, Westfield Park zoned R-1A, one family residential.</p>
Zoning/Development History	<p>In 2001, 4613, 4707, 4713, 4721 and 4815 West Milham Avenue and 6035 and 6027 South 12th Street were rezoned from B-1, local business; R-1B, one family residential; and RM-1, multiple family residential to B-2, community business.</p> <p>In 2005, 4613 and 4707 West Milham Avenue were rezoned from B-2, community business and RM-1, multiple family residential to OS-1, office service with the exception of the west 10-feet of 4707 West Milham (remained zoned B-2), the east 30-feet of 4613 West Milham (remained zoned RM-1) and the south 30-feet of 4707 West Milham and the south 30-feet of the west 149 feet of 4613 West Milham (remained zoned R-1B). This rezoning facilitated the Bickford Cottage senior living facility project.</p>

Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Milham Avenue is designated a 3-lane minor arterial roadway with 11,672 vehicles per day (2012); capacity of 21,500 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify wetland and/or floodplain areas on the subject site.

III. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing during the November 6, 2014 meeting. Mr. Richard Eby (applicant/Bickford Cottage representative) was present to support the rezoning request and to explain plans for an approximate 8,000 square foot, 16-unit memory care expansion if the rezoning request was approved. Two citizens (Dave Szybala, 4836 Golden Ridge Trail and Brian Menz, 4736 Golden Ridge Trail) spoke in support of the proposed OS-1 zoning and the planned expansion of the Bickford Cottage senior living facility. No additional citizens spoke regarding the proposed rezoning.

IV. FINAL ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the 2014 Comprehensive Plan identifies the rezoning site as being situated in an area of transition between office land use (east) and local business land use (west). Properties situated south of the rezoning site are identified for low density residential land use. While these land use designations are intended to serve as a general guide for future development and rezoning considerations, specific zoning district boundaries need to be determined on a case-by-case basis considering overall consistency with the Comprehensive Plan/Future Land Use Map, surrounding land use/zoning pattern, development/redevelopment potential, impacts on adjacent properties and other factors. The proposed OS-1 zoning district is consistent with the Comprehensive Plan and Future Land Use Map designations.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others) and may suggest incentives to influence community development and adjustments to other policies that influence the use of land for consistency with community development objectives. The proposed OS-1 zoning district is consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

Suitability of Existing B-2 Zone/Impacts of Proposed OS-1 Zone. While the existing B-2 zoning district and associated development is still a viable option with assemblage of B-2 zone land to the west, the current B-2 designation does prevent expansion of the Bickford Cottage senior living facility since this land use is not allowed in the B-2 district, either as a permitted or special land use.

The proposed OS-1 zone is consistent with the Comprehensive Plan and adjacent zoning pattern to the east and would result in lower intensity land uses that are more compatible with the adjacent single family residential neighborhood to the south.

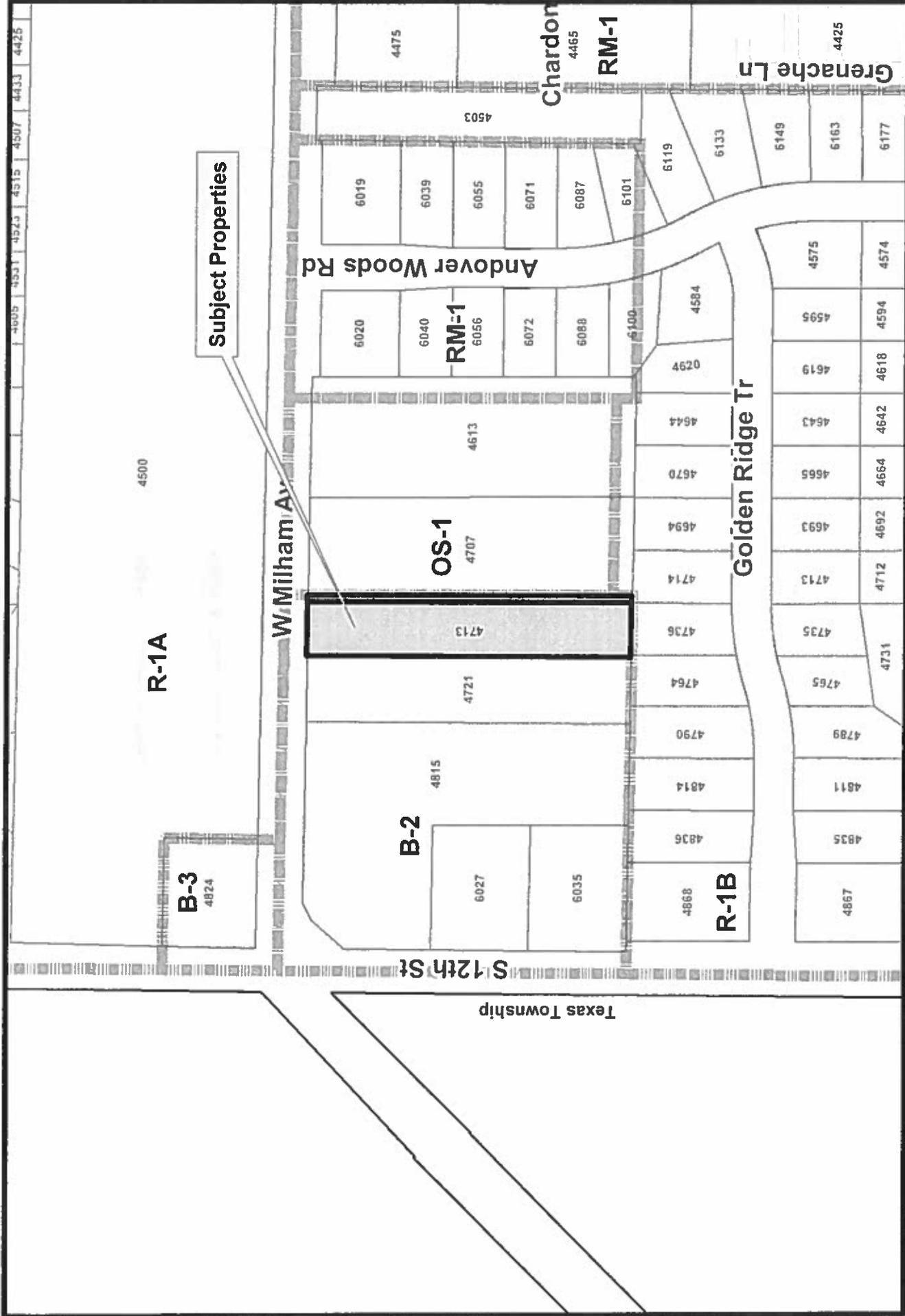
During the 2005 rezoning consideration to facilitate the Bickford Cottage development project, B-2 zoning was retained along the west 10-feet of 4707 West Milham since a change in zoning to OS-1 would have impacted redevelopment of the adjacent property to the west by requiring an increased setback distance. Section 42-350(15) states that a building located in the B-2 zone cannot be closer than 75 feet to the outer perimeter of the district. However, if the adjacent property is zoned I-1, I-2, CPD, B-2 or B-3, the setback distance is 20 feet from the outer perimeter of the district. Retention of B-2 zoning along the west 10-feet of 4707 West Milham requires only a 20-foot building setback if 4713 West Milham had redeveloped under the B-2 zoning district. Furthermore, 4713 West Milham Avenue is only 82.5 feet wide and a 75-foot setback distance would have complicated redevelopment potential. A similar zoning pattern which would retain a 10-foot wide area of B-2 zoning along the west side of 4713 West Milham Avenue is also recommended for this rezoning request since 4721 West Milham is only 111 feet wide.

