



# PLANNING COMMISSION

August 20, 2015



# **CITY OF PORTAGE PLANNING COMMISSION**

## **A G E N D A**

**August 20, 2015**

**(7:00 p.m.)**

**Portage City Hall Council Chambers**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **APPROVAL OF MINUTES:**

- \* July 16, 2015

### **SITE/FINAL PLANS:**

### **PUBLIC HEARINGS:**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

- \* 1. Annual Capital Improvement Program Process Changes
- 2. Urban Planning Discussion – Placemaking Concepts (Adjourn to Conference Room No. 1)

### **STATEMENT OF CITIZENS:**

### **ADJOURNMENT:**

### **MATERIALS TRANSMITTED**

What is Placemaking?

What Makes a Great Place?

July 7, 2015 City Council regular meeting minutes

June 21, 2015 City Council regular meeting minutes

June 23, 2015 City Council Committee of the Whole meeting minutes

June 2015 Summary of Environmental Activity Report

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



## PLANNING COMMISSION

July 16, 2015

 DRAFT

The City of Portage Planning Commission meeting of July 16, 2015 was called to order by Vice-Chairman Felicijan at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

### **PLEDGE OF ALLEGIANCE:**

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

### **IN ATTENDANCE:**

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

### **ROLL CALL:**

Mr. Forth called the roll and the following Commissioners were present: Richmond (yes), Schimmel (yes), Somers (yes), Dargitz (yes), Felicijan (yes), Stoffer (yes) and Bosch (yes). A motion was made by Commissioner Dargitz, seconded by Commissioner Bosch, to approve the roll excusing Commissioners Patterson and Welch. The motion was unanimously approved 7-0.

### **APPROVAL OF MINUTES:**

Vice-Chairman Felicijan referred the Commission to the June 18, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Somers, seconded by Commissioner Schimmel, to approve the minutes as submitted. The motion was unanimously approved 7-0.

### **SITE/FINAL PLANS:**

None.

### **PUBLIC HEARINGS:**

None.

### **OLD BUSINESS:**

1. Complete Street Policy (DRAFT). Mr. Forth summarized the July 10, 2015 Department of Community Development staff report regarding a Complete Streets Policy for the City of Portage. Mr. Forth stated the policy was based on a national model developed by Smart Growth America and the National Complete Streets Coalition and is consistent with recent amendments to the Michigan Transportation Fund Act and the Michigan Planning Enabling Act. Mr. Forth summarized the Planning Commission's initial review and discussion of the draft policy during the June 18, 2015 meeting.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Dargitz, to recommend to City Council that the Complete Streets Policy be adopted. The motion was unanimously approved 7-0.

 **DRAFT**

**NEW BUSINESS:**

1. FY 2014-2015 Final Work Program Update and proposed FY 2015-2016 Work Program. Mr. Forth referred the Commission to the staff report dated July 10, 2015 that included a final update of the FY 2014-2015 Work Program and a copy of the proposed FY 2015-2016 Work Program. The Commission did not have any further comments on the FY 2014-2015 Work Program final update. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Somers, to adopt the 2015-2016 Work Program, as presented. The motion was unanimously approved 7-0.

**STATEMENT OF CITIZENS:**

None.

**ADJOURNMENT:**

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

Respectfully submitted,

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

**TO:** Planning Commission **DATE:** August 14, 2015  
**FROM:** Vicki Georgeau, Director of Community Development  
**SUBJECT:** Annual Capital Improvement Program Process Changes

## I. INTRODUCTION

During the March 5, 2015 Planning Commission meeting, City Manager Shaffer summarized the annual Capital Improvement Program (CIP) process and indicated a new approach would be implemented during the preparation of the FY2016-2026 CIP with citizen and Commission input being solicited earlier in the process so that comments and prospective projects could be considered by the City Administration during the formal preparation of the CIP document.

## II. PROPOSED CIP PROCESS CHANGES

The following summarizes the changes designed to solicit public input early in the CIP preparation process:

1. The City Administration begins the annual CIP process in September of each year. During the month of September, the following activities will be undertaken:
  - Public education and outreach requesting input concerning the upcoming annual CIP will be initiated utilizing various media forms. Included are: articles in the Portager; creation of a CIP web page on the city website; e-mail communications; and direct, targeted mailings to property owners in the vicinity of CIP projects.
  - An on-line survey will be available during the month of September for interested citizens to submit ideas for capital improvement projects and/or provide feedback on existing projects.
  - Information regarding the CIP and available on-line survey will be provided to city advisory boards for review and input.
  - A special CIP "open house" meeting with city staff and the Planning Commission will be held to provide additional opportunity for general public input. This meeting is scheduled for Monday, September 28<sup>th</sup>. The discussion will focus on proposed projects in FY2016-17 and subsequent years in the 10-year plan, as well as consideration of any suggested new projects or other CIP-related ideas.
2. During the months of October and November, Department Directors will submit new and revised CIP projects. The results of the on-line survey and special Planning Commission meeting will be summarized and considered by the Department Directors during the course of the CIP development. Subsequently, the City Administration will review project proposals, CIP financing, and prepare initial draft CIP document
3. During the second meeting in January 2016, the Planning Commission will review the initial draft CIP. Subject to any additional comments/changes as a result of this discussion, the City

Administration will finalize the document and present a final draft version to the Commission during the first meeting in March.

### **III. RECOMMENDATION**

Since the Planning Commission has an important role in development of the annual CIP, the Commission is advised to review the proposed process changes and indicate availability to attend the September 28, 2015 special CIP Open House meeting. Staff will be prepared to answer any questions and provide additional information during the August 20, 2015 meeting.

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# **MATERIALS TRANSMITTED**



# What is Placemaking?

Placemaking capitalizes on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.

## What if we built our communities around places?

As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, **Placemaking** inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, Placemaking refers to a collaborative process by which we can shape our public realm in order to maximize shared value. More than just promoting better urban design, Placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution.

When PPS surveyed website visitors about what Placemaking means to them, we found that it is a crucial and deeply-valued process for those who feel intimately connected to the places in their lives. Placemaking shows people just how powerful their collective vision can be. It helps them to re-imagine everyday spaces, and to see anew the potential of parks, downtowns, waterfronts, plazas, neighborhoods, streets, markets, campuses and public buildings.



Placemaking begins at the smallest scale.

***Placemaking is not a new idea.*** Although PPS began consistently using the *term* “Placemaking” in the mid-1990s to describe our approach, the thinking behind Placemaking gained traction in the 1960s, when PPS mentors like Jane Jacobs and William H. Whyte introduced groundbreaking ideas about designing cities for *people*, not just cars and shopping centers. Their work focuses on the social and cultural importance of lively neighborhoods and inviting public spaces: Jacobs encouraged everyday citizens to take ownership of streets through the now-famous idea of “eyes on the street,” while Holly Whyte outlined key elements for creating vibrant social life in public spaces. Applying the wisdom of these (and other) urban pioneers, since 1975 PPS has gradually developed a comprehensive Placemaking approach.

Throughout our experience working with over 3000 communities – in all 50 US states and in 43 countries – PPS continues to show by example how adopting a collaborative community process is the most effective approach for creating and revitalizing public spaces. For us, Placemaking is both a process and a philosophy. It is centered around observing, listening to, and asking questions of the people who live, work, and play in a particular space in order to understand their needs and aspirations for that space and for their community as a whole. With this knowledge, we can come together to create a common vision for that place. The vision can evolve quickly into an implementation strategy, beginning with small-scale “Lighter Quicker Cheaper” improvements that bring immediate benefits both to the spaces themselves and the people who use them.

### **When you focus on place, you do everything differently**

Unfortunately, the rigid planning processes of the 20th century have become so institutionalized that community stakeholders rarely have the chance to voice their own ideas and aspirations about the places they inhabit. Placemaking can break down these silos by showing planners, designers, and engineers the broad value of moving beyond the narrow focus of their own professions, disciplines, agendas. Experience has shown us that when developers and planners welcome this kind of grassroots involvement, they spare themselves a lot of headaches. Common problems like traffic-dominated streets, little-used parks, and isolated or underperforming development projects can be addressed – or altogether avoided – by embracing a model of Placemaking that views a place in its *entirety*, rather than zeroing in on isolated components.



Even though cities ultimately fail or succeed at the scale of “place,” this is the scale that is so often overlooked.

### **Key Principles of Placemaking**

The PPS Placemaking approach can be a springboard for community revitalization. Emerging from forty years of practice, our 11 Principles of Placemaking offer guidelines to help communities (1) integrate diverse opinions into a cohesive vision, (2) translate that vision into a plan and program of uses, and (3) ensure the sustainable implementation of the plan. Turning a shared vision into a reality—into a truly great place—means finding the patience to take small steps, to truly listen, and to see what works best in a particular context.

Just as community input is essential to the Placemaking process, it is equally important to have a mutual understanding of the ways in which great places foster successful social networks and benefit multiple stakeholders and initiatives at once. The 11 Principles, along with and other tools we’ve developed for improving places (such as the Power of 10), have helped citizens bring immense changes to their communities—changes that are often far more extensive than the original vision had imagined.

