

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
March 27, 2012**

7:30 p.m. Call to Order.

Invocation: Mr. Ravi Akkoor of the Hindu Community of Kalamazoo.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of the Regular Meeting Minutes of March 13, 2012.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of March 27, 2012, as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council convene the public hearing on the vacation of a portion of 7130 South Westnedge Avenue and, subsequent to closing the public hearing, take action to vacate this property and authorize the City Manager to execute all documents related to this action on behalf of the city.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

- * 1. Communication from the City Manager recommending that City Council:
 - a. accept Rezoning Application #11-02 for first reading and set a public hearing for April 24, 2012; and
 - b. subsequent to the public hearing, consider approving Rezoning Application #11-02 and rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential, and R-1B, one family residential.
- * 2. Communication from the City Manager recommending that City Council establish a public hearing for April 24, 2012, to consider resolutions to:
 - a. adopt the recommendation that the sewer commodity rate remain \$4.81 per 1,000 gallons of metered water;
 - b. adopt a water commodity rate increase from \$3.10 to \$3.19 per 1,000 gallons of metered water;
 - c. adopt the recommendation that adjustments be made to both the sewer and water base quarterly charges;
 - d. adopt the recommendation that the new rates become effective on October 1, 2012; and
 - e. adopt the recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2012 Utility Rate Financial Study.
- * 3. Communication from the City Manager recommending that City Council adopt a resolution allowing the Portage Department of Public Safety Fire Division to participate in the Mutual Aid Box Alarm System (MABAS) and authorize the City Manager to execute all documents related to this action on behalf of the city.
- * 4. Communication from the City Manager recommending that City Council support the re-establishment of the Romence Road East project (Portage Road to Sprinkle Road) in the 2011-12 Major Street Reconstruction Program and the Kalamazoo Area Transportation Study 2011-14 Transportation Improvement Plan.
- * 5. Communication from the City Manager recommending that City Council authorize the City Manager to provide an equity adjustment to Department Head and full time Non-union employees.

- * 6. Communication from the City Manager recommending that City Council resolve to support a Recreation Passport Grant application to the Michigan Department of Natural Resources for Westfield Park Playground renovations and authorize the City Manager to execute all documents related to the action on behalf of the city.
- * 7. Communication from the City Manager recommending that City Council resolve to submit an application to the Michigan Liquor Control Commission for a Special License for the sale of beer and wine for consumption on the premises at Portage Central Park, 7800 Shaver Road, for *The Taste of Portage* on June 23, 2012, and authorize the City Manager to execute all documents on behalf of the city.
- * 8. Communication from the City Manager recommending that City Council approve the Final Plan for Alkhamis Financial, 7900 Kirkland Court.
- * 9. Communication from the City Manager recommending that City Council establish April 17 and May 1 from 4:30 to 8:30 p.m. for review of the proposed Fiscal Year 2012-2013 Budget.
- * 10. Communication from the City Clerk regarding the February 28, 2012 Presidential Primary Election Results – Information Only.
- * 11. Communication from the City Manager regarding the February 2012 Summary Environmental Activity Report – Information Only.
- * 12. Department Monthly Reports.

G. Communications:

1. Report from the Water and Sewer Rate Committee.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Park Board of February 1, 2012.
2. Portage Human Services Board of February 2, 2012.
3. Portage Environmental Board of February 8, 2012.
4. Portage Zoning Board of Appeals of February 13, 2012.
5. Portage Youth Advisory Committee of February 20, 2012.
6. Portage Planning Commission of March 1, 2012.

J. Ad-Hoc Committee Reports:

1. Communication from the members of the City Council City-School Committee recommending that the Portage City Council, Portage Public School Board and the Portage District Library Board approve the next step with the publication of Top 10 Reasons listing.
2. Presentation from Councilmember Ed Sackley regarding an update on the recent activity of the City Council Sign Ordinance Committee.
3. Presentation from Councilmember Terry Urban regarding an update on the recent activity of the City Council Ethics/Rules/Procedures Committee.

K. New Business:

L. Bid Tabulations:

M. Other City Matters:

1. Statements of Citizens.

2. From City Council and City Manager.
- * 3. Reminder of Meetings:
 - a. Thursday, March 28, 6:00 p.m., Human Services Board, City Hall Room #1.
 - b. Wednesday, April 4, 8:15 a.m., Historic District Commission, City Hall Room #2.
 - c. Wednesday, April 4, 6:30 p.m., Park Board, Schrier Park.
 - d. Thursday, April 5, 7:00 p.m., Planning Commission, Council Chambers.
 - e. Monday, April 9, 6:30 p.m., Youth Advisory Committee, City Hall Room #1.
 - f. Monday, April 9, 7:00 p.m., Zoning Board of Appeals, Council Chambers.

N. Materials Transmitted of March 9, 2012.

Adjournment.

CITY COUNCIL MEETING SUMMARY

March 13, 2012

PROCLAMATION

- ◆ Mayor Strazdas issued the 100 Years of Girl Scouting, 2012 Proclamation.

CHECK REGISTER

- ◆ Approved the Check Register of March 13, 2012, as presented.

PUBLIC HEARING

- ◆ Approved the Tentative Plan Amendment for The Homestead Planned Development, 3821 West Milham Avenue, subject to the conditions outlined in the January 13, 2012 Department of Community Development report: City Council approval of the request to modify the boundaries of the Van Riper historic district; consistent with the 2006 approved tentative and final plans, the access drive for the cottage offices must be moved east, shared with the theme restaurant/office, and align with future development activities planned on the north side of West Milham Avenue; when a final plan for development is submitted involving the existing historic home site, the adequacy of the screening/buffering along the east property line be evaluated and supplemental screening/buffering be required as may be necessary; removal or replacement of the sign located near the south end of the pedestrian path that connects the homestead neighborhood to the Arbutus Trail neighborhood that prohibits "non-Homestead" residents from using this path; and approved the Final Plan for the three McGillicuddy Lane land divisions.

REPORTS FROM THE ADMINISTRATION

- ◆ Adopted the resolution to accept all new streets constructed within new residential plats approved by City Council during the calendar year January 1, 2011, through December 31, 2011, as public streets and adopted the resolution designating a new City of Portage Act 51 Street Administrator.
- ◆ Adopted the Resolution Authorizing Refunding of the City of Portage Capital Improvement Bonds, Series 2003, 2004 and 2005, as well as the Resolution Approving of the Undertaking to Provide Continuing Disclosure.
- ◆ Approved a contract amendment with Emergency Vehicle Products, Inc., for Fire Apparatus Maintenance and Repair through July 31, 2012, with the option of four additional one-year renewals.
- ◆ Approved the *Agreement to Locate Sign in Right-of-Way* for Davis Oil Company (4421 West Centre Avenue) and authorized the City Manager to execute the agreement on behalf of the city.