Traffic Considerations. Anticipated traffic generation associated with a zoning change to OS-1 and associated development will likely be less than development under the existing B-2 zoning district and can be accommodated by the surrounding roadway network. Specific access related issues including driveway locations, shared/cross access connections, etc. will be reviewed at the site plan stage of redevelopment.

V. RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #14/15-2 be approved and the west 10-feet of 4707 West Milham Avenue and 4713 West Milham Avenue (excepting the west 10-feet) be rezoned from B-2, community business to OS-1, office service. The proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern and will allow Bickford Cottage future expansion options while protecting the adjacent single family residential neighborhood to the south.

Attachments: Zoning/Vicinity Map
Future Land Use Map
Aerial Photograph Map
Development Guidelines Table (OS-1)
Rezoning Application and Supporting Materials



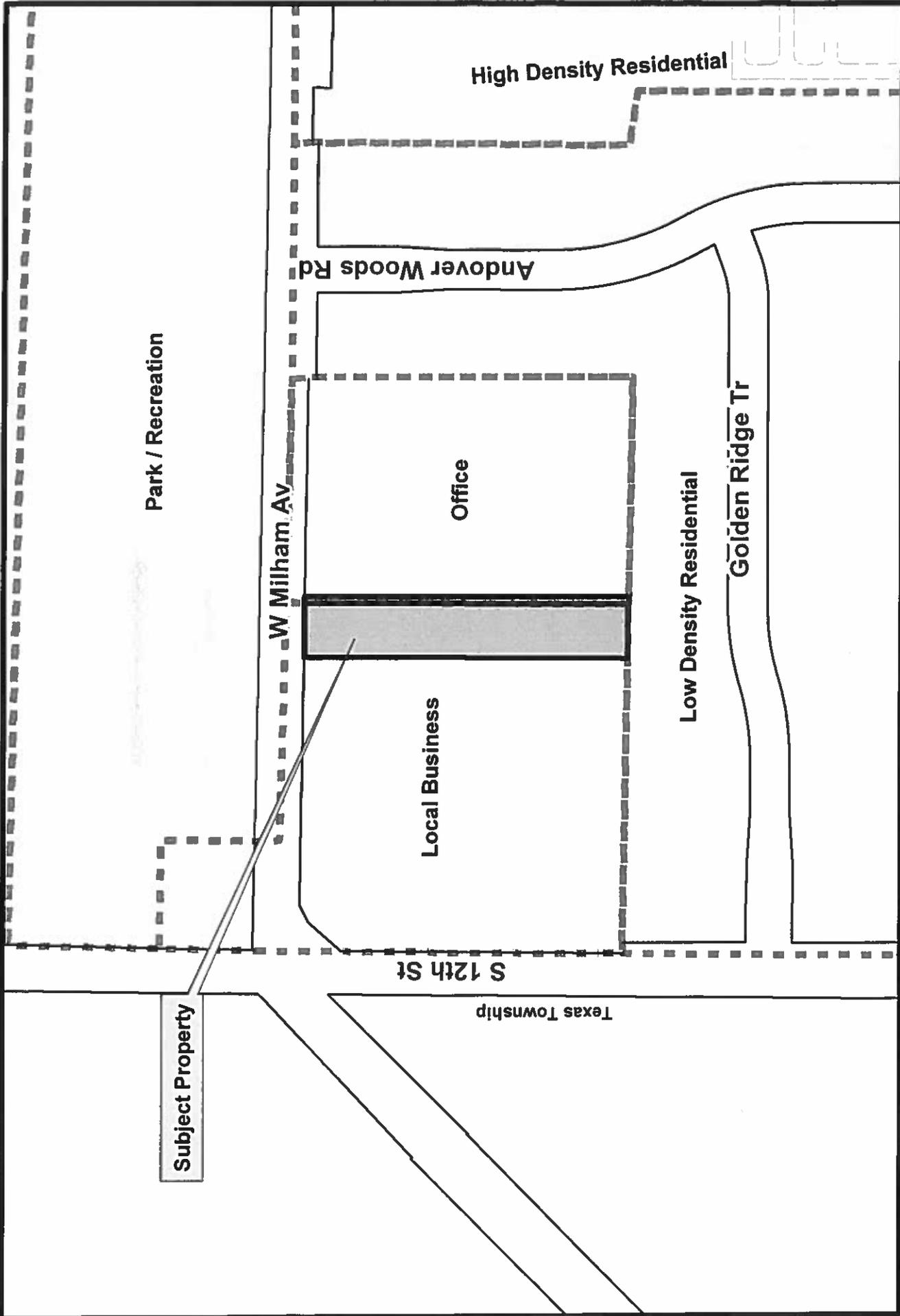
Subject Properties

-  Zoning Boundary
-  Subject Property
-  Notification

Rezoning #14/15-02
4713 and 4707 (West 10') West Milham Avenue



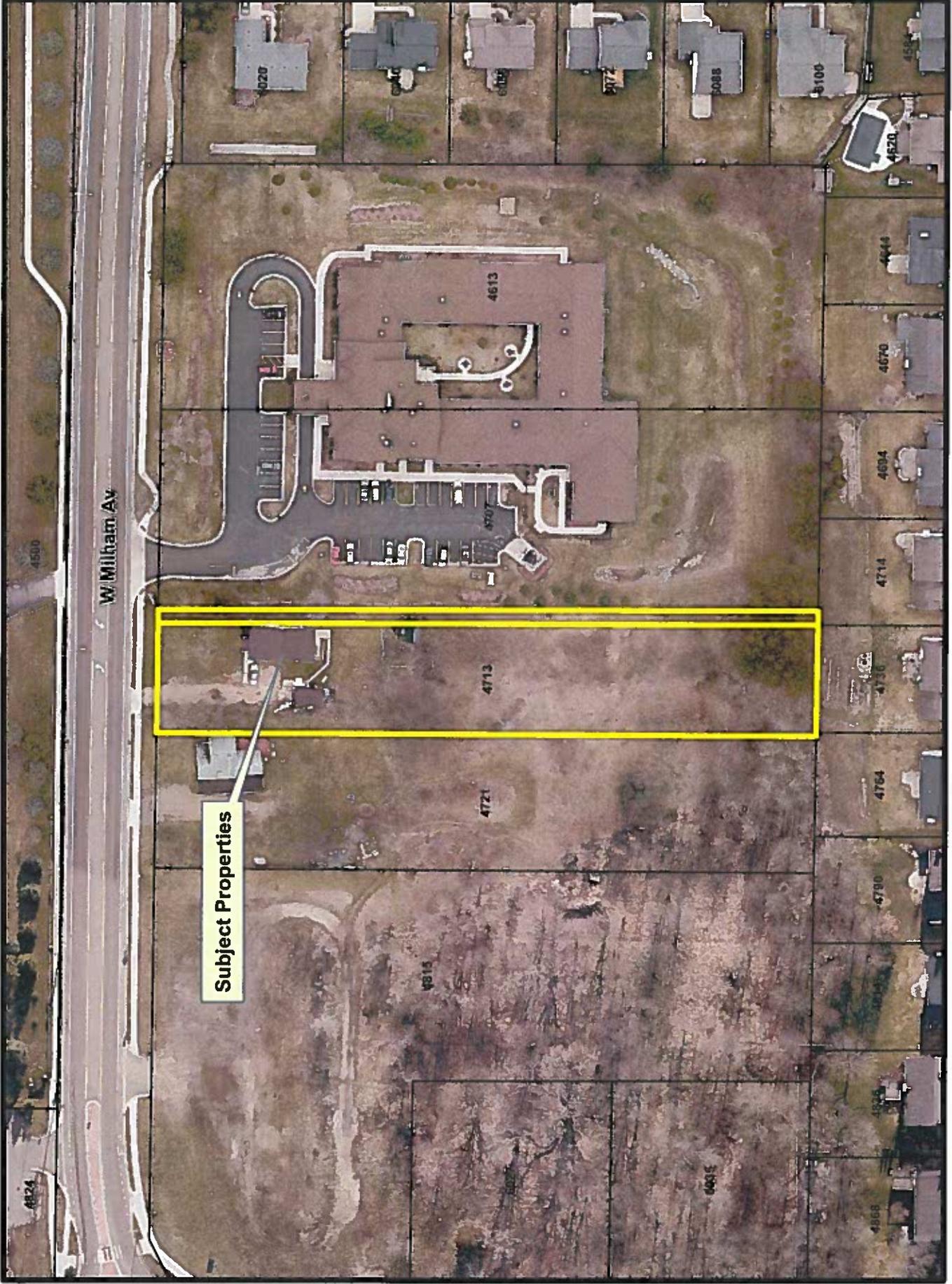
1 inch = 200 feet



**Future Land Use Map
4713 and 4707 (West 10') West Milham Avenue**

 Future Land Use
 Subject Property

 N
 1 inch = 200 feet



Subject Properties



Subject Properties



1 inch = 100 feet

Aerial Photography 4713 and 4707 (West 10') West Milham Avenue

DEVELOPMENT GUIDELINES
Rezoning Application #14/15-2 (OS-1, Office Service)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	Yes	Future Land Use Map designates the subject property within a zone of transition between office land use (east) and local business land use (west). The proposed OS-1 zone is consistent with these designations.
Commercial – 1	Coordinated Development	Yes	Rezoning site is located in an area planned for commercial/office land use. The proposed expansion of the adjacent Bickford Cottage senior living facility is compatible with adjacent land uses.
Commercial – 2	Commercial/Office Uses in General	Yes	Access would be provided from West Milham Avenue, a minor arterial roadway and traffic related issues can be accommodated. The size, intensity and character of the proposed use is compatible with adjacent areas.
Commercial – 3	Local Business Uses	Yes	Rezoning site is situated within a zone of transition between office and local business land uses and the proposed OS-1 zone and expansion of the Bickford Cottage facility provides an effective transition between West Milham Avenue and the interior single family residential neighborhood.
Commercial – 4	Regional and General Commercial Uses	N/A	Guideline is not applicable to rezoning request.
Commercial – 5	Portage Commerce Square	N/A	Guideline is not applicable to rezoning request.
Natural & Historic Resources - 1	Environmental Protection	Yes	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, etc).
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Reviewed at site plan stage of development.