### **From theory to practice: Placemaking grows into an international movement**

Placemaking is at the heart of PPS’s work and mission, but we do not trademark it as our property. It belongs to anyone and everyone who is sincere about creating great places, and who understands how a strong *sense of place* can influence the physical, social, emotional, and ecological health of individuals and communities everywhere. We do feel a responsibility to continue protecting, practicing, and advocating for the community-driven, bottom-up approach that Placemaking describes. To be successful,

this process requires great leadership and action on all levels. Leaders need not, and certainly should not, have all the answers, and by acknowledging this, and providing space for experimentation and collaboration, Placemaking allows an even bolder process to unfold.

Today, the term “Placemaking” is used in many settings—not just by citizens and organizations committed to grassroots community improvement, but also by planners and developers who use it as a “brand” to imply authenticity and quality, even if their projects don’t always live up to that promise. But using “Placemaking” in reference to a process that isn’t really rooted in public participation dilutes its potential value. Making a place is not the same as constructing a building, designing a plaza, or developing a commercial zone. As more communities engage in Placemaking and more professionals come to call their work “Placemaking,” it is important to preserve the meaning and integrity of the process. A great public space cannot be measured by its physical attributes alone; it must also serve people as a vital community resource in which function always trumps form. When people of all ages, abilities, and socio-economic backgrounds can not only access and enjoy a place, but also play a key role in its identity, creation, and maintenance, *that* is when we see genuine Placemaking in action.

#### **Placemaking *is***

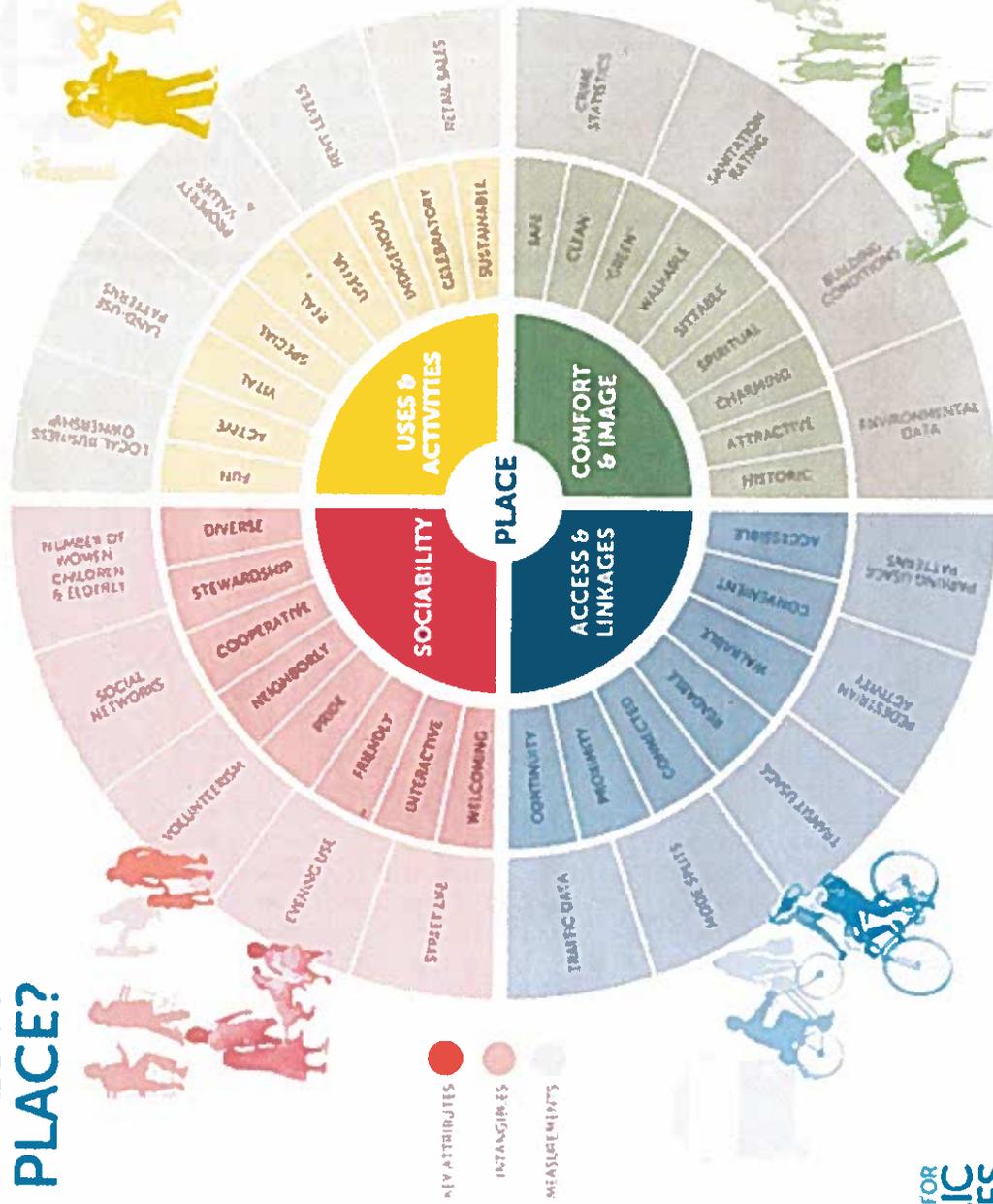
- Community-driven
- Visionary
- Function before form
- Adaptable
- Inclusive
- Focused on creating destinations
- Context-specific
- Dynamic
- Trans-disciplinary
- Transformative
- Flexible
- Collaborative
- Sociable

#### **Placemaking *is not***

- Top-down
- Reactionary
- Design-driven
- A blanket solution or quick fix
- Exclusionary
- Car-centric
- One-size-fits-all
- Static
- Discipline-driven
- One-dimensional
- Dependent on regulatory controls
- A cost/benefit analysis
- Project-focused

*Source: Project for Public Spaces (www.pps.org)*

# WHAT MAKES A GREAT PLACE?



The Place Diagram is one of the tools PPS has developed to help communities evaluate places. The inner ring represents a place's key attributes, the middle ring its intangible qualities, and the outer ring its measurable data.



## CITY COUNCIL MEETING MINUTES FROM JULY 7, 2015

The Regular Meeting was called to order by Mayor Strazdas at 5:00 p.m.

At the request of Mayor Strazdas, Pastor Phillip Kok of Prairie Edge Christian Reformed Church of Portage gave the invocation and 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 and Claudette Reid, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Councilmember Terry Urban was absent with notice. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Ansari, seconded by Reid, to approve the Committee of the Whole Meeting Minutes and Regular Meeting Minutes of June 23, 2015, as presented. Upon a voice vote, motion carried 6 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Ansari to read the Consent Agenda. Councilmember Ford asked that Item F.3, the Committee of the Whole Meetings Summary - Information Only, be removed from the Consent Agenda. Mayor Pro Tem Jim Pearson asked that Item H.1, sale of city property located at 10323 Archwood Drive, be removed from the Consent Agenda. Councilmember Reid asked that Item F.2, Freedom of Information Act Changes, be removed from the Consent Agenda.

Motion by Ansari, seconded by Pearson, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 7, 2015:** Motion by Ansari, seconded by Pearson, to approve the Accounts Payable Register of July 7, 2015. Upon a roll call vote, motion carried 6 to 0.

### REPORTS FROM THE ADMINISTRATION:

\* **UPGRADE OF POLICE DIVISION RECORDS MANAGEMENT AND COMPUTER-AIDED-DISPATCH:** Motion by Ansari, seconded by Pearson, to authorize the additional software license agreement with New World Systems, Inc., to upgrade the current police records management and computer-aided-dispatch software, including data conversion, at a cost of \$491,275 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

**FREEDOM OF INFORMATION ACT CHANGES:** Councilmember Reid acknowledged that there are several changes to the Freedom of Information Act (FOIA) that became effective July 1, 2015. She questioned the proposed action recommended that is now before Council to authorize the City Manager Laurence Shaffer to be considered the Head of the Public Body and adjudicate all fee appeals, as these appeals are now allowed under the act. She indicated her preference that appeals should remain the responsibility of the City Council, including the fee appeals. Discussion followed and City Clerk James Hudson indicated that this a new allowance under the Act, that the responsibility has not been assigned, but that the City Council could have answered a fee appeal in the past as another form of appeal, but that no one has ever appealed the cost of a FOIA. He pointed out that he has never charged for his time or the Assistant City Attorney's time, for example, and costs have always been kept low.

Councilmember Reid asked what would be the basis for City Council to levy a fee if it is not a part of the fee schedule. Mr. Shaffer thanked Assistant City Attorney Charlie Bear and Mr. Hudson for their efforts in preparation for the launch of the new FOIA requirements. He stressed that the City does

not receive fee reduction requests because, we work well within the boundary of the Act as we not only adhere to the particulars, but we also adhere to the principles of the Freedom of Information Act. Since the FOIA is more particular going forward, presumably that specificity would engender more opportunities for an appeal, but our operating philosophy and our values will remain the same. He said to the degree the City can err, the City will err on the side of the citizen; secondly, the City will look for practical solutions. He then pointed out that the Council's ability to set fees is as a regulatory body, but the fee appeal process is adjudicatory, so the whole purpose of taking it out of Council's hands is that the Council has already set policies for fees. In order to have a separation of powers, another entity is needed to address the appeals.