BID TABULATIONS

- ◆ Awarded a contract to Fedewa, Incorporated, in the not to exceed amount of \$87,900 for the Pineview Water Tower Exterior Renovations; accepted the proposal from Dixon Engineering for testing and inspection in the amount of \$8,200; and authorized the City Manager to execute all documents related to the contracts on behalf of the city.
- ◆ Awarded a one-year contract to Michigan Pavement Markings, LLC, to provide pavement marking services in the amount to not exceed \$86,926 and authorized the City Manager to execute all documents related to this contract and subsequent renewals on behalf of the city.
- ◆ Awarded a contract for the Emergency Sanitary Sewer Lead Repair to Peters Construction Company in the not to exceed amount of \$26,212.87 with the option to renew the contract for two additional one-year periods and authorized the City Manager to execute all documents related to the contract on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Urban highlighted the opening of the new Loaves and Fishes location and emphasized the importance of this service in the community, reflected on his training and plans for contributing to Loaves and Fishes and encouraged citizen participation in the effort.
- ◆ Councilmember Sackley recognized the passing of former Schoolcraft Public Schools Superintendent and past Schoolcraft Village President Loren Warfield and reflected on his cooperation attempts among the various municipalities.
- ◆ City Manager Evans indicated that the City of Portage website at www.portagemi.gov received the Sunny Award which is a top award for transparency in government websites.
- ◆ Mayor Pro Tem Reid reported on the Legislative Café and a collaboration of families, parents and children who discussed a variety of topics related to early education. She also expressed her appreciation and the enthusiasm she experienced when she attended the Regional Forensics Tournament at Portage Northern High School.
- ◆ Mayor Strazdas highlighted Item F.1, Resolutions Accepting New Public Streets and New Act 51 Street Administrator, where City Council assigned more duties to an existing employee, as has happened many times over the last few years in all city departments, which shows that the City of Portage is doing more with fewer employees. Secondly, he highlighted Item L.2, Pavement Marking Services, as a cost-savings intergovernmental effort. Lastly, he reflected on letters he received from reading a book to Moorsbridge Elementary School Fourth Graders, the enjoyment he experienced with the children and the fun he had reading their "thank you" letters.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.

CITY COUNCIL MEETING MINUTES FROM MARCH 13, 2012

DRAFT

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

At the request of Mayor Strazdas, J.D. Markland of the Cherry Creek Community Church in Portage gave the invocation and Boy Scout 244 led City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATION: Mayor Strazdas issued a 100 Years of Girl Scouting, 2012 Proclamation that was read by Councilmember Campbell.

APPROVAL OF MINUTES: On a Point of Order, City Clerk James Hudson indicated that he made some additions to the Ad Hoc Committee Item of the Agenda in the Minutes for City Council review and consideration that included some advisory comments as being critical to the discussion from City Attorney Randy Brown. Motion by Urban, seconded by Reid, to approve the February 18, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Reid to read the Consent Agenda. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MARCH 13, 2012:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of March 13, 2012. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

TENTATIVE PLAN AMENDMENT AND THE FINAL PLAN FOR THE HOMESTEAD PLANNED DEVELOPMENT, 3821 WEST MILHAM AVENUE: Mayor Strazdas opened the Public Hearing and introduced Community Development Director Vicki Georgeau, who provided a history of the proceedings thus far and an overview of the request for approval of a Tentative Plan at 3821 West Milham Avenue, citing some past examples of successes and some of the challenges that lie ahead. Additionally, she mentioned that the applicants, Mr. Patrick Lynch and Mr. Jack Gesmundo, also requested a proposal to modify the boundaries of the Van Riper historic district. She stated that the City Administration recommended approval subject to the conditions outlined in the January 13, 2012 Department of Community Development report that included: the modification of the boundaries of the Van Riper historic district; consistent with the 2006 approved tentative and final plans, the access drive for the cottage offices must be moved east, shared with the theme restaurant/office, and align with future development activities planned on the north side of West Milham Avenue; when a final plan for development is submitted involving the existing historic home site, the adequacy of the screening/buffering along the east property line be evaluated and supplemental screening/buffering be required as may be necessary; removal or replacement of the sign located near the south end of the pedestrian path that connects The Homestead neighborhood to the Arbutus Trail neighborhood that prohibits non-Homestead residents from using this path; and Final Plan approval involving three single family residential land divisions located on the north side of McGillicuddy Lane.

Finally, she indicated that after the Planning Commission convened a public hearing on December 1, 2011, and January 19, 2012, the Planning Commission recommended approval of the Tentative Plan Amendment subject to the aforementioned conditions and recommended that the Final Plan involving three single family residential land divisions located on the north side of McGillicuddy Lane be approved. Discussion followed.

In answer to questions from Mayor Pro Tem Reid, Ms. Georgeau explained the process utilized for further review and evaluation of any proposed screening/buffering modifications.

Mayor Strazdas opened the public hearing for public comment and invited Jack Gesmundo, American Village Builders, 4200 West Centre Avenue, and Patrick Lynch, 10209 Portage Road, to speak.

Mr. Gesmundo explained that The Homestead has been around since 2001 with 52 new homeowners in the last ten years with an average price of \$400,000, making it a first class community of which he and his associates are very proud. He explained that when it was determined that the Villas of Secret Gardens was not going forward, City staff recommended that the project be reconsidered, so his firm performed a new study to determine the highest and best use of the property. He pointed out screening/buffering along the east property line required by city staff for buffering purposes is still in the plan, and he indicated that Mr. Lynch has agreed that property owners could contact him and plant their own trees sooner rather than later to allow for a more mature berm by the time the project begins. He also noted in order to support the Tree City status of Portage, American Village Builders planted over 100 trees in the neighborhood over the last six months, including 44 trees in the storm retention area, 50 trees in the new phase and a dozen trees just last week with most of the trees being 10 to 14 feet tall. He indicated that in the last two years, they have had twelve new homeowners, which he considered was quite good considering the economy, plus he pointed out that American Village Builders is still able to build new homes for new Portage homeowners. Finally, he discussed the need to have a separate drive for the original structure as Mr. Lynch is considering moving into the home and wanted a separate access from the office structures.

Mr. Lynch discussed his interest in having the single family historical home become more consistent with the neighborhood, yet still retain the historic drive in the form of a boulevard as a stately access to this most significant historical home in Portage. He explained his long history of maintaining and restoring homes in Portage that numbers close to thirty buildings, including farm buildings, restored over the years. Discussion followed. In answer to Councilmember Urban and his concerns about the driveway accesses, Mr. Lynch assured him that he envisioned that the historical home would remain a single family residence for the foreseeable future, but he expressed a need and a desire for flexibility. He offered that if it ever went office or commercial that the two drives could be combined or reconfigured as needed. Discussion followed regarding the future process necessary to make modifications before presenting the Final Plan for approval. Discussion followed.