Natural & Historic Resources – 4	Noise	Yes	Reviewed at site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Rezoning site is not situated within a designated historic preservation area and does not contain any historic structures.
Natural & Historic Resources – 6	Open Space Protection	Yes	Reviewed at site plan stage of development.
Transportation – 1	Transportation Systems	Yes	West Milham Avenue is a 3-lane minor arterial roadway with 11,672 vehicles per day (2012) and a capacity of 21,500 vehicles per day (level of service “D”). Traffic generation associated with a zoning change from B-2 to OS-1 will likely be less and can be accommodated by the surrounding roadway network.
Transportation – 2	Street Design	Yes	Access would be provided through the existing Bickford Cottage full service driveway from West Milham Avenue.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Reviewed at site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed at site plan stage of development.

Guideline	Description	Consistent	Comments
Transportation – 6	Parking	Yes	Reviewed at site plan stage of development.
Municipal Facilities & Services – 1	Sound Fiscal Growth	Yes	Existing infrastructure is adequate to accommodate future development and growth.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Reviewed at site plan stage of development.

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11-1-14
2014

APPLICATION FOR ZONING AMENDMENT

Application number #14/15-2

Date 10-8-14

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

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

b. Unplatted Land:

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

Acres = 0.94 Parcel ID: 00007-100-0 (4713 W. Milham)
Acres = 0.11 Parcel ID: 00007-095-0 (West 10 feet of 4707 W. Milham)

2. a. Do you own the property to be rezoned? Yes (4707) No (4713)

b. Name of the owner of the property to be rezoned: Mangal, Dalbawa & Singh, Mukhtiar

Address 6040 Andover Woods, Portage, MI 49024

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: expand Bickford Cottage at 4316 W. Milham
4713

4. CURRENT ZONING: B2 PROPOSED ZONING: OS1

ZONING TEXT AMENDMENT

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

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

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

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

Richard Eby
(Signature of Applicant)

[Signature]
(Signature of Applicant)

13795 S Murton, Olathe KS 66062
(Address)

7169 Sandpiper St Portage
MI 49024
(Address)

913-782-3200
(Phone)

269-584-1060
(Phone)

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

REZONING OF 4713 W. Milham Avenue.

Bickford Cottage is located at 4707 W. Milham Ave. and has been a positive member of the City of Portage since 2006. As an assisted living facility for the elderly, we have provided premium care for our residence. The demand for our services has risen; however, our current facility is at its maximum capacity. We are purchasing 4713 W. Milham Ave. to meet the needs of the community through an expansion of our current facility. Our plan is to add sixteen additional beds to our memory care unit (see attached drawing). The existing structure on 4713 W. Milham Ave. will be removed and the property will reflect the current manicured look we are known for.