Assistant City Attorney Bear concurred and pointed out that there was never a formal process to allow an appeal for fees, so the Act now provides a procedure for appealing fees similar to the denial of a request, and explained. He described the six categories that can be charged which also need to be itemized that can now be analyzed by the requestor.

Councilmember Reid objected because of the unknown issues that may arise that Council could work through, establish guidelines, and not "hand it off" before we know what it is.

In answer to Councilmember Ford, Mr. Hudson and Mr. Bear indicated that although appeals have created deadline challenges in the past, the appeal is not considered received until the next Regular City Council Meeting, and the City now has ten business days instead of only ten days to respond, so the time crunch is lifted a little. Discussion followed.

Assistant City Attorney Bear confirmed that Appeals of Denial still comes to City Council and Councilmember Reid reiterated her reasoning for the Appeals of Fees should come to City Council.

Mr. Shaffer reviewed his responsibility to take care of problems and make sure problems do not come before City Council and expressed his view that he should take care of issues before they come before Council, and offered to report back to Council the results of how an appeal was addressed.

Councilmember Randall expressed strong support for Mr. Shaffer, the City Legal Team and the City Clerk and pointed out that it would take a lot of FOIA's to reach the \$20,000 amount requested in the motion. Motion by Randall, seconded by Ansari, to authorize the City Manager to adjudicate all appeals made to the head of the public body of the City of Portage for a reduction of a fee assessed in response to a FOIA request for a public record search, the necessary copying of a public record for inspection, or for providing a copy of a public record, where the amount of the assessed fee does not exceed \$20,000. Discussion followed and Mayor Strazdas indicated that it would be best for the City Manager to handle this as a part of the daily routine since FOIA charges are usually small dollar amounts and are best handled with the citizen working directly with the Administration.

In answer to Mayor Strazdas regarding a further appeal to City Council, City Attorney Brown indicated that a Fee Appeal to the City Manager as Head of the Public Body is the only appeal to the City, but the FOIA procedure does allow for further appeal to the Circuit Court, the same as an Appeal from a Denial of Information by City Council. Mayor Strazdas spoke in favor of having the policy to let the City Manager perform this service to the citizens, and pointed out that City Council can change this policy should it ever be indicated. Discussion followed.

Councilmember Ford spoke in favor of the motion and concurred with the Mr. Brown. Mayor Pro Tem Pearson concurred with Mayor Strazdas, as there is no problem at this time, cited a recent astronomical charge by a Michigan school district which is not the case in Portage with FOIA.

Councilmember Reid indicated that she did not want her wish to keep this function with City Council to be perceived as not having the confidence that the City Manager can do a competent job, but keeping it with Council would assist us in understanding where there may be some issues with the FOIA Fees and could be a learning experience for Council. She pointed out that Council would still be involved in this same process when there is a Denial of a FOIA Request, and advocated keeping all of it with City Council.

Upon a roll call vote, motion carried 5 to 1: Yeas: Councilmembers Ansari, Ford, Randall, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. No: Councilmember Reid.

### **COMMITTEE OF THE WHOLE MEETINGS SUMMARY - INFORMATION ONLY:**

Councilmember Ford indicated that he was out of town for the weekend, had asked that his packet not be delivered, and successfully reviewed the packet information from the website. He asked that one of the Committee of the Whole (COW) Meetings be a review of the Electronic Agenda Software and explained. Mayor Strazdas indicated that he has received e-mails from other Councilmembers suggesting COW topics, welcomed further e-mail suggestions, and that he and City Manager Shaffer are already in discussion and preparation for the Fund Balance topic in October. He indicated a preference to get these suggestions together in order to provide a brief report at the next City Council meeting for consideration and scheduling of a series of COW meetings.

Mr. Shaffer mentioned that the City acquired SuiteOne Agenda Management Software, (which can be accessed with all devices, such as a desktop, laptop, iPad, Android tablet, iOS phone and/or Android phone, etc., including Apple products); training of staff will commence soon. He explained that the software has two “bookends” since the information is built on the front end with the results on Public Access on the other end, so there is a need to build both pillars on each side of the actual meeting and explained.

Mayor Pro Tem Pearson indicated that Electronic Agenda has been a topic on the Council Retreat Agenda for two years; and, since Councilmembers Reid and Ford each asked to “pilot” the project, he suggested that interested Councilmembers at least have the opportunity to preview SuiteOne to identify any issues or “bugs” before training for all seven Councilmembers ensues. Mayor Strazdas indicated that the Committee of the Whole is an attempt to focus on Policy, and the SuiteOne effort may be better addressed at a workshop, explained that a training session is preferable instead of a COW Meeting, and offered that Councilmembers Reid and Ford could work with Mr. Shaffer in this regard.

Motion by Reid, seconded by Ansari, to receive the communication from the City Manager regarding the Committee of the Whole Meetings Summary as information only. Upon a voice vote, motion carried 6 to 0.

### **COMMUNICATION:**

**ANNETTE STEWART, 4180 ISABELLE STREET:** Mayor Strazdas deferred to City Manager Shaffer, who indicated that the nature of the communication references restaurant preferences; that he supports all of the restaurants in town; that the advice from Ms. Stewart is sound and reasonable; nevertheless, he expressed his skepticism that the Administration can do much about her suggestions.

Mayor Pro Tem Pearson asked staff to seriously consider this request for “Zoning for More Restaurants in Portage” to see what Portage could use, “Trader Joe’s,” and to let it be known that Portage is open for business and encourage companies to come to Portage. Mayor Strazdas concurred, but explained that government cannot require or regulate such that certain stores come to Portage and explained.

Community Development Director Vicki Georgeau indicated that there about 900 acres of land in the City zoned for commercial use and explained some zoning efforts and successes with attracting and keeping businesses in the commercially zoned areas, but admitted it is market-driven. She indicated that she would like to see some other businesses locate in Portage, as well as some independently-owned restaurants, for example. She offered that she would be happy to provide a response to Ms. Stewart.

Mayor Pro Tem Pearson asked whether there are any houses that can be converted into small restaurants, much like those in Ann Arbor, and Ms. Georgeau referred to the work/live ordinance. She pointed out if the residential dwelling unit is located adjacent to the permitted commercial use, the residential dwelling unit must be located above or behind and is a special use, but no one has taken advantage of this which is also allowable in the City Center Area near City Hall.

Councilmember Reid noticed that in reading the letter, she was reminded that Ms. Stewart and a lot of citizens did not understanding zoning, so she recommended that the City use this as an

opportunity to do some education. She suggested developing a unit on PMN that talks about zoning, what it is, how it changes and what can go where, for example.

Councilmember Randall suggested an article in the *Portager* would be helpful as an information source. She asked whether there are living quarters in Wild Birds Unlimited, the Candy Lady, professional photographer shops, and is this use already being implemented in non-food types of businesses.

Ms. Georgeau explained that a building can be converted into commercial use, but would first have to be brought up to commercial building code standards, especially with regard to accessibility. She then indicated that Wild Birds Unlimited and the Candy Lady were completely converted from a residential use to a commercial use, and could be converted back as long as they met the residential code. Discussion followed.

Motion by Ford, seconded by Randall, to receive the communication from Annette Stewart regarding restaurants in Portage. Upon a roll call vote, motion carried 6 to 0.

#### **UNFINISHED BUSINESS:**

**SALE OF CITY PROPERTY - 10323 ARCHWOOD DRIVE:** Mayor Pro Tem Pearson provided some background on this proposed sale of City property and commended City Manager Shaffer and his staff placing this property back on the tax rolls and explained that it is being sold for \$18,000 with a rebate incentive of \$3,000. He then gave credit to Councilmember Randall for finding the real reason why the property would not sell at auction since she discovered that it was bundled with dozens of undesirable properties located outside Portage which required the successful bidder to buy all of the distressed properties in undesirable locations in order to get the nice property in a nice Portage neighborhood. He thanked Councilmember Randall for her effort and a job well done which led the Council to not accept the recommendation of the past Administration, as this sale will net the City \$15,000 plus \$3,000 in taxes for the City, the Schools and Portage District Library going forward.

Motion by Pearson, seconded by Randall, to adopt the resolution to sell city property located at 10323 Archwood Drive. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 23 of City of Portage Resolution Book No. 46.

\* **SALE OF CITY PROPERTY - 1521 HELEN DRIVE:** Motion by Ansari, seconded by Pearson, to adopt the resolution to sell city property located at 1521 Helen Drive. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 21 of City of Portage Resolution Book No. 46.

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

Portage Public Schools Regular Business Meeting of May 18, Special Meeting of June 1 and Committee of the Whole Work Session and Special Meeting of June 8, 2015.  
Portage Senior Citizen Advisory Board of May 20, 2015.