Motion by Reid, seconded by Sackley, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Urban, seconded by Sackley, to approve the Tentative Plan Amendment for The Homestead Planned Development, 3821 West Milham Avenue, subject to the conditions outlined in the January 13, 2012 Department of Community Development report; and following action on the Tentative Plan Amendment, approve the Final Plan for the three McGillicuddy Lane land divisions. At the request of City Attorney Brown, who asked that the four conditions outlined in the January 13, 2012 Department of Community Development report be a part of the motion for the record and that the Final Plan for the three McGillicuddy Lane land divisions be read to be approved without the condition," following action on the Tentative Plan Amendment," motion by Urban, seconded by Sackley, to approve the request to modify the boundaries of the Van Riper historic district; consistent with the 2006 approved tentative and final plans, the access drive for the cottage offices must be moved east, shared with the theme restaurant/office, and align with future development activities planned on the north side of West Milham Avenue; when a final plan for development is submitted involving the existing historic home site, the adequacy of the screening/buffering along the east property line be evaluated and supplemental

screening/buffering be required as may be necessary; removal or replacement of the sign located near the south end of the pedestrian path that connects The Homestead neighborhood to the Arbutus Trail neighborhood that prohibits “non-Homestead” residents from using this path; and approve the Final Plan for the three McGillicuddy Lane land divisions. Upon a roll call vote, motion carried 6 to 0. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

* **RESOLUTIONS ACCEPTING NEW PUBLIC STREETS AND NEW ACT 51 STREET ADMINISTRATOR:** Motion by Reid, seconded by Urban, to adopt the resolution to accept all new streets constructed within new residential plats approved by City Council during the calendar year January 1, 2011, through December 31, 2011, as public streets and the resolution designating a new City of Portage Act 51 Street Administrator. Upon a roll call vote, motion carried 6 to 0.

* **ADOPTION OF BOND REFUNDING RESOLUTION:** Motion by Reid, seconded by Urban, to adopt the Resolution Authorizing Refunding of the City of Portage Capital Improvement Bonds, Series 2003, 2004 and 2005, as well as the Resolution Approving of the Undertaking to Provide Continuing Disclosure. Upon a roll call vote, motion carried 6 to 0.

* **FIRE APPARATUS MAINTENANCE AND REPAIR CONTRACT – INTERGOVERNMENTAL COOPERATION:** Motion by Reid, seconded by Urban, to approve a contract amendment with Emergency Vehicle Products, Inc., for Fire Apparatus Maintenance and Repair through July 31, 2012, with the option of four additional one-year renewals. Upon a roll call vote, motion carried 6 to 0.

* **AGREEMENT TO LOCATE SIGN IN RIGHT-OF-WAY, DAVIS OILCOMPANY, 4421 WEST CENTRE AVENUE:** Motion by Reid, seconded by Urban, to approve the *Agreement to Locate Sign in Right-of-Way* for Davis Oil Company (4421 West Centre Avenue) and authorize the City Manager to execute the agreement on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the:

Portage Historic District Commission of January 11 and February 1, 2012.

Portage Board of Education Regular Meeting of January 30 and Special Meeting and Committee of the Whole Work Session of February 13, 2012.

Portage Human Services Board of February 2, 2012.

Kalamazoo County Board of Commissioners Committee of the Whole and Regular Meeting of February 7 and February 21, 2012.

Portage Planning Commission of February 16, 2012.

BID TABULATIONS:

* **PINEVIEW WATER TOWER EXTERIOR RENOVATIONS:** Motion by Reid, seconded by Urban, to award a contract to Fedewa, Incorporated, in the not to exceed amount of \$87,900 for the Pineview Water Tower Exterior Renovations; accept the proposal from Dixon Engineering for testing and inspection in the amount of \$8,200; 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 6 to 0.

* **PAVEMENT MARKING SERVICES – INTERGOVERNMENTAL COOPERATION:** Motion by Reid, seconded by Urban, to award a one-year contract to Michigan Pavement Markings, LLC, to provide pavement marking services in the amount to not exceed \$86,926 and authorize the City

Manager to execute all documents related to this contract and subsequent renewals on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **SANITARY SEWER LEAD REPAIR:** Motion by Reid, seconded by Urban, to award a contract for the Emergency Sanitary Sewer Lead Repair to Peters Construction Company in the not to exceed amount of \$26,212.87 with the option to renew the contract for two additional one-year periods 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.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban highlighted the opening of the new Loaves and Fishes location and emphasized the importance of this service in the community, reflected on his training and plans for contributing to Loaves and Fishes, and encouraged citizen participation in the effort.

Councilmember Sackley recognized the passing of former Schoolcraft Public Schools Superintendent and past Schoolcraft Village President Loren Warfield and reflected on his cooperation attempts among the various municipalities.

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ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:20 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 19, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of March 27, 2012 as presented.

Attached please find the Accounts Payable Register for the period March 4, 2012 through March 18, 2012, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
03/07/2012	279997	IERVOLINA, SUSAN	2074		.00
03/07/2012	279998	IERVOLINA, SUSAN	2074		.00
03/12/2012	279999	KALAMAZOO COUNTY TREASURER	514		7,030.00
03/16/2012	280000	'DVANCED REAL ESTATE	999999		.00
03/16/2012	280001	AT&T	849		3,685.75
03/16/2012	280002	AT&T	849		49.50
03/16/2012	280003	ACS GOVERNMENT SYS., INC.	3748		5,415.00
03/16/2012	280004	ADVANCED REAL ESTATE	999999		40.00
03/16/2012	280005	AGGRESSIVE INDUSTRIES	1541		101.00
03/16/2012	280006	AIR GAS GREAT LAKES	977		129.97
03/16/2012	280007	ALLEGRA PRINT & IMAGING	533		3,397.21
03/16/2012	280008	AFN	999999		129.95
03/16/2012	280009	TODD ARBANAS ENTERPRISES INC.	1704		6,795.00
03/16/2012	280010	ASSOCIATED GOVERNMENT SERVICES	3554		1,080.00
03/16/2012	280011	ADP, INC.	3305		1,212.60
03/16/2012	280012	AUTOMATION DESIGN & ENTERTAINM	2906		2,972.65
03/16/2012	280013	AUTOMOTIVE CONCEPTS CARSTAR	4399		704.00
03/16/2012	280014	BEACON ATHLETICS	4168		2,555.67
03/16/2012	280015	BEACON CLUB	988		95.00
03/16/2012	280016	BESCO WATER TREATMENT, INC.	3339		29.50
03/16/2012	280017	BEST BUY GOV, LLC	4142		449.99
03/16/2012	280018	BLUE CROSS/BLUE SHIELD OF MICH	642		102,539.02
03/16/2012	280019	BOULDDING, MARILYN	999999		9.36
03/16/2012	280020	BOULIS, ROB	532		74.37
03/16/2012	280021	BRINK'S, INC	153		261.58
03/16/2012	280022	BRONSON METHODIST HOSPITAL	156		400.00
03/16/2012	280023	BUECHLER, JOHN OR BERNADETTE	999999		9.07
03/16/2012	280024	CADWELL APPARELL	1845		75.00
03/16/2012	280025	CAMPBELL AUTO SUPPLY	437		78.88
03/16/2012	280026	CHARTER COMMUNICATIONS	3080		234.50
03/16/2012	280027	CITIZENS BANK	999999		2,132.75
03/16/2012	280028	CITY OF KALAMAZOO (TRANS MILLA	4649		821.09
03/16/2012	280029	CITY OF PORTAGE	177		761.20
03/16/2012	280030	CONSUMERS ENERGY	743		43,214.42
03/16/2012	280032	CONSUMERS ENERGY-BILL PMT CNT	189		40,066.04
03/16/2012	280033	COSTAR REALTY INFORMATION, INC	4620		294.68
03/16/2012	280034	CROSSROADS CAR WASH	195		231.00
03/16/2012	280035	CROSSROADS EXPERT AUTO SERVICE	4109		585.07
03/16/2012	280036	LASZLO CSISZAR	4646		150.00
03/16/2012	280037	DATA CONSTRUCTS LLC	4741		97.95
03/16/2012	280038	DEPATIE FLUID POWER CO., INC.	211		161.92
03/16/2012	280039	DEWOLF & ASSOCIATES, LLC	4374		595.00
03/16/2012	280040	JACK DOHENY SUPPLIES INC.	69		126.19
03/16/2012	280041	DRUG & LABORATORY DISPOSAL INC	4701		1,044.58
03/16/2012	280042	DYLOFF, RANDY	532		250.00
03/16/2012	280043	ECHELBARGER, HIMEBAUGH, TAMM &	4664		3,462.50
03/16/2012	280044	FARM N GARDEN	833		70.00
03/16/2012	280045	FIRE DEPARTMENT TRAINING NETWO	4766		45.00
03/16/2012	280046	FIRST DUE FIRE SUPPLY CO.	4422		100.00
03/16/2012	280047	FRANCIS, DIANA	999999		618.97
03/16/2012	280048	GALL'S, AN ARAMARK COMPANY	25		