ANDOVER

LOT 34

LOT 33

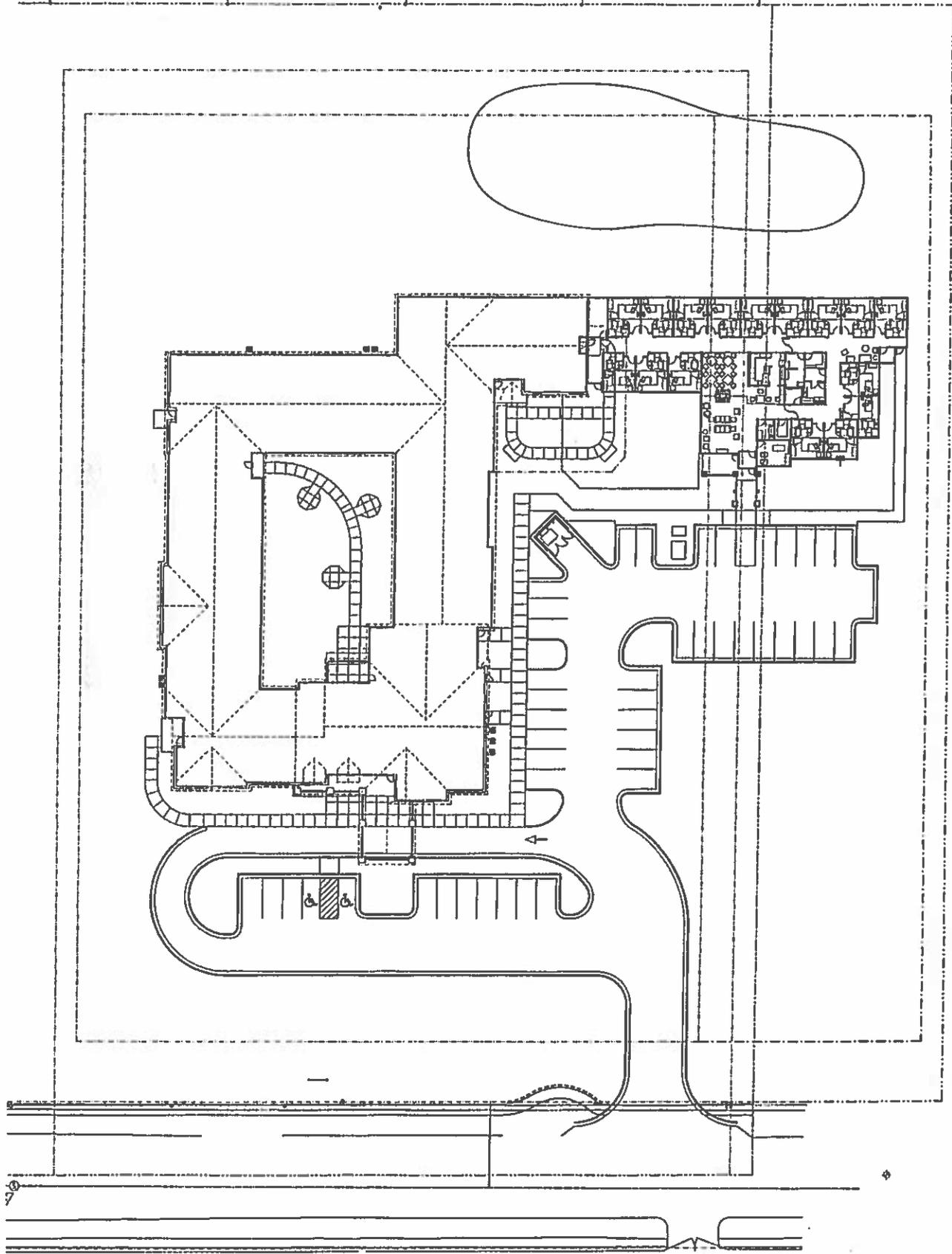
LOT 32

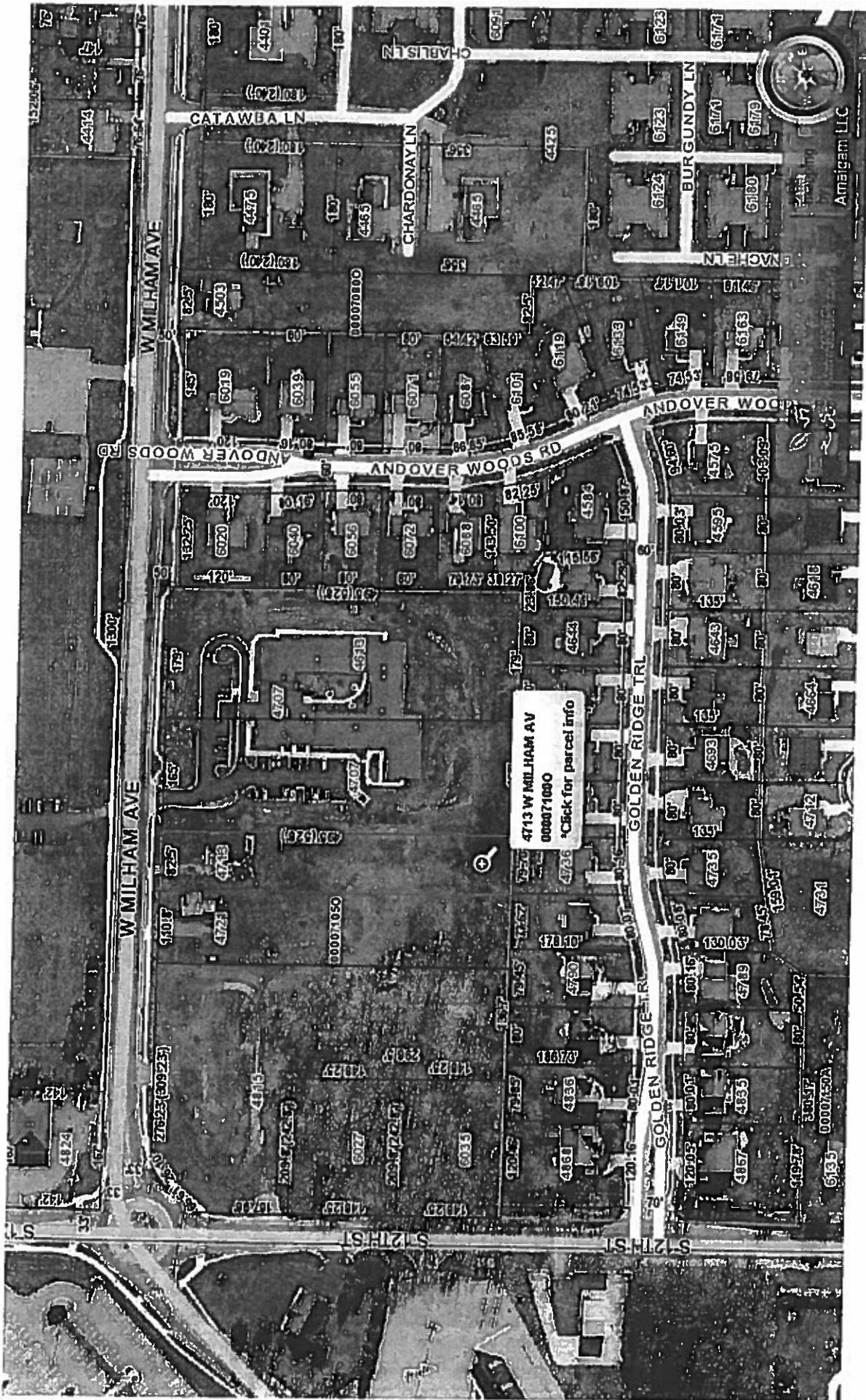
LOT 31

ANDOVER WOODS NO. 1

LOT 30

LOT 29





4713 W MILHAM AV
000071000
*Click for parcel info



Amalgam LLC

W MILHAM AVE

ANDOVER WOODS RD

GOLDEN RIDGE TRI

CATAWBA LN

CHARDONAY LN

BURGUNDY LN

ANDOVER WOODS

GOLDEN RIDGE TRI

GOLDEN RIDGE TRI

S 27th ST

MATERIALS TRANSMITTED

2015 Training Workshops for Planning & Zoning Officials

COMMUNITY ENGAGEMENT | TRAVERSE CITY

February 12th | 5:00 p.m. - 9:00 p.m.