#### **BID TABULATIONS:**

\* **SIDEWALK AND CURB REPAIR CONTRACT – BID TABULATION:** Motion by Ansari, seconded by Pearson, to award a contract for sidewalk and curb repairs in the amount of \$49,791.20 to Northern Construction Services Corporation of Niles, Michigan, and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT – BID TABULATION:** Motion by Ansari, seconded by Pearson, to authorize the purchase of ten sets of Personal Protective

Equipment (PPE) at a cost not to exceed \$23,178.40 and authorize the City Manager to execute all documents related to the purchase on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

#### **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Mayor Strazdas announced that he would be running for Mayor in November and indicated that he was humbled by the large number of people who called him to encourage him to run again, and listed some of them. He reviewed some of the changes that have taken place during his 25 years of public service to the City, both positive and negative, and indicated that Portage maintained fiscally conservative values throughout those times, controlled costs, provided excellent customer service and added a quality of life enjoyed by all in Portage. If elected, he pledged to work collaboratively with the City Council and the Administration so we can improve this great City over the next two years.

Councilmembers Ansari, Reid and Ford and Mayor Pro Tem Pearson congratulated him on his decision and thanked him for his service. Councilmember Ansari also gave him his endorsement.

Councilmember Reid encouraged citizens to go to the Overlander Bandshell at 7:00 p.m. to listen to the United States Army Field Band and Soldiers Chorus. She also encouraged citizens to attend the Celery Flats Music Festival, Sunday July 12, 2015, at Celery Flats Historical Area, 7366 Garden Lane, from 12:00 p.m. until 4:30 p.m., and the Taste of Portage, Saturday, July 18, 2015, from 12:00 p.m. until 10:00 p.m., at the Overlander Bandshell with free admission from 12:00 p.m. until 4:00 p.m., and a \$5.00 admission charge after 4:00 p.m. She noted that she heard that one bride-to-be plans to have her bachelorette party at the Taste of Portage.

Councilmember Ford shared that he spent his 4<sup>th</sup> of July at Sleeping Bear Dunes where he had great weather, hoped everyone had a great 4<sup>th</sup> of July, and indicated that he would be attending the United States Army Field Band and Soldiers Chorus concert after the meeting.

Councilmember Randall directed everyone to the front page of the *Portager* for the concert information mentioned by Councilmember Reid and let citizens know that tonight “kicks off” the Parks and Arts initiative which is an attempt to expand our cultural efforts in the City. She asked for support for the new Arts and Parks Director, and explained that most of the events are free to the public and family friendly. She announced that the event tonight at the Overlander Bandshell has a Holly Jolly Trolley that will transport attendees to and from Portage Central High School parking lot from 6:00 p.m. until 10:00 p.m. She expressed kudos to the Public Safety Department since she cited a Police Officer patrolling on a bike for the past two weeks. Mayor Strazdas concurred and noted that all three Police Officers patrolled on bikes, July 4th.

City Manager Shaffer acknowledged and thanked Parks staff and Parks Director Kendall Klingelsmith for their efforts with the concert series, Deb Droppers and the Portage Athletic Association for their fine effort with Taste of Portage. Mayor Strazdas concurred.

Mayor Pro Tem Pearson expressed his excitement for the direction the Parks Department is taking, and the investment in the Parks infrastructure, such as the Eliason Nature Preserve Project. He said that he is looking forward to Portage as a destination in the County owing to the investment in Portage Parks for hiking and bike riding. Mayor Strazdas concurred and thanked City Council for their collaboration, their ideas and for working with the City Manager’s Office in this regard.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 6:00 p.m.

James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.

## CITY COUNCIL MEETING MINUTES FROM JULY 21, 2015

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

At the request of Mayor Strazdas, Councilmember Urban gave an invocation, and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, 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 City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Ansari, seconded by Ford, to approve the Regular Meeting Minutes of July 7, 2015, as presented. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Ford to read the Consent Agenda. Councilmember Reid asked that Item F.1, Construction Board of Appeals Raze Order - 5523 Monticello Avenue, be removed from the Consent Agenda. Motion by Ford, seconded by Urban, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 21, 2015:** Motion by Ford, seconded by Urban, to approve the Accounts Payable Register of July 21, 2015. Upon a roll call vote, motion carried 7 to 0.

### REPORTS FROM THE ADMINISTRATION:

**CONSTRUCTION BOARD OF APPEALS RAZE ORDER – 5523 MONTICELLO AVENUE:** In answer to Councilmember Reid, City Manager Shaffer indicated that the new specifications for demolition require that the basement be removed when the structure is removed along with proper grading, seeding, curb work, etc. – all that is necessary to preserve and enhance the balance of the neighborhood. Discussion followed.

Motion by Reid, seconded by Urban, to accept the order of the Construction Board of Appeals to raze and remove the house at 5523 Monticello Avenue; and authorize the City Administration to take the necessary action to place a lien and assess the property to recover the costs associated with razing and removing the structure, consistent with city ordinance. Upon a roll call vote, motion carried 7 to 0.

\* **PUBLIC MEDIA NETWORK MUNICIPAL VIDEO PRODUCTION SYSTEM AGREEMENT:** Motion by Ford, seconded by Urban, to approve the Public Media Network Municipal Video Production System Agreement, including Addendum #1 of the Agreement, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **STREET CRACK SEALING REPAIR MACHINE – PURCHASE RECOMMENDATION:** Motion by Ford, seconded by Urban, to approve the purchase of the Cimline Magma 230 Melter/Crack Sealer Trailer Mounted Spray Injection Road Repair Machine from Alta Equipment Company of Byron Center, Michigan, utilizing the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program at a cost of \$58,032, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

- \* **CHARTER AMENDMENT PETITION - INFORMATION ONLY:** Motion by Ford, seconded by Urban, to receive the communication from the City Manager regarding a Charter Amendment Petition as information only. Upon a roll call vote, motion carried 7 to 0.
- \* **JUNE 2015 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Ford, seconded by Urban, to receive the June 2015 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.
- \* **DEPARTMENTAL MONTHLY REPORTS:** Motion by Ford, seconded by Urban, to receive the Departmental Monthly Reports from the various departments. Upon a roll call vote, motion carried 7 to 0.

**COMMUNICATION:**

**ED BUDAY, JR., 1503 BRADFORD STREET:** Mr. Shaffer reviewed the communication from Mr. Buday, indicated that the City Attorney advised that the City cannot make any of the changes requested by Mr. Buday since the size of fireworks and date options for the holiday to shoot fireworks are covered by state statute. He said a letter will be sent to Mr. Buday to let him know that the City cannot make any of the changes he has requested. Motion by Ford, seconded by Ansari, to receive the communication from Ed Buday, Jr., 1503 Bradford Street, regarding fireworks. Upon a voice vote, motion carried 7 to 0.

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

Portage Historic District Study Committee of Wednesday, April 21, 2015.  
 Portage Historic District Commission of May 6 and June 3, 2015.  
 Portage Public Schools Board of Education Regular and Special of June 22 and Special of June 29, 2015.  
 Portage Zoning Board of Appeals of June 8, 2015.  
 Portage Planning Commission of June 18, 2015.

**COUNCIL COMMITTEE REPORTS:**

**DISCOVER KALAMAZOO ADVISORY COUNCIL - COUNCILMEMBER**

**RANDALL:** Councilmember Randall reviewed a meeting of Discover Kalamazoo Advisory Council on Monday, July 13, 2015, which focused on how to make the Advisory Council more effective. She said that this was in response to a survey performed some months ago that revealed that people wanted to know who the speakers were in advance and that what was said in the room stays in the room. She mentioned that the Council is a great supporter of the United States Tennis Association (USTA) Championships that start July 31 through August 9, 2015, at Kalamazoo College, and are supporting the Professional Disc Golf Association Amateur Disc Golf World Championship that will be held in our Region. She mentioned that the Council was very positive about the various Portage events of recent weeks and she expressed her appreciation of the level of energy and promotional efforts at the meeting.

Councilmember Ansari interjected that former Mayor Pro Tem Ed Sackley was present for comment regarding Item F.2, Public Media Network Municipal Video Production System Agreement, and Mayor Strazdas indicated that he would invite him up at the conclusion of the discussion regarding the Discover Kalamazoo Advisory Council Meeting of July 13, 2015.

There being no further discussion, motion by Reid, seconded by Ansari, to receive the communication from Councilmember Randall regarding the Discover Kalamazoo Advisory Council. Upon a voice vote, motion carried 7 to 0.

Mayor Strazdas recognized former Mayor Pro Tem Ed Sackley, who updated City Council on the contents and the benefits for the citizens as a result of the Public Media Network Municipal Video Production System Agreement.