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
03/16/2012	280049	GANNETT MICHIGAN NEWSPAPERS	4508	469.00
03/16/2012	280050	GLEESING, KEVIN	532	400.00
03/16/2012	280051	GORDON WATER SYSTEMS	517	243.25
03/16/2012	280052	GRIFFIN PEST CONTROL, INC.	598	1,034.00
03/16/2012	280053	B L HARROUN & SON INC.	124	1,087.01
03/16/2012	280054	HAWKEY, KEVIN	532	701.70
03/16/2012	280055	HIGHWAY IMPROVEMENT COMPANY	3028	1,073.00
03/16/2012	280056	HOBART SALES AND SERVICE	4767	206.35
03/16/2012	280057	HOME DEPOT	691	2,753.38
03/16/2012	280058	IERVOLINA, SUSAN	2074	196.00
03/16/2012	280059	INTERSECT TECHNOLOGIES	379	181.00
03/16/2012	280060	KALAMAZOO COUNTY TREASURER	514	2,136.86
03/16/2012	280061	KALAMAZOO COUNTY TREASURER	999999	298.08
03/16/2012	280062	KALAMAZOO REG'L EDUC SVS AGENC	721	634.83
03/16/2012	280063	KALAMAZOO VALLEY COMMUNITY COL	230	345.64
03/16/2012	280064	KREIS, ENDERLE, HUDGINS	999999	6.51
03/16/2012	280065	KUIPER BROTHERS MOVING INC.	1066	1,511.00
03/16/2012	280066	KZOO TIRE COMPANY	564	670.00
03/16/2012	280067	LANEY, LEONARD & BARBARA	999999	150.00
03/16/2012	280068	LAWSON PRODUCTS, INC	240	2,164.39
03/16/2012	280069	LEWIS PAPER PLACE, INC.	242	93.50
03/16/2012	280070	LUDERS, ROBERT	532	325.00
03/16/2012	280071	M R M A	945	216,989.00
03/16/2012	280072	MAURER'S TEXTILE RENTAL SERVIC	4746	299.14
03/16/2012	280073	MCDADE, SUE	999999	150.00
03/16/2012	280074	MCNALLY ELEVATOR CO.	256	95.82
03/16/2012	280075	MICHIGAN ELECTION RESOURCES, L	264	613.08
03/16/2012	280076	MICHIGAN MUNICIPAL LEAGUE	4515	96.60
03/16/2012	280077	MICHIGAN TAX TRIBUNAL	999999	25.00
03/16/2012	280078	MLIVE MEDIA GROUP	89	330.74
03/16/2012	280079	NATIONAL COUNCIL ON THE AGING	519	145.00
03/16/2012	280080	NEW FRESH CLEANING SERVICE	4351	956.00
03/16/2012	280081	A NEW LEAF	635	85.00
03/16/2012	280082	OBRIEN REAL ESTATE	999999	11.53
03/16/2012	280084	OFFICE DEPOT, INC.	1721	950.73
03/16/2012	280085	ONE WAY PRODUCTS	440	335.40
03/16/2012	280087	PETTY CASH-CITY HALL	767	752.25
03/16/2012	280088	PETTY CASH-FIRE	610	240.50
03/16/2012	280089	PETTY CASH-POLICE DEPT.	890	388.83
03/16/2012	280090	POLDERMAN'S FLOWER SHOP	4157	83.90
03/16/2012	280091	POTRAGE DISTRICT LIBRARY	810	277.58
03/16/2012	280092	POTRAGE PUBLIC SCHOOLS	590	1,363.71
03/16/2012	280093	POTRUDGE, HOWARD & GEORGIA	999999	200.00
03/16/2012	280094	PRIORITY HEALTH	4254	23,892.12
03/16/2012	280095	RATHCO SAFETY SUPPLY, INC.	327	252.20
03/16/2012	280096	RENEWED EARTH, INC.	4686	9,916.66
03/16/2012	280097	REPUBLIC SERVICES OF WEST MICH	4443	42,145.05
03/16/2012	280098	RIDGE AUTO NAPA	438	1,934.47
03/16/2012	280099	RIETH-RILEY CONSTRUCTION CO.,	4386	1,612.90
03/16/2012	280100	ROWLEY BROTHERS, INC.	346	2,289.31
03/16/2012	280101	SANDERSON DEHAAN IRRIGATION	2469	71.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
03/16/2012	280102	SCHMITT, TRACY	532	46.20
03/16/2012	280103	SEVERANCE ELECTRIC COMPANY, INC	333	5,803.56
03/16/2012	280104	SHAHEEN, TANVEER	999999	595.00
03/16/2012	280105	SHERWIN WILLIAMS	356	192.76
03/16/2012	280106	SIGNWRITER & SERIGRAPHICS	2376	145.00
03/16/2012	280107	SNELLING PERSONNEL SERVICES	2107	302.22
03/16/2012	280108	SOUTHWEST MICHIGAN GOV CONSULT	4484	1,712.50
03/16/2012	280109	STATE OF MICHIGAN (MDEQ)	820	200.00
03/16/2012	280110	STATE OF MICHIGAN (MDEQ)	820	75.00
03/16/2012	280111	MICHIGAN SECRETARY OF STATE	2968	208.00
03/16/2012	280112	STATE SYSTEMS RADIO, INC	369	1,240.23
03/16/2012	280113	SYNERGISTIC ONLINE SOLUTIONS	393	1,635.00
03/16/2012	280114	T D S METROCOM, LLC	4539	3,059.78
03/16/2012	280115	T-MOBILE USA INC	3665	29.99
03/16/2012	280116	TAVERMA, TOM	999999	44.00
03/16/2012	280117	TECHNOLOGY SOLUTIONS	4612	2,203.75
03/16/2012	280118	TERMINAL SUPPLY CO.	380	538.92
03/16/2012	280119	TOMPSON PUBLISHING GROUP	385	837.00
03/16/2012	280120	JOHANNA THOMPSON	4682	1,459.25
03/16/2012	280121	TRACTOR SUPPLY CORP.	2817	83.25
03/16/2012	280122	U S BANK	3497	1,125.00
03/16/2012	280123	UNITED PARCEL SERVICE	545	298.67
03/16/2012	280124	WEST MICHIGAN STAMP & SEAL, INC	415	36.70
03/16/2012	280125	WESTERN MICHIGAN INT'L TRUCKS	4306	880.52
03/16/2012	280126	WIGHTMAN JONES, INC.	3785	940.00
03/16/2012	280127	WINDEMULLER ELECTRIC, INC.	3061	16,904.18
03/16/2012	280128	WOLTERS KLUWER LAW & BUSINESS	3141	465.00
03/16/2012	280129	WOLVERINE LAWN SERVICE, INC.	1089	2,368.92
03/16/2012	280130	WRIGHT & MCGILL CO.	999999	60.00
03/16/2012	280131	XEROX CORPORATION	2684	1,855.24
03/16/2012	280132	ZERO WASTE USA, INC.	4435	576.60
03/16/2012	280133	10TH DISTRICT COURT	999999	240.00
03/16/2012	280134	57TH DISTRICT COURT	999999	601.00
03/16/2012	280135	7TH DISTRICT COURT WEST	999999	325.00
03/16/2012	280136	U S POSTMASTER	391	190.00