Traverse City Government Center

Knowing which public engagement technique to use for which audience, and managing the public participation process so that all voices can be heard, all the while ensuring that the input is meaningful and relevant is one of a planner's greatest challenges. A process that can be rife with politics, on one hand, and rewarding and beneficial on the other, is part and parcel of the effort. This interactive session explains best practices on how to engage with community members and stakeholders in a more meaningful way.

SITE PLAN REVIEW | LANSING

March 5th | 5:00 p.m. - 9:00 p.m.

Hampton Inn - Okemos

This program will demonstrate the site plan review and approval process and provide practical tools and techniques on how to read a site plan. You'll discuss site design principles, such as pedestrian and traffic considerations, lighting, utilities, ADA compliance, inspections, and landscaping. Participants in this hands-on workshop receive an engineering scale, turning template, and a sample site plan to evaluate.

ZONING BOARD OF APPEALS: BEYOND THE BASICS | LANSING

March 5th | 5:00 p.m. - 8:00 p.m.

Hampton Inn - Okemos

Quasi-judicial functions of the zoning process are handled by the Zoning Board of Appeals. This interactive, case study based workshop goes into greater depth on the issues of practical difficulty and unnecessary hardship. Recent case law is also discussed, along with a summary of voting and membership requirements, and other procedural requirements unique to ZBA operation.

PLANNING & ZONING ESSENTIALS | 4:00 p.m. - 9:00 p.m.

January 14th | Mt. Pleasant (Isabella Co. Building)

February 4th | Kalamazoo Area (Oshtemo Twp. Hall)

February 26th | Ann Arbor Area (Washtenaw Co. Building, Zeeb Rd.)

The Planning & Zoning Essentials program is ideal for new planning commissioners and zoning board of appeals members to their roles and responsibilities, and also for more experienced officials looking to refresh their skills and build upon existing knowledge. Roles and responsibilities, site plan review, comprehensive planning, zoning ordinances, variances, how to determine practical difficulty, and standards for decision-making are covered. Choose from three options to fit your needs:

1. **Attend the Full Program** (4 p.m. - 9 p.m.) and get the best overview and understanding of how the planning commissioners, zoning board of appeals members, elected officials, and staff interact.
2. **Attend the Planning Commission Session** (4 p.m. - 7:30 p.m.)
3. **Attend the Zoning Board of Appeals Session** (6 p.m. - 9 p.m.)

REGISTRATION FORM

Complete one form per registrant. All rates include a light dinner

CONTACT INFORMATION:

NAME _____

AFFILIATION _____

EMAIL (confirmations and directions will be sent via email) _____

PHONE (with area code) _____

BILLING ADDRESS (include apt. or suite #) _____

CITY _____

STATE _____

ZIP _____

REGISTRATION INFORMATION:

I am a MAP Member

Join MAP now (\$60) and receive the member discount

MEMBER RATE	NON-MEMBER RATES	** Apply a \$25 late fee if you register LESS THAN 5 business days before workshop **
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	Community Engagement, Feb. 12 Traverse City 5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	Site Plan Review Mar. 5 Lansing 5pm - 9pm
<input type="checkbox"/> \$85	<input type="checkbox"/> \$115	ZBA: Beyond the Basics Mar. 5 Lansing 5pm - 8pm
<input type="checkbox"/> \$85 <input type="checkbox"/> \$75 <input type="checkbox"/> \$75	<input type="checkbox"/> \$115 <input type="checkbox"/> \$105 <input type="checkbox"/> \$105	Planning & Zoning Essentials FULL Program (4pm - 9pm) PC Session (4pm - 7:30 pm) ZBA Session (6pm - 9pm) Pick a PZE date & location: <input type="checkbox"/> Jan. 14 Mt. Pleasant <input type="checkbox"/> Feb. 4 Kalamazoo Area <input type="checkbox"/> Feb. 26 Ann Arbor
<input type="checkbox"/> \$39		Student Rate: for any workshop Workshop & date: _____

PAYMENT INFORMATION: TOTAL: _____

Check enclosed Master Card Visa Invoice Me
Make checks payable to: Michigan Association of Planning

CARD # _____

EXPIRATION DATE _____

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SIGNATURE _____

Forms can be mailed, faxed or emailed to:

Michigan Association of Planning
1919 West Stadium Blvd, Suite 4 | Ann Arbor, MI 48103
p: (734)913-2000 | f: (734)913-2061
info@planningmi.org

MAP's Registration Policy:
www.planningmi.org/officialtraining.asp

CITY COUNCIL MEETING MINUTES FROM OCTOBER 21, 2014

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

At the request of Mayor Strazdas, Reverend Kyle Tade of the Portage United Church of Christ gave the Invocation. The City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATION: Mayor Strazdas issued a National Red Ribbon Week Proclamation.

APPROVAL OF MINUTES: Motion by Reid, seconded by Ansari, to approve the October 7, 2014 Special Meeting Minutes and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0. At the request of City Clerk James Hudson, motion by Ford, seconded by Ansari, to approve the October 20, 2014 Special Meeting Minutes provided via Material Transmitted dated October 20, 2014, as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Pearson to read the Consent Agenda. Councilmember Reid asked that item F.7, Ruggedized Tablets for Field Inspections and Code Enforcement, be removed from the Consent Agenda. Motion by Pearson, seconded by Ansari, to approve the Consent Agenda Motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF OCTOBER 21, 2014:** Motion by Pearson, seconded by Ansari, to approve the Accounts Payable Register of October 21, 2014. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

WEST LAKE ASSESSMENT PROGRAM - RESOLUTION NO. 5: Mayor Strazdas opened the public hearing and deferred to Acting City Manager Laurence Shaffer, who asked City Engineer Chris Barnes to discuss the Special Assessment Roll. Mr. Barnes reviewed the request and explained that the Assessment Roll before them will be paid over a five-year period. He explained the benefits of the West Lake Management Program and mentioned some of the efforts involved, including the use of herbicides to control specific aquatic plant life in the lake. He provided a history of past Special Assessment efforts by City Council and listed 1988, 1990, 1995, 2005 and 2010, as the dates of past Special Assessment Districts as requested by West Lake property owners. He said the current balance of the West Lake account is \$23,800, and that the West Lake Improvement Association needs approximately \$176,000 over the next five years to continue lake management efforts, or \$35,200 per year. He indicated that there is a request that the city at-large participate in the program and the city share is 20%, so the total cost to the city for the five-year period is \$35,200, and the share of the District is: \$117,000 or $(\$176,000 \times 80\% = \$140,800 - \$23,800 \text{ [current balance]} = \$117,000)$. He noted that this is charged on a per parcel basis because all riparian owners are equally able to use the lake regardless of the lot size. Discussion followed. Mayor Strazdas opened the public hearing to members of the audience, but no one stepped forward to speak, so he entertained a motion to close the public hearing.

Motion by Reid, seconded by Ford, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Pearson, seconded by Reid, to adopt Resolution No. 5 confirming the Special

Assessment Roll for the West Lake Management Program #015-Q. Upon a roll call vote, motion carried 6 to 0 with Mayor Strazdas abstaining. Discussion followed. Resolution recorded on page 343 of City of Portage Resolution Book No. 45.