**INVESTMENT COMMITTEE MEETING MINUTES:** Mayor Strazdas recognized the contributions of the three citizen participants on the Investment Committee: Richard Kraas, Roger Stamper and Steve Kreider and explained that they are very good at what they do and the advice they provide to the City. He noted that the Committee discussed the 40% financial institution limitation and the challenges dealing with staying within the 40% guidelines and indicated that there will be more details for City Council to consider at the next meeting to assist with an adjustment of that and explained. Next, he discussed the welcomed opportunity to reduce some of the debt by using cash for capital improvement versus bonding. Mr. Shaffer indicated that the debt was originally at \$107 million and is now down to \$79 million, and Mayor Strazdas shared that Mr. Kraas, Mr. Stamper and Mr. Kreider applauded this effort by City Council. Mayor Strazdas explained further that as a result of this discussion, Mr. Shaffer proposed a goal of becoming a AAA rated City beyond the AA stable Standard and Poor's rating currently held by the City which would produce long-term significant savings. The Committee also proposed adhering to the fund balance policy at 24% and Mayor Strazdas indicated more future discussion of this matter. Mayor Strazdas indicated Deputy City Manager Rob Boulis will bring the proposed minor change to the Investment Policy from Finance Director Bill Furry, but the 24% fund balance policy will not be a part of that as it will be addressed in a couple of months from now.

In answer to Councilmember Reid, Mr. Shaffer said that the recommendation not to exceed 40% in any one fund, so that the City maintains a level of diversification, reduces our exposure, our risk level. He noted a small change in nomenclature, not in principle, i.e., 40% "at the time the investment is made." He continued that during course time, those numbers fluctuate, so it is important to fix the 40% at the time of the reallocation is made. Discussion followed.

In response to Councilmember Randall, Mayor Strazdas explained as the debt goes down, the bond rating goes up; and, the more cash held in reserve, the bond rating goes up. Mr. Shaffer explained that AAA rating is very difficult to attain, so the City will have to demonstrate a substantial reduction in debt. He said that Standard and Poor's will analyze the stability of the tax base of the City, especially the stability of some of our largest employers, and will judge how aggressive the City has been to enhance and preserve that stability. He said that they will also look at revenues versus expenditures over time to determine expenditure control and whether the City can consistently show that revenue is not an issue and expenditures are under control. Discussion followed.

Motion by Urban, seconded by Ansari, to receive the minutes of the June 30, 2015 Investment Committee Meeting. Upon a voice vote, motion carried 7 to 0.

**CENTRAL COUNTY TRANSIT AUTHORITY (CCTA):** Mayor Pro Tem Pearson provided a brief update of a meeting of the CCTA. He indicated that the CCTA is in the process of a four-way agreement among the City of Kalamazoo, the Kalamazoo County Transit Authority (KCTA) and the Kalamazoo Transit Authority (KTA). The City of Kalamazoo wants to transfer all of its buses to the CCTA and there is a CCTA millage request as a ballot question on the August 4, 2015 Special Election. He explained that there was a high level discussion regarding Kalamazoo City legacy cost issue; and, as a result, the CCTA will be meeting twice per month, instead of monthly, for the next few months to obtain all of the information necessary to fully understand the details of the proposed agreement. Discussion followed.

In answer to Councilmember Ford, Mayor Pro Tem Pearson indicated that with regard to the KCTA retirees, the pension is overfunded; and, \$4 million in assets for healthcare will be transferred, but it is not known if that is enough as yet. He did indicate that all of those questions will be discussed in detail before considering the agreement for approval. Discussion followed regarding 911 Dispatch legacy costs and Mayor Strazdas indicated that Portage does not want to inherit long-term debt.

Discussion followed. Motion by Reid, seconded by Ansari, to receive the Central County Transit Authority Report from Mayor Pro Tem Pearson. Upon a voice vote, motion carried 7 to 0.

#### **BID TABULATION:**

\* **GARDEN LANE TRANSMISSION WATER MAIN REPLACEMENT – BID TABULATION:** Motion by Ford, seconded by Urban, to award a construction contract for the Garden Lane Transmission Water Main Replacement Project to Pajay, Incorporated, of New Buffalo, Michigan, in an amount not to exceed \$263,787 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.

#### **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL CANDIDATES:** Mayor Strazdas provided the opportunity for Councilmember Ford, Councilmember Randall and Mayor Pro Tem Pearson to announce their candidacy for City Council which will be determined at the November 3, 2015 City Election, and each recounted some of the positive changes that have taken place while serving on City Council.

**STATEMENTS OF CITY COUNCIL:** Councilmember Ford expressed kudos to the City Parks Department and recounted his experiences while attending the United States Army Field Band and Soldiers' Chorus, the Celery Flats Music Festival and the Taste of Portage.

Councilmember Randall concurred with Councilmember Ford, commented further and thanked City Manager Shafer for his military service to our country. She also encouraged everyone to attend the activities and family fun associated with the United States Tennis Association (USTA) Tournament being held from July 31 through August 9, 2015, at Kalamazoo College.

Councilmember Ansari praised the 70 years of experience held by the sitting City Council, the excellent job performed by Council in the best interest of the City, as a way to endorse the incumbents, especially Mayor Strazdas for the November 3, 2015 City Election. Mayor Strazdas thanked him for it.

Councilmember Reid thanked and recognized Councilmembers Randal and Ford and Mayor Pro Tem Pearson for the time and effort they have expended serving as members of Portage City Council and said she looked forward to the race coming up. She reviewed some of the details of Item F.2, Public Media Network Municipal Video Production System Agreement and the advantages to the City of Portage. She reminded everyone that the August 4, 2015 Special Election for the Metro Transit millage is only two weeks away, that the absentee ballots for those on the permanent list went out July 7, and information is available on line for those who need more information on this issue. She indicated that this week is the 25<sup>th</sup> Anniversary of the American Disabilities Act of 1990, and explained that there are 60,000 jobs that are open and 500,000 persons with disabilities who cannot find employment and are looking for employment. She mentioned that 43% of adults will become disabled during their working years and stressed that it is important that our systems do not discriminate against people with a disability. She also recounted her experiences while attending the United States Army Field Band and Soldiers' Chorus, the Celery Flats Music Festival and the Taste of Portage.

City Manager Shaffer provided an update on the South Westnedge Construction Project and indicated that it is still on target for completion by mid-August, despite the enormous amount of rain that has fallen throughout the construction, and he asked for continued patience from citizens for three more weeks. Mayor Strazdas asked for a campaign from the Administration when it is opened as a measure to assist businesses that have felt the strain of the low traffic numbers on Westnedge Avenue during the construction.

Mayor Pro Tem Pearson thanked Councilmember Ansari for his endorsement and Councilmember Reid for her kind words. He also said he has enjoyed working with Council.

Mayor Strazdas thanked and congratulated his three colleagues on City Council, who are taking another step to be good stewards of the community and anyone else who is running as it is a noble volunteer undertaking. He indicated that the United States Army Field Band and Soldiers' Chorus was spectacular and thanked the efforts of the Reserve Officers Training Corps (ROTC) for helping this event take place. He thanked all who attended the Taste of Portage, despite the rain. He recounted his visit with all of the Mayors of West Michigan who were able to attend the Mayor Energy Summit. He commented that Grand Rapids Mayor George Hartwell has an annual event and invites all of the Mayors from this side of the state to talk about topics that concern City and State Government and the main topic this year was energy policy since Governor Snyder organized State Departments to have an Energy Bureau. The Director of the Bureau is talking to all of the Mayors regarding what will be coming up with regard to energy policy that will impact businesses, industry and citizens.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 8:25 p.m.

James R. Hudson, City Clerk

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

## CITY COUNCIL MEETING MINUTES FROM JUNE 23, 2015

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

At the request of Mayor Strazdas, Mr. Tim Earl gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers 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 City Manager Laurence Shaffer, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

**APPROVAL OF MINUTES:** Motion by Ansari, seconded by Urban, to approve the Regular Meeting Minutes of June 9, 2015, as presented. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Councilmember Urban asked that Item F.4, Legal Services Contract with Randall L. Brown & Associates, be removed from the Consent Agenda, Councilmember Reid asked that Item F.5, Payment of \$25,000 to Southwest Michigan First to Support Economic Development Activities, and Item F.8, Exception to City Council Rules of Order and Procedure, be removed from the Consent Agenda.

Motion by Ford, seconded by Reid, to approve the Consent Agenda motions as amended. Councilmember Ansari abstained from voting in support of the General Fund human/public services contract and Community Development Block Grant contract with the Portage Community Center (Item F.3). Upon a roll call vote, motion carried 7 to 0 with the previously noted abstention.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 23, 2015:** Motion by Ford, seconded by Reid, to approve the Accounts Payable Register of June 23, 2015. Upon a roll call vote, motion carried 7 to 0.