DATE RANGE TOTAL * 605,145.19 *

PAYMENT NO	VENDOR NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH	BANK CODE
914		ABONMARCHE CONSULTANTS, INC	03/16/2012	2,049.00	072000320000001	0000001	00
915		ANIMAL REMOVAL SERVICE, LLC	03/16/2012	740.00	072000320000002	0000001	00
916		B & B YARDSCAPE	03/16/2012	2,070.00	072000320000003	0000001	00
917		BATTERIES PLUS	03/16/2012	142.40	072000320000004	0000001	00
918		BLUE CARE NETWORK-GREAT LAKES	03/16/2012	60,788.90	072000320000005	0000001	00
919		EMPLOYMENT GROUP, INC.	03/16/2012	5,444.43	072000320000006	0000001	00
920		ENGINEERED PROTECTION SYSTEMS, INC.	03/16/2012	218.25	072000320000007	0000001	00
921		HARTFORD LIFE INSURANCE COMPANY	03/16/2012	7,648.14	072000320000008	0000001	00
922		HI-TECH ELECTRIC CO.	03/16/2012	1,153.96	072000320000009	0000001	00
923		INDUSCO SUPPLY CO., INC.	03/16/2012	996.68	072000320000010	0000001	00
924		KAHN, WILMA	03/16/2012	240.00	072000320000011	0000001	00
925		KEHOE, EDWARD J	03/16/2012	415.00	072000320000012	0000001	00
926		KNAPP ENERGY, INC.	03/16/2012	10,795.00	072000320000013	0000001	00
927		KUSHNER & COMPANY, INC.	03/16/2012	446.70	072000320000014	0000001	00
928		LAND & RESOURCE ENGINEERING & SURVE	03/16/2012	4,947.56	072000320000015	0000001	00
929		MCCARTHY SMITH LAW GROUP, PLC	03/16/2012	9,066.50	072000320000016	0000001	00
930		MEJUR ELECTRIC LLC	03/16/2012	279.00	072000320000017	0000001	00
931		PACIFIC TELEMGT SERV, JAROTH INC	03/16/2012	303.00	072000320000018	0000001	00
932		PRECISION PRINTER SERVICES INC	03/16/2012	581.88	072000320000019	0000001	00
933		PREIN & NEWHOF	03/16/2012	1,900.00	072000320000020	0000001	00
934		QUALITY AIR HEATING & COOLING, INC.	03/16/2012	832.33	072000320000021	0000001	00
935		ROAD EQUIPMENT PARTS CENTER	03/16/2012	609.30	072000320000022	0000001	00
936		S B F/CORONA GRAPHICS	03/16/2012	1,885.62	072000320000023	0000001	00
937		SARCOM, INC	03/16/2012	39,530.02	072000320000024	0000001	00
938		THOMPSON, HELENE	03/16/2012	209.00	072000320000025	0000001	00
939		U S SIGNAL COMPANY, LLC	03/16/2012	549.00	072000320000026	0000001	00
940		UNITED WATER ENVIRONMENTAL SERVICES	03/16/2012	167,775.40	072000320000027	0000001	00
941		VISION SERVICE PLAN INSURANCE CO	03/16/2012	1,905.79	072000320000028	0000001	00
942		360 SERVICES, INC.	03/16/2012	2,799.18	072000320000029	0000001	00

GRAND TOTAL:

336,322.04 NO. OF CHECKS:

29

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 23, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: S. Westnedge Avenue Right-of-Way Vacation (PCOC Property)

ACTION RECOMMENDED: That City Council convene the public hearing on the vacation of a portion of 7130 South Westnedge Avenue and, subsequent to closing the public hearing, take action to vacate this property and authorize the City Manager to execute all documents related to this action on behalf of the city.

On February 28, 2012, City Council adopted a resolution to vacate a portion of street right-of-way located at 7130 South Westnedge Avenue and placed the resolution on file with the City Clerk. Notice regarding this action was published on February 29, 2012 in the Kalamazoo Gazette. No objections to the street right-of-way vacation have been filed.

The 10 foot wide portion of right-of-way traversing the property at 7130 South Westnedge Avenue is not necessary for the present or future use of South Westnedge Avenue. Subject to closing the public hearing, it is recommended that City Council take action to vacate this 10 foot portion of right-of-way and authorize the City Manager to execute all documents related to this action on behalf of the city.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: February 24, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: South Westnedge Avenue Way Right-of-Way Vacation (PCOC Property)