INDUSTRIAL TAX ABATEMENT APPLICATION: SCANNELL PROPERTIES, KENCO LOGISTICS SERVICES AND STRYKER CORPORATION – MEDICAL DIVISION:

Mayor Strazdas deferred to City Manager Shaffer, who indicated that Community Development Director Vicki Georgeau would outline the details of the application and explained that the component that is outside established City Council Policy is the recommendation that a 9-year abatement request be granted. He noted that the City Council PA 198 policy specifies an initial six years with the option for the applicant to request an additional three years if certain conditions are met. He mentioned that City Council has previously waived the six-year requirement in a number of projects, particularly projects that were of a significant size such as this one. He also outlined the competitive position Portage is in to retain or obtain industrial and commercial components in the community. He expressed a desire for Portage to signal a willingness to compete to ensure companies such as Stryker or their constituents remain in our fine City. He also mentioned that the last time Council considered an abatement in May of 2014, the nine-year abatement request was approved. He summed up by saying that the nine-year abatement is not consistent with City Council Policy, but is consistent with City Council past practice.

Mr. Shaffer introduced Community Development Director Vicki Georgeau, who referred City Council to the application submitted by Kenco Logistics Services, LLC, on September 23, 2014, and explained. She reviewed the process thus far and outlined the details of the application. She mentioned that the project will replace a smaller facility located in MidLink at the present time and allow the retention of 105 permanent jobs, as well as create ten new jobs. She said that the request is for a new 300,330 square foot facility with a possible future expansion of up to 500,000 square feet to accommodate future growth by Stryker Corporation. She indicated that there is a revised application before City Council from Kenco Logistics Services, LLC, for a tax abatement request for \$12.4 million in real property investment. She also indicated that the application is a request to have the abatement begin in 2016 instead of 2015 because there will not be much construction on the project before the end of year 2014. Lastly, she referenced the tax abatement agreement and the affidavit of fees presented for Council review and approval and Resolution No. 4-14 approving the application for an Industrial Facilities Exemption Certificate for adoption by Council.

Councilmember Reid asked for the justification for extending the abatement from six to nine years. Ms. Georgeau explained the Policy which holds that after the first five years of a real property request, an applicant may request an additional three years and “Council may approve an additional period if the applicant has fulfilled all of the terms of the original tax abatement agreement and exceeds either of: the number of new jobs promised or the number of jobs retained, the estimated project costs or investment as indicated in the initial industrial facilities exemption certificate application, and the additional abatement period does not impair the operation or the final soundness of any local taxing jurisdiction.” She indicated that this is a significant project with a 300,000 square foot facility and, because of the size of the investment, site improvements, not including the personal property, the applicant would like to have some assurances for their financial position going into the project. She mentioned that it has been some time since Portage has had a 300,000 square foot building constructed. She indicated that looking at the rationale or conditions under which prior waivers were granted, Mann+Hummel was fairly consistent with the policy since they were moving into a building that was vacant and underutilized for nearly an entire year where the Policy states “for a year or more.” She reviewed four other waivers and indicated that two were for underutilization and vacancy situations and two had property investments of over \$10 million. Discussion followed.

In response to Councilmember Reid, Ms. Georgeau confirmed that the three-year application comes with the additional fee requirement of 2% of taxes abated during the term of the tax abatement not to exceed \$1,800.00, or \$1,800.00 in this case. Discussion followed. Mayor Strazdas opened the

public hearing to members of the audience, but no one stepped forward to speak, so 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 Randall, to approve the request for a waiver from the City Council PA 198 Policy provision for a nine-year abatement period for real property; adopt Resolution No. 4-14, approving the Industrial Facilities Exemption Certificate for Kenco Logistics Services, LLC; and approve the tax abatement agreement and affidavit between the City of Portage, Kenco Logistics Services, LLC, and Scannell Properties #192, LLC. Discussion followed.

Councilmember Reid expressed her concern that City Council is not following the established PA 198 Policy, referred to the recommendation by staff to take another "look" at City Council PA 198 Policy, and noted that the Personal Property segment of the Tax Abatement is being phased out which makes the whole environment different. She argued that not using the established Policy is like not having a Policy at all which means businesses do not know what to do and what to expect, which is not fair to them nor the taxpayer who makes up the difference when there is a tax abatement. She emphasized the importance of revisiting the Policy and expressed her concern that this issue could have a negative effect on this development. Mayor Strazdas concurred and designated the matter as an item for the City Council Retreat to address all of the changes. Upon a roll call vote, motion carried 7 to 0. Discussion followed. Resolution recorded on page 339 of City of Portage Resolution Book No. 45.

STATEMENTS OF CITIZENS: Mayor Strazdas introduced Public Safety Director Richard White, who recognized Assistant Fire Chief Stacy French for Completion of the Executive Fire Officer Program, described the various requirements and contents of the program and shared a quote from the curriculum, "Leadership is not about the position, but is about behavior." Mayor Strazdas presented the Certificate from the United States Fire Administration and the United States Fire Academy as authorized by the United States Congress to Assistant Fire Chief Stacy French. Assistant Fire Chief French expressed his appreciation to Mayor and Council, the Administration, Senior Deputy Fire Chief of Operations John Podgorski, the men and women of the Fire Department and his family.

William Stevenson, 225 East Van Hoesen, expressed a concern regarding snow removal as it relates to parking overnight in the winter months, especially October. He asked City Council for a review of the ordinance in light of the number of times snow was plowed in the month of October, and Mayor Strazdas directed the Administration to research this matter and to report back to City Council. Discussion followed.

Human Services Board Chair Sandra Sheppard, 7792 Ashton Woods Drive, discussed the Human Services Board follow-up regarding the issue of panhandling in Portage with a meeting set up by Acting City Manager Larry Shaffer where the Human Services Board met with members of the Public Safety and Community Development Departments. She presented an updated pamphlet and a smaller card with assistance information for those in need in the community to City Council. Mayor Strazdas thanked her and discussion followed.

Acting City Manager Shaffer introduced newly appointed Acting Finance Director Bill Furry, noted his expertise in the areas of Accounts Payable, Receivables, the General Ledger and overall Finance operations. He indicated he wanted to have City Council associate a face with the name of the individual who has taken the leadership role in the Finance Department and to extol his abilities.

REPORTS FROM THE ADMINISTRATION:

* **REZONING APPLICATION #14/15-1 (6291 SOUTH 12TH STREET):** Motion by Pearson, seconded by Ansari, to accept Rezoning Application #14/15-1 for first reading and set a public hearing for November 18, 2014, at 7:30 p.m. or as soon thereafter as may be heard, and subsequent to the public hearing, consider approving Rezoning Application #14/15-1 and rezone 6291 South 12th

Street from R-1B, one family residential, to R-1T, attached residential. Upon a roll call vote, motion carried 7 to 0.

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

* **ABRAXAS TAX APPEAL:** Motion by Pearson, seconded by Ansari, to authorize the Acting City Manager to direct Varnum LLP to begin settlement negotiations with ABRAXAS to settle the tax appeal matter at the highest value within the amounts identified in the professional appraisal produced for the city with the expenditure of up to an additional \$33,000 to completely resolve the matter, and authorize the Acting City Manager to sign all documents related to this matter. Upon a roll call vote, motion carried 7 to 0.

* **FINAL PLAN FOR 1ST SOURCE BANK, 2301 WEST CENTRE AVENUE:** Motion by Pearson, seconded by Ansari, to approve the Final Plan for 1st Source Bank at 2301 West Centre Avenue. Upon a roll call vote, motion carried 7 to 0.