### PUBLIC HEARINGS:

**ORDINANCE AMENDMENT #14/15-B, SITE PLAN REVIEW:** Director Georgeau discussed the proposed amendment and shared that it is a result of a recent City Council Committee of the Whole Work Session regarding efforts to improve economic development. She stated that this amendment will promote the goal of City Council to enhance speed to permitting and will help streamline the development review process. Director Georgeau highlighted the major changes related to the proposed amendment and informed City Council that the amendment received unanimous approval from the Planning Commission. Mayor Strazdas complimented Director Georgeau, Department of Community Development staff and the City Manager for their efforts in promoting economic development and discussed the need for communities to have a competitive edge. Councilmember Reid inquired as to the recourse for a developer to appeal an administrative decision on a proposed development. Director Georgeau indicated that the Zoning Board of Appeals is an outlet. Discussion followed and Director Georgeau shared that this amendment will help maximize the time of the Planning Commission to focus on major developments and city planning instead of routine developments. Councilmember Urban inquired how much permitting this amendment would result in for staff. Director Georgeau replied that at least 50 projects within the past 10 years could have been approved administratively should this amendment have been in place.

Councilmember Ford inquired if other municipalities were studied to assist in the crafting of this amendment. Director Georgeau replied that communities with significant development have gone this route. She continued by stating that while extensive research had not been conducted, such an administrative review process is not uncommon.

Mayor Strazdas opened the public hearing to the audience. There being no one to come forward, Motion by Randall, seconded by Ansari, to close the public hearing. Upon a voice vote,

motion carried 7 to 0. Motion by Randall, seconded by Ford, to approve Ordinance Amendment #14/15-B, Site Plan Review. Upon a roll call vote, motion carried 7 to 0. Ordinance recorded on page 333 of City of Portage Resolution Book No. 12.

**TENTATIVE PLAN AMENDMENT FOR THE HOMESTEAD PLANNED DEVELOPMENT, STORY POINT SENIOR LIVING FACILITY:** Director of Community Development, Vicki Georgeau, provided a history of the Homestead Planned Development and plans for this property, reviewed the details of the current proposed development, benefits and rationale for the proposed development, efforts being undertaken to mitigate impacts on neighboring properties and plans for the historic VanRiper property. Director Georgeau then reviewed the Planning Commission process, four approval conditions and efforts of the developer to address neighborhood concerns.

Mayor Strazdas thanked Director Georgeau for the report and inquired if the four recommendations will satisfy citizen concerns that have been expressed. Director Georgeau responded in the affirmative. Councilmember Urban inquired as to the elevation of the property and Director Georgeau explained the elevation of the property as compared to the height of the VanRiper property and the homes along McGillicuddy Lane.

Councilmember Randall applauded the development and inquired about potential light pollution, especially as it relates to light coming from windows. Director Georgeau reviewed the outdoor lighting plan and that the plan is in compliance with the City of Portage Code of Ordinances and shared that the City does not regulate interior lighting. She deferred to the applicant, who was present in the audience, to respond to this concern. At the request of Mayor Strazdas, Attorney Brown then explained that the Tentative Plan Amendment is “big picture” while the Site Plan to be discussed later gets into more details.

Councilmember Reid inquired as to the plan for the VanRiper property and what the approval process is for use of the property. Director Georgeau explained there is a review and approval process but that no plan has been made. She indicated that the developer has indicated potentially using the property for offices, a banquet facility or single family use. She continued by stating that if one of these uses is decided upon, the applicant will need to go through the final site plan review process which includes the Planning Commission and City Council. If an alternate use is proposed, the developer would need to begin with a Tentative Plan Amendment before proceeding with the final site plan review process.

Councilmember Reid then inquired as to the rationale for the garbage pickup and delivery location. Director Georgeau explained that the design of the building is such that switching the location of the delivery and garbage service area would be problematic but deferred to the applicant for a more specific response. In response to an inquiry from Councilmember Reid, Director Georgeau explained the benefit and rationale for not having a second entrance to the property off of Milham Avenue.

The applicants, Mr. Mark Murphy of Los Angeles, CA, and Aaron Seymour of Toledo, OH, provided a presentation to City Council regarding the need, rationale and demand for this development. Mr. Murphy also reviewed their company’s history and explained why the trash enclosure needs to remain where it is located. He continued by explaining that the distance from residential properties, additional tree screening higher berms and elevation changes would help limit visibility of the trash enclosure and reduce potential light pollution. With regard to the VanRiper property, Mr. Murphy explained that they have no current plans for the property other than to perform some maintenance and routine clean up. He continued by stating that his company does want to control what happens at that property and may use it for offices, a banquet hall or a single-family residence.

Mayor Strazdas opened the public hearing to the audience. There being no one to come forward, Motion by Reid, seconded by Urban, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Randall, seconded by Ansari, to approve the Tentative Plan Amendment for The Homestead Planned Development, Story Point Senior Living Facility, 3821 West Milham Avenue subject to the four conditions listed in the May 1, 2015 Community Development staff report; inclusion of the written narrative and tentative plan dated April 8, 2015, the addendum letter dated April 30, 2015,

and the conceptual landscape plan dated April 29, 2015; and construction of berms ranging in height from three to six feet tall along the east and south sides of the site. Discussion followed and Mayor Strazdas complimented the developer, Planning Commission, staff and residents on their efforts in support of this project. Upon a roll call vote, motion carried 7 to 0.

#### **REPORTS FROM THE ADMINISTRATION:**

**FINAL/SITE PLAN FOR STORY POINT SENIOR LIVING FACILITY:** Director of Community Development, Vicki Georgeau, provided a brief overview of the project and the Final/Site Plan. Councilmember Urban inquired about the Photometric Plan and Director Georgeau indicated that the development is in compliance with City lighting requirements. Councilmember Reid asked for clarification regarding berm heights. Director Georgeau indicated the location of the berms and explained that berms along the east side of the property would range in height from 4 to 8 feet and berms along the south would range from 6 to 10 feet. She also indicated that the goal is to not negatively impact the mature trees along these property lines. Director Georgeau then referenced revised planting plan and planting details provided in the Material Transmitted to City Council. She continued by stating that the revised landscape plans substitute Colorado Spruce with White Spruce plantings and the applicants requested that the revised plan and planting details be approved with the Final/Site Plan. Motion by Ford, seconded by Randall, to approve the Final/Site Plan for Story Point Senior Living Facility, 3821 West Milham Avenue. Upon a roll call vote, motion carried 7 to 0. Mr. Murphy complimented Community Development staff, the Planning Commission and City Council on their thoroughness and responsiveness.

\* **REFUNDING OF CAPITAL IMPROVEMENT BONDS, SERIES 2008A, AND UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE BY THE CITY OF PORTAGE FOR THE CAPITAL IMPROVEMENT REFUNDING BONDS, SERIES 2015B:** Motion by Ford, seconded by Reid, to adopt the Resolution Authorizing Refunding of the City of Portage Capital Improvement Bonds, Series 2008A and the Resolution Approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Refunding Bonds, Series 2015. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 9 and 19 of City of Portage Resolution Book No. 46.

\* **FY 2015/16 COMMUNITY DEVELOPMENT BLOCK GRANT FUND CONTRACTS AND GENERAL FUND HUMAN/PUBLIC SERVICES CONTRACTS:** Motion by Ford, seconded by Reid, to approve the Fiscal Year 2015-2016 Community Development Block Grant Fund contracts and General Fund human/public services contracts and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

**PROPOSAL TO RENEW THE CURRENT LEGAL SERVICES CONTRACT WITH ATTORNEY RANDALL L. BROWN AND ASSOCIATES:** Councilmember Urban stated that the recommendation associated with this agenda item is not what he expected to see. He stated that City Administration had provided on the agenda a review/survey of various cities including costs, different ways to provide the service, etc. He continued by stating that Attorney Brown has been cost effective and that his quote is a known set amount and will not vary based on hours worked, opinions written or number of court cases. Councilmember Urban stated that the proposal by Attorney Brown is for an additional five years of service with no increase over the previous contract and that he believes City Council cannot get this level of service from another provider. Motion by Urban, seconded by Reid, to accept and approve the proposal to renew the current legal services contract with Attorney Randall Brown and Associates for City Attorney services and authorize the City Manager to execute all documents related to this matter.

Councilmember Ansari extolled his strong support for Attorney Brown, his service and institutional knowledge and stated that he would like to see Mr. Brown's contract receive unanimous approval. However, if it cannot be unanimous tonight, he is willing to wait until August 30<sup>th</sup>. Councilmember Randall stated that she has no problem with the person but questions the process. She indicated that this contract has not been put out for bid since 1993 and, at that time, seven firms were interested. She stated that the last time this contract came up five years ago she expressed the same concern about the process but that the contract was renewed by a 6 to 1 vote. She expressed her desire to see what the market will yield and explained that the quote from Attorney Brown does not cover the true legal costs of the City and cited the use of a labor attorney for union negotiations as an example. She continued by stating that she would also like to see an evaluation process so that the City Attorney can hear feedback from both the City Council and City Administration. She concluded by stating that, while an informal process is proposed, she would like to see a formal bid process.

Councilmember Ansari stated that, given the survey that has been provided, Attorney Brown is providing the service at a lower price and that he believes Mr. Brown deserves the contract but expressed concern about the timing.

Mayor Strazdas stated that he was going to support the motion and questioned the consistency of when City Council goes out for bid and when it does not and cited information technology and water and sewer services as examples. He expressed concern that multi-million dollar contracts have not undergone the same level of scrutiny as this contract when up for renewal and continued by encouraging City Council to support the motion while at the same time pledging to hold a Committee of the Whole meeting to discuss consistency in the bidding for long-term contracts.