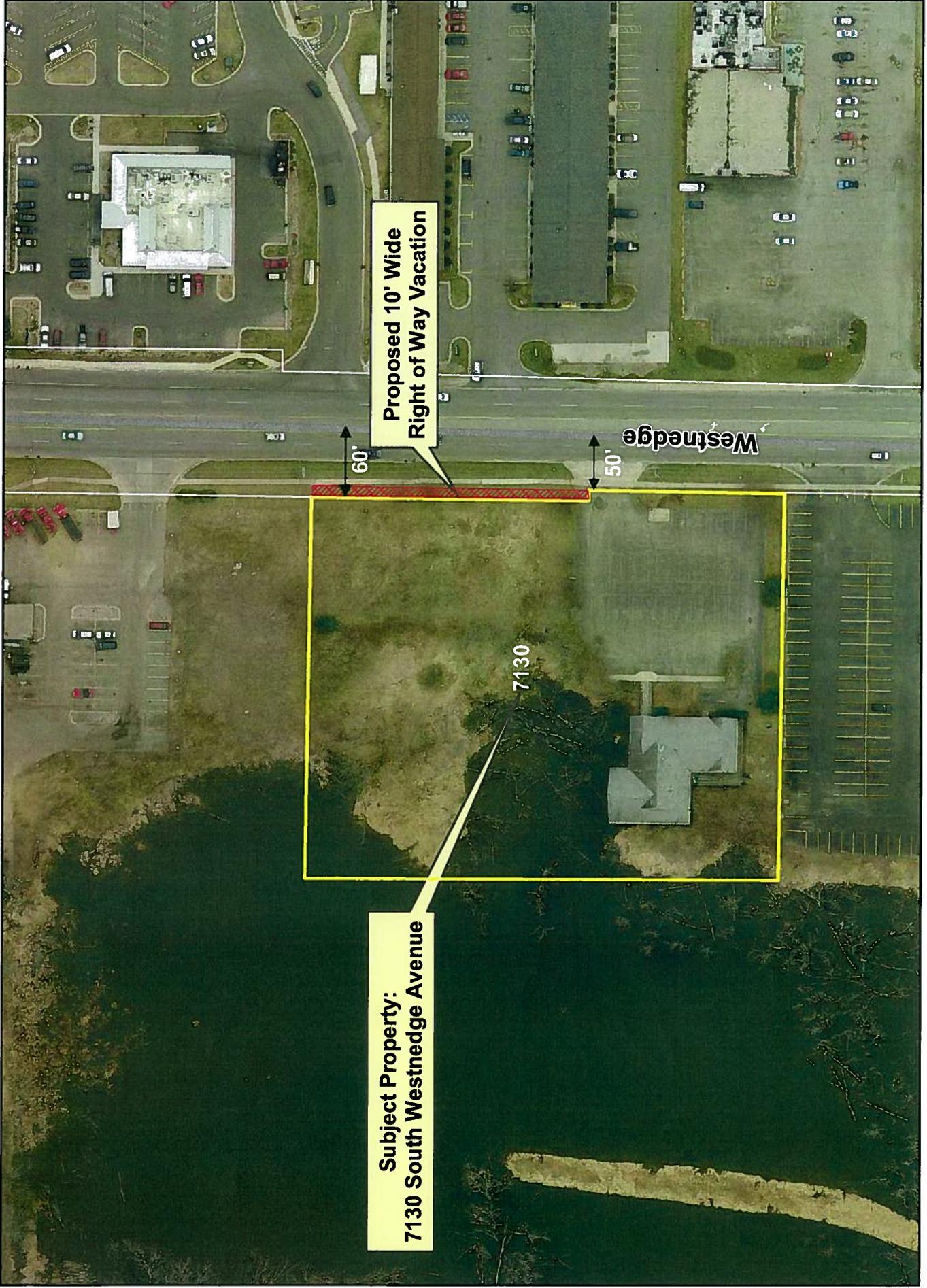
ACTION RECOMMENDED: That City Council approve a resolution setting a public hearing on the vacation of a portion of 7130 South Westnedge Avenue, place the resolution on file with the City Clerk for 28 days and take final action on March 27, 2012 and authorize the City Manager to execute all documents related to this action on behalf of the city.

On March 22, 2011, City Council authorized the City Administration to proceed with efforts to sell a 2.5 acre portion of excess city property at 7130 South Westnedge Avenue. As shown on the attached vicinity map, the parcel is comprised of the former Portage Community Outreach Center (PCOC) facility and vacant property located to the north.

On December 6, 2011, City Council adopted a resolution to sell excess property and accept a purchase offer from Jason Kline & Associates to sell the property. As part of the sales agreement the city agreed to provide a uniform right-of-way width along the parcel frontage on South Westnedge Avenue. To provide a uniform right-of-way, it is appropriate for the city to vacate a 10 foot width along the northern 206 feet of the parcel. The current west half of the right-of-way width along this area of South Westnedge Avenue was obtained by the State of Michigan in 1949 when South Westnedge Avenue was the US-131 state trunkline. At that time, a 60 foot west half right-of-way was acquired along the northern part of the parcel and a 50 feet west half right-of-way was acquired along the southern part. With the exception of the parcel immediately north of the subject property, South Westnedge Avenue generally consists of a 50 foot width right-of-way (west half) both north and south of the subject property and a 50 foot width right-of-way (west half) is consistent and adequate with future transportation plans for this area. Additionally, the 10 feet of additional parcel depth will provide for greater design flexibility and function on the northern part of this parcel.

It is recommended that City Council approve the resolution setting a public hearing on the vacation of a portion of South Westnedge Avenue, place the resolution on file with the City Clerk for 28 days and take final action on March 27, 2012 and authorize the City Manager to execute all documents related to the above on behalf of the city.

Attachment



**Proposed 10' Wide
Right of Way Vacation**

**Subject Property:
7130 South Westnedge Avenue**

7130

Westnedge

60'

50'



**RESOLUTION NO. 1
CITY OF PORTAGE, MICHIGAN**

**RESOLUTION TO SET A PUBLIC HEARING ON THE VACATION
OF A PORTION OF SOUTH WESTNEDGE AVENUE
IN THE CITY OF PORTAGE, MICHIGAN**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on February 28, 2012 at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: Campbell, Pearson, Randall, Reid, Sackley, Strazdas, Urban

ABSENT: None.

The following resolution was offered by:

COUNCILMEMBER: Urban and supported by

COUNCILMEMBER: Reid.

WHEREAS, the City of Portage has entered into a Purchase Agreement with Legacy Building, LLC, (as Assignee of and solely owned by the original Purchaser), to sell property located at 7130 South Westnedge Avenue, Portage, Michigan;

WHEREAS, the property subject to the sale includes a 10 foot wide portion of South Westnedge Avenue right-of-way as described in Exhibit "A";

WHEREAS, the City of Portage has jurisdiction over South Westnedge Avenue, including the 10 foot wide portion;

WHEREAS, to complete the sale of property at 7130 South Westnedge Avenue, it is necessary to vacate the portion of the right-of-way described above;

WHEREAS, the above described right-of-way is not improved, not being used by the traveling public and is not necessary for the present or future use of South Westnedge Avenue;

WHEREAS, it is in the best interest of the health, safety and welfare of the public to vacate said portion of South Westnedge Avenue;

NOW THEREFORE, BE IT RESOLVED that a public hearing be held at 7:30 p.m. on March 27, 2012, or as soon thereafter as may be heard before the City Council at City Hall to consider the request and that all persons interested therein may be heard in support of, or against, said proposed vacation.

BE IT FURTHER RESOLVED, that the City Clerk publish a notice in substantially the form attached as Exhibit "B" on or before the 29th day of February, 2012, giving notice to the public of the City's intent to vacate portions of the above described street.

BE IT FURTHER RESOLVED that a resolution authorizing this action is on file with the City Clerk and open for public inspection. Said document will be so held for twenty-eight (28) days after the publication of this notice and may be inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. After said twenty-eight (28) day period, the Council may take final action and vacate said portions of said streets.

ADOPTED: 7 to 0

AYES: Councilmember Campbell, Pearson, Randall, Reid, Sackley, Strazdas, Urban

NAYS: Councilmember None.

ABSENT: Councilmember None.

James R. Hudson, City Clerk

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, Michigan, and that the foregoing resolution was adopted by the City of Portage on the 28th day of February, 2012.

James R. Hudson, City Clerk

Approved as to form:

Date: 2/23/12
4/23/12

City Attorney

Exhibit "A"

The West 10 feet of the East 60 feet of the North 206.25 feet of the South 701.25 feet of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 16, T35, R11W.