* **BDO SIEDMAN CONTRACT - FINANCE DEPARTMENT OPERATIONS:** Motion by Pearson, seconded by Ansari, to award a contract to BDO USA, LLP in the amount not to exceed \$119,875 to provide assistance with the daily operations of the Finance Department. Upon a roll call vote, motion carried 7 to 0.

* **SIX-MONTH SUNGARD ENTERPRISE SOFTWARE LICENSING AND MAINTENANCE FEE:** Motion by Pearson, seconded by Ansari, to approve a six-month licensing and software maintenance services agreement with SunGard, Incorporated, at a total cost of \$34,695.94 and authorize the Acting City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

RUGGEDIZED TABLETS FOR FIELD INSPECTIONS AND CODE ENFORCEMENT: Councilmember Reid asked why the City chose to lease instead of purchase this equipment. She mentioned that she did some quick checking and was able to find a cost price of \$2,199.00 for a similar item which amounts to a little more than one third less than the proposed cost price. Director of Technology Services Devin Mackinder responded that BS&A is the software to be used on the system and BS&A recommended leasing these units from Capital Advantage Leasing. He emphasized the need to follow their recommendation in order to accommodate the needs and functionality of the BS&A software. He reviewed some of the many feature requirements of the hardware and explained the request for proposal process he utilized. Councilmember Reid noted that he did not reveal the memory requirements of the hardware, so she could not tell what hardware configuration would be optimal. Discussion followed. Mr. Mackinder explained the various reasons why the City leases instead of purchases computer hardware throughout the system and the reason for leasing instead of purchasing this particular equipment.

Mr. Shaffer outlined the benefits of the BS&A Software noting that it is the premier municipal software package in the State of Michigan. He explained that BS&A gives the ability to merge data and data share among the departments and that this gives capabilities that the City has never had before owing to the use of the silo approach to data storage by some departments.

Councilmember Reid encouraged Mr. Mackinder to check out the "Toughbooks 4 Less" website as their prices seemed very good. Motion by Reid, seconded by Ansari, to approve a three-year lease of ten ruggedized computer tablets provided through Capital Advantage Leasing in the amount of \$29,756.40 for various field inspection and code enforcement activities and authorize the Acting City

Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ELECTION POLLING PLACES AND RATE OF COMPENSATION RESOLUTION:** Motion by Pearson, seconded by Ansari, to adopt the Resolution Designating Polling Places and Rate of Compensation for the November 4, 2014 General Election. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 345 of City of Portage Resolution Book No. 45.

* **ANALYSIS OF ZONING CONSISTENCY (FY 2013-2014 UPDATE):** Motion by Pearson, seconded by Ansari, to receive the communication from the Acting City Manager regarding the Analysis of Zoning Consistency (FY 2013-2014 Update) – Information Only. Upon a roll call vote, motion carried 7 to 0.

* **SEPTEMBER 2014 ENVIRONMENTAL ACTIVITY REPORT:** Motion by Pearson, seconded by Ansari, to receive the communication from the Acting City Manager regarding the September 2014 Summary Environmental Activity Report as Information Only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Pearson, seconded by Ansari, to receive the departmental monthly reports. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

CENTRAL COUNTY TRANSPORTATION AUTHORITY BOUNDARIES: Mayor Strazdas asked Mr. Shaffer if he had any comments on this matter and he mentioned that Central County Transportation Authority (CCTA) Executive Director Sean McBride was present and deferred to Councilmember Urban and Mayor Pro Tem Pearson, who have worked very hard throughout this process, for their input. He also offered to answer any questions still remaining or to have Mr. McBride provide his assistance.

Councilmember Urban reviewed the proceedings thus far, indicated that the boundaries are set by the Kalamazoo County Board of Commissioners, and mentioned that City Council received a letter on September 23, 2014, notifying the City that all or part of the City could opt out of participation in the CCTA scheduled route line hall system of bus service. He said that City Council is now at the point of deciding whether to opt in, opt out or have part of the City opt out. He expressed his opinion that a healthy, vigorous transit system including route transit is an important asset to the Region and explained. He also indicated that the next opportunity to opt out or in is five years from now. He noted a possible future need with the successful economic development of the Portage Road community and additional residential development in the South Portage area and the need, therefore, to include these areas in the CCTA tax boundary. He summed up that a vibrant transit system and a healthy transit system is important to all of the citizens of Portage for the economic development of Portage as well as the Region, and that all of Portage should be included in the taxing authority district. Discussion followed.

Mayor Strazdas indicated that City Council has been receiving comments from Portage citizens regarding this matter and asked if anyone present wished to make comment here this evening.

There being no discussion, motion by Urban, seconded by Reid, to confirm inclusion of the entire City of Portage in the boundaries of the Central County Transportation Authority.

Councilmember Urban provided further background information and expressed the long-term goal of consolidating the Authority, under one Authority and one leadership, with the intent of having a vibrant transit system.

Mayor Pro Tem Pearson concurred with Councilmember Urban to include all of the precincts in the taxing district. He indicated that he and Councilmember Urban were appointed to the Board for one year with the understanding that citizens would then have the opportunity to serve on the Board to

represent Portage. He indicated that there are some qualified citizens who applied to serve on the Board, and he encouraged those who are interested to stay interested because there will be the need for their service.

Councilmember Reid expressed her support, reflected on the process as being much more iterative than expected and mentioned her appreciation to see the "light at the end of the tunnel."

Mayor Strazdas observed that the decision is a difficult one because of the service area and who should be included. He issued the caveat that there are members of the community who will not use the service who are paying for the service.

Councilmember Ford concurred with the discussion by Councilmember Urban, and said that supporting the transit system now prepares us for the future. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATION FROM MAYOR STRAZDAS REGARDING THE CITY MANAGER SEARCH: Mayor Strazdas summed up the process involved in the search for a new City Manager, thanked the citizens for their input and asked for comments from City Council.

Councilmember Ford expressed his appreciation to the final two applicants for availing themselves to the interview process, as he was impressed with both of them. He also indicated that he was looking forward to Mayor Strazdas' recommendation. Councilmember Ansari outlined the "shortlist" portion of the process and expressed his appreciation for the results.

Mayor Strazdas indicated that it was very clear from the process that the majority of City Council favors Larry Shaffer and that he had not weighed in as to his preference. He commented on the statement from Mr. White earlier, "Leadership is not about the position, but is about behavior," and expressed the need for the Administration, the City employees and City Council as leaders to come together and act as true leaders, not as a position of leadership, but to come together as a behavior of leadership, as a unified group, regardless of differences of opinions. He reviewed the process and recommended Larry Shaffer as Portage City Manager for approval by City Council. Also, for the next meeting, he asked for a City Council Subcommittee to create a process to address complaints against the City Manager and thanked City Council for recognizing this deficiency. He also expressed the need for a process from the City Manager's Office to bring the employees together so each of them can feel valued.

Mayor Strazdas deferred to Mr. Shaffer, who thanked him for his nomination, responded that employee productivity is tied closely to employee morale, and that condition is to be taken very seriously. He expressed his delight to work with the team very closely to devise various mechanisms to both measure and improve employee morale, not only as a productivity tool, but as a tool to make a statement as to what our values might be. He assured City Council that employee morale and employee productivity will be of the highest priority and will remain a top priority. Mayor Strazdas summed up and expressed the need for everyone to come together to do the work of the City of Portage.