Councilmember Ford stated that he will not be supporting the motion. He stated that the City did receive a quote from a competitor for the PCM Technologies Services contract. He continued by stating that Attorney Brown has institutional knowledge and has provided a competitive price but that he would like to see an informal bid to ensure City Council does its due diligence and that Attorney Brown's pricing is competitive.

Councilmember Reid expressed frustration and questioned addressing this matter just prior to the expiration of the contract. She stated that, based on information provided, Attorney Brown's bid is competitive. She does not have a problem with the price or the service provided. She stated that she does not always agree with him, but believes Attorney Brown provides excellent service. Councilmember Reid continued by stating that she would like to see policies developed related to outsourcing service contracts that are up for renewal. Discussion followed and Mayor Pro Tem Pearson stated that he would like to get a unanimous vote and would like to slow the process down to obtain it. He continued by stating the value of a competitive process, thanked Mr. Brown for his excellent service and emphasized that this is about process and not the person. Mayor Pro Tem Pearson encouraged City Council to think about what they want to see in their City Attorney and asked for comparables to include legal services provided by other jurisdictions within Kalamazoo County.

Councilmember Ansari stated his belief that City Council should not be focused only on price because it is difficult to put a price on the institutional knowledge that Attorney Brown has.

Councilmember Reid stated that, given that Attorney Brown's proposal is in the public domain, it would be difficult to engage in a fair formal bidding process and inquired of the City Manager what would be involved in an informal bid. City Manager Shaffer stated that he has been in conversation with Attorney Brown about his contract for nine months, shared that he is a bid supporter of Brown and Associates, and shared that he would like to see a renewal of his contract in some fashion. Mr. Shaffer stated that, since this contract belongs to City Council, his proposed course of action was an attempt to achieve unanimity amongst City Council and that he appreciated Attorney Brown's institutional memory, predictability and stability. He continued by stating that the informal process would include reaching out to three large and three smaller local firms, provide them a synopsis of the services provided by Brown and Associates and ask for a price. Discussion followed.

Upon a roll call vote, Motion failed 3 to 4 with Mayor Pro Tem Pearson and Councilmembers Ansari, Ford and Randall voting no.

Motion by Pearson, seconded by Ansari, to receive the proposal to renew the current legal services contract with Attorney Randall L. Brown & Associates for City Attorney Services, approve an extension to the current contract through August 30, 2015, and / or authorize the City Manager to solicit informal proposals for City Attorney Services.

Councilmember Reid inquired if Attorney Brown would accept a contract extension to August 30<sup>th</sup>. Attorney Brown thanked City Council for their kind words and support of the work that he and his staff do for the City. Attorney Brown stated that he understands the rationale of the process City Council is following and expressed confidence that his contract will be renewed.

Mayor Strazdas stated that he would support the motion but expressed frustration with the process that is being followed. Councilmember Ford indicated that City Council is not under obligation to accept the low bid and hoped for the process to be wrapped up swiftly. Mayor Strazdas stated that he is pleased to hear that this is not only about price. Discussion followed and Councilmember Urban strongly emphasized the need to make sure the informal process compares "apples to apples" and Attorney Brown stated his desire for this as well. Attorney Brown continued by sharing that he would be speaking with the City Manager to discuss the legal services he provides in detail. Councilmember Ansari expressed support for a bid process in the City that is consistent and Councilmember Randall expressed concern with focusing on legal services that are outsourced and not in-house. Councilmember Urban expressed disagreement with this position. Discussion followed and Mayor Strazdas concurred with the desire for an "apples to apples" comparison.

Upon a roll call vote, motion carried 7 to 0.

**PAYMENT IN THE AMOUNT OF \$25,000 TO SOUTHWEST MICHIGAN FIRST TO SUPPORT ECONOMIC DEVELOPMENT ACTIVITIES IN THE CITY OF PORTAGE:**

Councilmember Reid stated that in the proposed contract there is a requirement for an annual consultation/update with the City Manager along with monthly update meetings. She asked if this could be modified so that the Mayor would be included in these meetings and provided her rationale. City Manager Shaffer stated that he would welcome the presence of the Mayor in the meetings and viewed it as a potential asset. Mayor Pro Tem Pearson indicated that, when it comes to economic development, business organizations like to deal with professionals and not elected officials. He expressed concern that a consistent presence of an elected official could be a detriment. Mayor Strazdas stated that, if there is a confidential meeting, he would not want to be present. Discussion followed and Councilmember Reid clarified that she did not envision the Mayor being present for confidential meetings but rather the monthly and annual updates. Motion by Pearson, seconded by Reid, to authorize payment in the amount of \$25,000 to Southwest Michigan First to support economic development activities in the City of Portage and authorize the City Manager to execute all documents related to the matter.

Councilmember Urban stated that he would support the contract for now but questioned what specific activities Southwest Michigan First would do for the City of Portage and expressed his desire for very detailed reporting from the organization. Upon a roll call vote, motion carried 7 to 0.

\* **PURCHASE OF 800MHZ RADIOS FROM MOTOROLA SOLUTIONS:** Motion by Ford, seconded by Reid, to authorize the purchase of thirteen 800MHz Motorola Radios from Motorola Solutions, Inc., of Schaumburg, Illinois, through the State of Michigan purchasing program (MiDeal) at a cost not to exceed \$43,075 and authorize the City Manager to execute all documents related to the purchase. Upon a roll call vote, motion carried 7 to 0.

\* **SOLE SOURCE CONTRACT FOR THE GARDEN LANE #5 PUMP REPLACEMENT AND MOTOR REHABILITATION PROJECTS:** Motion by Ford, seconded by Reid, to award a sole-source contract for the Garden Lane #5 Pump Replacement and Motor Rehabilitation project to Peerless-Midwest, Incorporated, in the not-to-exceed amount of \$27,659 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.

**EXCEPTION TO CITY COUNCIL RULES OF ORDER AND PROCEDURE:**

Councilmember Reid inquired if the 5:00 p.m. meeting of City Council could be broadcast live and whether the meeting could be rebroadcast at the usual 7:30 p.m. timeframe. City Manager Shaffer stated that he believed the meeting would be broadcast live but was uncertain whether Public Media Network would be able to turn around and rebroadcast the meeting. However, he indicated that staff was working with PMN about the matter. Motion by Reid, seconded by Pearson, to approve an exception to the City Council Rules of Order and Procedure by changing the meeting time for the July 7, 2015 City Council Meeting to 5:00 p.m. and authorize the City Manager to appropriately notice the meeting time change. Councilmember Urban stated his belief that showing the meeting at 7:30 was arguably more important than showing it live. He continued by stating that he had a family conflict and may not be able to attend. Councilmember Ford reminded the audience that the meetings are now available via live streaming. Upon a roll call vote, motion carried 6 to 1 with Councilmember Urban voting no.

\* **MAY 2015 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Ford, seconded by Reid, to receive the May 2015 Environmental Activity Report as Information Only. Upon a roll call vote, motion carried 7 to 0.

\* **DEPARTMENT MONTHLY REPORTS:** Motion by Ford, seconded by Reid, to receive the Department Monthly Reports as Information Only. Upon a roll call vote, motion carried 7 to 0.

\* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the Portage Youth Advisory Committee of May 11, 2015, Portage Zoning Board of Appeals of May 11, 2015 and Portage Planning Commission of June 4, 2015.

**BID TABULATIONS:**

\* **CONSTRUCTION CONTRACT FOR THE WEST OSTERHOUT AVENUE RECONSTRUCTION PROJECT:** Motion by Ford, seconded by Reid, to award a construction contract for the West Osterhout Avenue Reconstruction Project to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed \$995,833.55 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.

\* **CONTRACT WITH A1 ASPHALT TO PROVIDE REPAIRS TO PARK ASPHALT TRAILS:** Motion by Ford, seconded by Reid, to accept the low bid in the amount of \$53,329.47 from A1 Asphalt, Incorporated, to provide repairs to park asphalt trails 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.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITIZENS:** Mr. Tim Earl, 6862 Shallowford Way, invited City Council to attend the Celery Flats Music Festival at Celery Flats on Sunday, July 12<sup>th</sup> from noon to 4:00 p.m. He stated the concert is a partnership between the Park Board and the K'zoo Folklife Organization. Mayor Strazdas stated that many pieces of the former Summer Entertainment Series are back and being sponsored by outside organizations and asked the City Manager to bundle them into a single notice for publication in the Portager.

Ms. Monifa Jumanne, 6286 Silver Fir Street, shared that she was planning to make a presentation but, due to the late hour, she would save it until the next meeting. She informed City

Council that she serves on the Senior Citizen Advisory Board and that she is proud to be a citizen of the City of Portage and informed City Council that she is looking forward to opportunities to do more.

**STATEMENTS OF CITY COUNCIL:** Councilmember Reid shared that “Listening Post” will be this coming Friday from 8:00 a.m. to 9:00 a.m. at the Hampton Inn in Portage. The topic will be regarding demographic shifts and placemaking. Councilmember Reid then extolled the virtues of the beauty of the State of Michigan.