EXHIBIT B

**CITY OF PORTAGE, MICHIGAN
NOTICE OF INTENTION TO VACATE A PORTION OF SOUTH WESTNEDGE AVENUE
IN THE CITY OF PORTAGE, MICHIGAN**

PLEASE TAKE NOTICE, that on the ____ day of _____, 2012, the City Council for the City of Portage adopted a resolution providing notice of intent to vacate a portion of South Westnedge Avenue, as described as follows:

See Exhibit "A".

PLEASE TAKE FURTHER NOTICE that the resolution authorizing this action is on file with the City Clerk and open for public inspection. Said document will be so held by the City Clerk for twenty-eight (28) days after publication of this notice and may be inspected at the Clerk's Office at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Any person(s) objecting to this vacation should make their objection known to the City Council within twenty-eight (28) days of the publication of this notice. After said twenty-eight (28) day period, the City Council may take final action and vacate said portion.

Dated: _____, 2012.

James R. Hudson, City Clerk

**RESOLUTION NO. 2
CITY OF PORTAGE, MICHIGAN**

**RESOLUTION TO VACATE
A PORTION OF SOUTH WESTNEGE AVENUE
IN THE CITY OF PORTAGE, MICHIGAN**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on _____, 2012 at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER: _____ and supported by

COUNCILMEMBER: _____.

WHEREAS, the City of Portage has entered into a Purchase Agreement with Legacy Building, LLC, (as Assignee of and solely owned by the original Purchaser), to sell property located at 7130 South Westnedge Avenue, Portage, Michigan;

WHEREAS, the property subject to the sale includes a 10 foot wide portion of South Westnedge Avenue right-of-way as described in Exhibit "A".

WHEREAS, the City of Portage has jurisdiction over South Westnedge Avenue, including the 10 foot wide portion;

WHEREAS, to complete the sale of property at 7130 South Westnedge Avenue, it is necessary to vacate the portion of the right-of-way described above;

WHEREAS, the above described right-of-way is not improved, not being used by the traveling public and is not necessary for the present or future use of South Westnedge Avenue;

WHEREAS, a public hearing was held on _____ 2012 to give interested persons the opportunity to be heard.

NOW THEREFORE, BE IT RESOLVED that the City Council determines that the above described 10 feet of South Westnedge Avenue be vacated.

BE IT FURTHER RESOLVED, the City Council determines that it is in the best interest of the health, safety and welfare of the public to vacate said portion of the above street.

BE IT FURTHER RESOLVED, that the City Clerk shall cause a certified copy of this resolution to be recorded in the office of the Register of Deeds for the Kalamazoo County, and another certified copy of this resolution to be sent to the Department of Commerce and State Treasurer, State of Michigan, and that until so recorded, this resolution is to have no force or effect.

ADOPTED: _____

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

James R. Hudson, City Clerk

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, Michigan, and that the foregoing resolution was adopted by the City of Portage on the ____ day of _____, 2012.

James R. Hudson, City Clerk

Approved as to form:

Date: 2/23/12

Ren

City Attorney

Exhibit "A"

The West 10 feet of the East 60 feet of the North 206.25 feet of the South 701.25 feet of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 16, T35, R11W.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 16, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

ACTION RECOMMENDED: That City Council:

- a. accept Rezoning Application #11-02 for first reading and set a public hearing for April 24, 2012; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-02 and rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential and R-1B, one family residential.

An application has been received from Mr. Nathan Cronenwett requesting that his property at 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet in depth. According to the applicant, the rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa. In 1994, City Council rezoned the subject property from I-1, light industry to RM-2, multiple family residential with the exception of the north 75-feet, which was rezoned to R-1B, one family residential in order to serve as a buffer to the adjacent single family residential subdivision to the north.

In a report dated February 24, 2012, the Department of Community Development recommended that the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service while keeping the remainder of the property zoned RM-2, multiple family residential and R-1B, one family residential (Alternative 3). This recommended zoning change is consistent with the Comprehensive Plan and would 1) afford the applicant office redevelopment options along the West Centre Avenue frontage; 2) retain the RM-2 zoning within the middle portion of the parcel (approximately 668 feet) for uses permitted in the district or for conveyance to an adjacent property owner; and 3) preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

The Planning Commission convened a public hearing during its February 16 and March 1, 2012 meetings. After considering the proposed rezoning and public comment, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 and that the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service maintaining the remainder of the property as zoned RM-2, multiple family residential and R-1B, one family residential.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: March 16, 2012

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

SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

An application has been received from Mr. Nathan Cronenwett requesting that 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet of depth. The rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa.

The Future Land Use Map designates the rezoning site as appropriate for medium density residential but in an area of transition between office uses and low density residential. Properties to the west of the rezoning site are designated for office land use, with a depth extending approximately 400-feet north of West Centre Avenue. Adjacent properties to the east are designated for medium density residential land use, while properties located along the south side of West Centre Avenue are identified as appropriate for office land use. The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors and indicates that offices are an important "transitional" use between higher intensity uses and major streets and interior residential neighborhoods.

In a report dated February 24, 2012, the Department of Community Development has recommended that Rezoning Application #11-02 be approved and the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. This recommended rezoning (Alternative 3 in staff report) is consistent with the Comprehensive Plan and would afford the applicant office redevelopment options along the West Centre Avenue frontage, retain the RM-2 zoning within the middle portion of the parcel (approximately 668-feet) for uses permitted in the district or for conveyance to an adjacent property owner; and would preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

The Planning Commission convened a public hearing during the February 16th and March 1st, 2012 meetings. Mr. Nathan Cronenwett (applicant) was present to support the application at both meetings. During the February 16th meeting, one citizen (Jim Bischoff, 1119 Tanglewood Drive) spoke and requested the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and any OS-1 zoning change be limited to the southern portion of the site. No citizens spoke during the March 1st meeting. After careful consideration, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 (southern 539.5 feet be rezoned to OS-1 and remainder of property remain zoned RM-2 and R-1B).

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

Attachments: Planning Commission transmittal dated March 16, 2012
Planning Commission Minutes dated February 16th and March 1st, 2012
Department of Community Development report dated February 24, 2012
Ordinance Amendments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: March 16, 2012

SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

The Planning Commission convened a public hearing during the February 16th and March 1st, 2012 meetings to consider a request from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-1, multiple family residential and R-1B, one family residential, to OS-1, office service. Mr. Cronenwett was present at both meetings to support the rezoning request. At the February 16th meeting, one citizen (Mr. Jim Bischoff, 1119 Tanglewood Drive) spoke and requested that the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and also suggested any OS-1 zoning change be limited to the southern portion of the property. While no additional citizens spoke during the March 1, 2012 meeting, a letter from Jim and Sandy Bischoff (1119 Tanglewood Drive) and John and Judy Provancher (7711 Ravenswood Drive) was received and considered by the Commission.

After a careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 and the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. The motion was unanimously approved 8-0.

Sincerely,



James Cheesebro, Chairman
City of Portage Planning Commission

PLANNING COMMISSION

February 16, 2012

The City of Portage Planning Commission meeting of February 16, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Mark Siegfried, Dave Felicijan, Rick Bosch and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Miko Dargitz, Paul Welch and Allan Reiff.