Councilmember Urban indicated that he disagreed that Mr. Shaffer was the best candidate as Acting City Manager based upon past conduct and past performance and reiterated that he disagrees that he is the best candidate for permanent City Manager.

Councilmember Reid indicated that she is looking forward to whomever Council selects as City Manager, but that she had concerns about Mr. Shaffer because of patterns of behavior she had observed in the past and that she could not support recommending him for City Manager. She then reiterated that she would support the decision of the majority of City Council.

Councilmember Randall supported Mayor Strazdas' leadership in this process and noted that this has taken eight months to accomplish. She said Larry Shaffer is an excellent candidate; according to many citizen comments, he is a doer; he is the man Portage needs to take us into the 21st Century; he is making long overdue advancements in technology; and, he has negotiated a 911 Dispatch Agreement that has been in the process for twenty years. She expressed her appreciation for Mayor Strazdas' recommendation; and, she indicated that she will be working with City Council to serve the citizens of this community.

Mayor Pro Tem Pearson said that Mr. Shaffer not only led the effort on the 911 Dispatch, but also served as a conduit for transparent discussion with administrative leaders throughout the County. He said that it was his opinion that we have 911 Dispatch in the County because of Mr. Shaffer; that Mr. Shaffer led the team that addressed panhandling; and, that he is leading the team regarding emergency mass transit notification systems and explained. He restated some of the aforementioned accomplishments that had been “festering” for a long time, and noted that the West Lake matter was deadlocked (3 to 3) when it was first introduced, and Mr. Shaffer worked it out with the West Lake Association Members and Councilmembers to get a unanimous decision to continue the Special Assessment District with some modifications. He summed up that Mr. Shaffer is a doer and expressed his support for Mayor Strazdas’ recommendation.

Councilmember Ansari expressed his appreciation for Mayor Strazdas’ recommendation and mentioned that Council did their homework. He concurred with the accomplishments mentioned by Mayor Pro Tem Pearson and expressed his support for Mayor Strazdas’ recommendation.

Councilmember Ford expressed his support for Mayor Strazdas’ recommendation. He distinguished the statement in the interview by Mr. Shaffer that Portage needs to be bold and viewed it as not being reckless. He indicated that taking chances and taking calculated risks has put this community in the position it is today; and, he stated that he is looking forward to any of those ideas from Mr. Shaffer that will prepare Portage for the future.

Mayor Strazdas indicated that the two other finalists were very professional individuals and excellent candidates. Mayor Strazdas reminded everyone that Mr. Shaffer has many good employees who did the work mentioned earlier and stressed their importance to getting the job done.

Councilmember Urban indicated that within the last 26 hours, he has had many more individuals contact him supporting his position on this matter, than the other position.

Councilmember Ansari called for Council to collectively work for what is in the best interest of the City of Portage. Discussion followed.

Motion by Randall, seconded by Pearson, to confirm the recommendation from Mayor Strazdas that Larry Shaffer be appointed to the position of City Manager of Portage, Michigan, and to authorize Labor Counsel Kevin McCarthy and staff to negotiate the terms of an employment agreement to be presented to the Portage City Council at the next regularly scheduled City Council Meeting for final City Council approval.

Councilmember Urban asked City Attorney Brown whether City Council can be a part of the negotiation team, and Mr. Brown said if City Council so desires, they could be a part of that process and explained. Discussion followed and Mr. Brown suggested that Labor Counsel Kevin McCarthy and staff put the agreement together and then bring it to City Council. Mayor Strazdas recommended that City Council review the Acting City Manager contract and send any comments to Mr. McCarthy. He asked Acting Deputy City Manager Rob Boulis for his input, and Mr. Boulis recommended that City Council send their comments to him in order to facilitate the process. At the request of Mr. Boulis, Mayor Strazdas established a deadline for comments to be sent by Tuesday October 27, 2014, at 5:00 p.m.

Councilmember Urban requested the original contract and the last contract of former City Manager Maurice Evans, as well as Mr. Shaffer’s current contract and discussion followed. Upon a roll call vote, motion carried 5 to 2. Ayes: Councilmembers Ansari, Ford and Randall, Mayor Pro Tem Pearson and Mayor Strazdas. No: Councilmembers Reid and Urban. Discussion followed.

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

Portage Youth Advisory Committee of September 8, 2014.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Jim Hoppe, 2650 Chestnut Ridge, expressed appreciation for the comments from Mayor Strazdas regarding City Council coming together. He commented on the defective microphones saying that the remote microphones could be heard very clearly, but the microphones that are hardwired appeared to be defective. Mayor Strazdas thanked Mr. Hoppe for his long service to this great community.

Martha Dahlinger, 2612 Chopin, thanked City Council for their efforts and their courage throughout the process. She expressed her appreciation for the invitation from Mayor Strazdas for inviting citizens to participate in the process. She thanked Councilmember Randall for discovering that the City does not have a Policy regarding complaints against the City Manager, and stressed the importance of having a process to follow.

STATEMENTS OF CITY COUNCIL: Councilmember Ansari recognized House of Representatives Margaret O'Brien, former Portage City Councilmember. He thanked Mayor Strazdas for his leadership in bringing City Council together and expressed his appreciation for nominating Larry Shaffer as City Manager.

Councilmember Reid welcomed Larry Shaffer as City Manager and said she is looking forward to working with him and thanked Mayor Strazdas for how he conducted his role in the process.

Councilmember Ford concurred with Councilmembers Ansari and Reid and thanked Mayor Strazdas for the great job he has done in leading City Council through this endeavor.

Mayor Strazdas thanked them for their kind words and expressed kudos to them for their efforts and to the citizens for conducting themselves in an orderly manner.

Councilmember Randall congratulated Larry Shaffer, expressed her confidence in him and pledged her support for him. She asked everyone to be watchful for the young children who will be out "Trick or Treating" on Halloween, Friday, October 31, 2014.

Acting City Manager Laurence Shaffer, who was voted in as City Manager, thanked Mayor Strazdas for his nomination and his many kind words and pledged that he will do everything in his power to move this organization forward as a team, as a collaborative. He spoke of the future, the many obligations and his confidence in success if we move together in a fashion that is respectful, energetic and innovative. He thanked City Council for the opportunity and indicated that he looked forward to working with them.

Mayor Pro Tem Pearson thanked Mayor Strazdas for his leadership and congratulated Mr. Shaffer on being appointed City Manager. He read a partial comment from a citizen, "An engaged citizenry is the bedrock of a successful community...." and spoke of the engagement of the citizenry last evening and the engagement of City Council for the past couple of weeks. He said this is the bedrock of Portage and thanked the citizenry for their engagement.

Mayor Strazdas spoke of the long process of selecting a City Manager that was interrupted by vacations and outside commitments and reviewed the debate. He mentioned that a local dentist opened her doors to 100 people in need and did not charge anything for a check-up. He reflected upon the Red Ribbon Week Proclamation. He indicated that he was going to continue the tradition of having school children write an essay on, "Why I like Portage," and that the finalists will be able to perform the turning on of the Christmas Tree Lights during the Christmas Tree Lighting Ceremony.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:24 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.