Councilmember Ford expressed hope that everyone had a great Father’s Day and wished everyone a happy 4<sup>th</sup> of July.

Councilmember Randall shared some details about the new Parks and Arts program and shared information about upcoming activities and concerts, such as the Army Field Band and Soldier’s Chorus Concert and canoe rental.

Mayor Pro Tem Pearson invited the public to come and watch 4<sup>th</sup> of July fireworks at McCamley Field and shared that the display is sponsored by the Portage Rotary Club. He thanked Portage Public Schools and the City of Portage for their support. He also invited the public to make donations in support of the annual event.

Mayor Strazdas shared that he, along with Councilmembers Ansari and Ford, recently attended a meeting with State Senators regarding revenue sharing and the Personal Property Tax. He expressed optimism that the City of Portage and other municipalities would be made “whole” as it relates to the Personal Property Tax. Next, he mentioned that he attended a bank opening ceremony and that, with regard to recycling, there may be an opportunity for some income to offset the cost of the contract. Finally, he reminded the community that the Taste of Portage, sponsored by the Portage Athletic Foundation, was on the horizon along with many other community events.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:58 p.m.

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Adam Herringa, Deputy City Clerk

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

## MINUTES OF THE COMMITTEE OF THE WHOLE WORK SESSION OF JUNE 23, 2015

Mayor Strazdas called the meeting to order at 6:01 p.m. The following Councilmembers were present: Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Pearson and Mayor Peter Strazdas. Also present were City Manager Larry Shaffer, Deputy City Manager Rob Boulis, Public Safety Director Richard White, Senior Deputy Fire Chief for Operations John Podgorski, Assistant Fire Chief Stacy French, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

Mayor Strazdas reviewed the agenda for the evening and indicated that he would like to take a few minutes during the meeting to discuss police body-worn cameras and future Committee of the Whole meeting topics.

Public Safety Director Richard White provided an overview of the current Fire Division accreditation process and how it will help identify departmental strengths and weaknesses. Director White asked Senior Deputy Fire Chief John Podgorski to provide additional information on the accreditation process and the overall performance of the Fire Division.

Mr. Podgorski thanked City Council for their support of the Fire Division and he and Assistant Fire Chief French provided a presentation on the Fire Accreditation process. Mr. Podgorski reviewed current programs of the Fire Division and Mr. French reviewed related performance indicators and how they matched up against performance goals. He also shared some rationale and reasoning behind the response statistics that were included in the presentation. Mayor Pro Tem Pearson inquired if a response at the scene of a structure fire is delayed until adequate staff arrives. Assistant Fire Chief French provided a review of incident management and assured City Council that life and safety are paramount in a response and that staff will not wait to initiate a rescue if a person's life or safety is in jeopardy. Chief White indicated that the same response is true for the police division.

Mr. Podgorski continued his overview and shared information related to Technical Rescue, Hazardous Material and Emergency Medical Services response times, goals and performance. Councilmember Randall inquired who tends to arrive on scene of a medical response first and Mr. French replied that Fire is usually first on scene. Mr. French then discussed the use of SUV's as rescue vehicles to enhance response times and conduct business inspections. He also highlighted the use of AED's and the "PUCK" system to assist and enhance CPR efforts. The SUV's, Mr. French indicated, have not only resulted in a more rapid response but have cut down on use and maintenance on the fire engines.

Mayor Pro Tem Pearson inquired as to the rationale for using a rotating system to manage EMS response calls. Assistant Fire Chief French informed City Council that the Fire Division is in the process of assessing and evaluating this program. He continued by stating that they are planning to conduct a study, possibly managed by a third-party, to determine what is the best way to provide emergency medical response. Director White reviewed the current process for emergency medical response and shared that he is skeptical that either current ambulance company is presently capable of providing the desired service. He continued by sharing that one of largest sources of frustration and delays is the current bifurcated system in which a medical emergency call comes into dispatch first, details shared by the caller, and then the call is routed to the ambulance company. The caller must then share the details a second time. This process takes valuable time and Director White indicated that his department is exploring and implementing options to reduce or eliminate this delay.

Mayor Pro Tem Pearson inquired if the City would be better served by going with a single vendor and raised the matter of dropped calls. Chief White discussed dropped calls and provided some reasons as to why a call may be dropped including a lack of resources, a lengthy response, inability to respond in the required eight minutes, etc. Director White continued by expressing his frustration with dropped calls and his desire to evaluate the current EMS program and evaluate changes based on data. Discussion followed and City Manager Shaffer shared his frustration with EMS response and indicated that quality public service is a balance of resources and how much a community is willing to pay to enhance performance. Mayor Strazdas shared that citizens consistently give public safety high marks on the Community Survey and inquired how Portage compares to other communities and if taxpayers are getting the best return on their investment. Mr. Podgorski shared that nobody else in Kalamazoo County is going through this process or has statistics like the Fire Division is getting. Director White stated that the Department of Public Safety is making all of the fixes that can be made without spending additional money. However, he continued by stating that at some point in the future a decision will have to be made on value – whether the community is willing to pay more for enhanced public safety.

Mayor Pro Tem Pearson inquired as to the timeline of the EMS study. Chief White indicated that the Accreditation Evaluation Team will be finished this coming Thursday. He stated that he hopes to get some initial feedback. He also stated that he will continue looking at whether Portage dispatchers could handle medical dispatches. He then raised the matter of Consolidated Dispatch and what impact this may have. Director White concluded by stating that he believes he could be coming to City Council next budget year with a proposal on EMS.

Public Safety Director White next discussed the topic of body-worn cameras. Mr. White provided a history of the use and implementation of mobile video recorders in police vehicles and some of the limitations of this system. He also shared the policy for video recording and that, at a minimum, every interaction with a citizen is recorded. Director White explained the plan to roll out the body worn cameras and shared that several matters need to be taken into consideration including privacy issues, what to record, FOIA, retention requirements, computer space for recordings, how to proceed if somebody refuses to be recorded, etc. He continued by stating that the plan is to purchase ten cameras and, after a set period, evaluate the program. He continued by stating that the cameras should promote transparency and that Portage police officers are doing what they should be. He did caution that body cameras still offer a sanitized view of a situation and that videos can be subject to interpretation. Discussion followed on the topic of privacy and both Director White and Attorney Randy Brown shared that case law will help shape body camera programs across the state and nation.

Mayor Strazdas moved on to the topic of other matters that City Council might like to discuss at Committee of the Whole meetings. The consensus of City Council was to take some time to think about it and establish topics at another time.

There were no statements of citizens.

**ADJOURN:** Mayor Strazdas adjourned the meeting at 7:12 p.m.

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Adam Herringa, Deputy City Clerk



SUMMARY ENVIRONMENTAL ACTIVITY REPORT  
June 2015 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) 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. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. The 2 <sup>nd</sup> year of AHC's contract is underway with annual report pending.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. - <i>Review of 5 site/building plans and/or plans completed in June 2015.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	- <i>Sanitary sewer hookup permits issued in June 2015: 1 residential; 2 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. Permitting complete for the 2015 season. Treatment to be performed by Aquatic Services, Inc. The Association has selected to use Restorative Lake Sciences, LLC for consulting services for 2015. Treatment application schedule for mid-June. Follow-up inspection of treatment will be done by Restorative Lake. The West Lake Improvement

association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The 2015 weed treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June.

Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	<p>-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. The 2013 report was received noting minimal impacts. The 2013 report is available on the website for public information. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. Monitoring performed in July 2014 and October 2014. Monthly sampling at two retention basins continues. <i>Current findings show a rise in groundwater levels of approximately eight inches over 2014 levels.</i></p>
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	<p>-Current Wellhead Protection was approved 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. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr &amp; Huber update work currently underway. Wellfield delineation completed. Engineering intern has completed contamination source inventory. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. <i>Letter of approval received from MDEQ on June 15, 2015.</i></p>
Leaf Compost Monitoring Program	Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.	<p>-City Council awarded contract on August 21, 2001 to Soil &amp; 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 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the</p>

leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts.

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. 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. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. *Implementation is ongoing.*

National Pollution Discharge Elimination System (NPDES) Permit Implementation

Kalamazoo River Mainstream 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 Kicser & 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 Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conservation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.

## Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP) Storm Sewer Outfall Testing.

-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections." Program implementation is ongoing. 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. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report will be submitted to MDEQ as part of the annual report. Next report due in July 2015.

Garden Lane Arsenic  
Removal Facility

*Native Prairie Restoration*

Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. *New informational signs are complete and installation is underway.*

Environmental  
Incident/Spill Clean  
Up Notification

Environmental Protection Program to  
assist Portage Police/Fire Departments  
with spill containment and spill  
cleanup.

Emergency spill response contract for 2014-15 with Terra Contracting has been renewed. *The number of environmental incident/spill investigations performed in June – 0. Number of environmental cleanups in June – 0. 2015.*

Southwest Michigan  
Regional  
Sustainability  
Covenant

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

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