IN ATTENDANCE:

Michael West, Assistant City Planner and Randall Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the February 2, 2012 meeting minutes. A motion was offered by Commissioner Bosch, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Preliminary Report: Rezoning Application #11-02, 1106 West Centre Avenue. Mr. West summarized the preliminary staff report dated February 10, 2012 regarding a request received from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. Mr. West stated the rezoning was being requested to facilitate redevelopment of the property for a hair salon/spa. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing RM-2 zone and the potential impacts of the proposed OS-1 zone.

Mr. Nathan Cronenwett was present to support the rezoning request and explain his plans to demolish the vacant single family home and construct a hair salon/spa along the southern portion of the property. Mr. Cronenwett stated he has no immediate plans to develop the northern portion of the property and also does not want the 75-foot R-1B buffer rezoned. Mr. Cronenwett also stated that he recently spoke with the owner of the Spruce Creek Apartments facility to the east and there was no interest at this time to purchase the northern portion of the property. The public hearing was then opened by Chairman Cheesebro. One citizen (Jim Bischoff, 1119 Tanglewood Drive) spoke in regards to the proposed rezoning. Mr. Bischoff requested that the 75-foot R-B zoned buffer along the northern portion of the site be preserved and possibly increased to 100-feet. Mr. Bischoff also suggested that any OS-1 zoning change be limited to the southern portion of the

property, to a depth similar to the Portage Printing site. No additional citizens spoke regarding the proposed rezoning.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to adjourn Rezoning Application#11-02, 1106 West Centre Avenue, to the March 1, 2012 meeting. The motion was unanimously approved.

OLD BUSINESS:

None

STATEMENT OF CITIZENS:

None

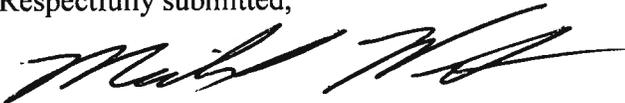
NEW BUSINESS:

None

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,



Michael West, AICP
Assistant City Planner

PLANNING COMMISSION

March 1, 2012

The City of Portage Planning Commission meeting of March 1, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eight citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Mark Siegfried, Rick Bosch, Miko Dargitz, Paul Welch, Allan Reiff and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Dave Felicijan.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the February 16, 2012 meeting minutes. A motion was offered by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Final Report: Rezoning Application #11-02, 1106 West Centre Avenue. Mr. West summarized the final staff report dated February 24, 2012 regarding a request received from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. Mr. West stated the rezoning was being requested to facilitate redevelopment of the property for a hair salon/spa. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing RM-2 zone, potential impacts of the proposed OS-1 zone and alternatives available

for Planning Commission consideration. Mr. West indicated that staff was recommending Rezoning Application #11-02 be approved and the southern 539.5 feet be rezoned to OS-1 and the remainder of the property remained zoned RM-2 and R-1B. The staff recommendation is consistent with the Future Land Use Map and Comprehensive Plan designations and would afford the applicant office redevelopment options along the West Centre Avenue frontage while retaining the RM-2 zoning within the north portion of the parcel for future use or sale and 75-foot R-1B buffer zone adjacent to the existing single-family residential neighborhood.

Mr. Nathan Cronenwett was present to support the rezoning request. The public hearing was reconvened by Chairman Cheesebro. No additional citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Welch, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application#11-02, 1106 West Centre Avenue, be approved and the southern 539.5 feet be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. The motion was unanimously approved.

2. Preliminary Report: Tentative Plan Amendment (Oakland Hills at Centre PD), 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. Mr. Forth summarized the preliminary staff report dated February 24, 2012 regarding a request received from American Village Development II, LLC to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development. Mr. Forth summarized the proposed amendment that involves the addition of a 150-foot tall wireless telecommunication tower ("mono-pine") within the designated office area along Oakland Drive, revision to the residential layout and reduction in the overall number of units from 116 to 107, revision to the layout of the office area along West Centre Avenue and Oakland Drive and an update to the project phasing timeline. Mr. Forth also referred the Commission to a March 1, 2012 communication from Attorney James Marquardt, representing William Nuyen and Mangwn Properties, Inc., owners of the adjacent properties to the north of the proposed mono-pine.

Mr. Greg Dobson of American Village Development (AVD) II, LLC was present to explain the proposed tentative plan amendment and discuss the proposed mono-pine tower. Mr. Bill Buck and Mr. Scott Hubble, Verizon Wireless, were also present to speak in support of the proposed mono-pine tower. Mr. Dobson discussed the history of property acquisition and site development within the planned development and summarized the proposed changes since the 2009 approval. Mr. Dobson discussed the proposed location of the mono-pine tower within a natural clearing area and the desire to preserve the mature tree line along Oakland Drive. Mr. Dobson also stated the equipment enclosure around the tower would include upgraded vinyl fencing and landscaping. Mr. Dobson indicated that it was very important to AVD that the structure has a high quality appearance within the development. Mr. Buck discussed the pine tree appearance for the tower and noted the maintenance is less than compared to a flag pole design. Mr. Buck also discussed the design standards and the probability of a structural failure. Mr. Buck stated the branches are designed with withstand hurricane forces and the pole do not blow over. Mr. Hubble discussed the range of cellular coverage (1-3 miles) the mono-pine tower would provide at the proposed location.

The Commission and the applicant discussed ownership of the PD open space within the overall PD area, proposed location of the mono-pine tower and proximity to the north property line, appearance and maintenance of the mono-pine tower and cellular coverage in the surrounding area. The public hearing was then opened by Chairman Cheesebro.

Mr. James Marquardt, attorney representing Mr. William Nuyen and Mangwn Properties Inc. (owners of 8040 Oakland Drive and 2109 West Centre Avenue), spoke in regards to the proposed mono-pine tower. Attorney Marquardt referred the Commission to his March 1, 2012 correspondence and stated his client does not object to the overall development, but has concerns about the proposed location and setback of the mono-

TO: Planning Commission **DATE:** February 24, 2012
FROM: Vicki Georgeau, ^{VA} Director of Community Development
SUBJECT: Final Report: Rezoning Application #11-02, 1106 West Centre Avenue

I. INTRODUCTION:

An application has been received from Mr. Nathan Cronenwett requesting that 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet of depth. The approximate north half of the property is 165 feet in width. According to the applicant, the rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa.

Applicant	Property Address	Description	Zoning	
			Existing	Proposed
Nathan Cronenwett	1106 West Centre Avenue	Parcel 00016-510-O	RM-2 and R-1B <small>(north 75-feet)</small>	OS-1
One parcel - 3.92 acres				

II. EXISTING CONDITIONS:

Land Use/Zoning	<p><u>Rezoning Site:</u> Vacant single-family dwelling (1,160 square feet) and attached garage (528 square feet) that were previously in foreclosure. The dwelling and garage are located at the south end of the property adjacent to West Centre. The remaining portion of this larger parcel is wooded and undeveloped.</p> <p><u>West:</u> Portage Printing (1116 West Centre) zoned I-1, light industry and St. Catherine of Sienna Catholic Church (1150 West Centre) zoned R-1B, one family residential.</p> <p><u>East:</u> Portage Pines/Spruce Creek Apartments/Fountainview Retirement Village zoned RM-2, multiple family residential.</p> <p><u>North:</u> Single family residences zoned R-1B, one family residential.</p> <p><u>South:</u> Across West Centre Avenue, various industrial and office land uses zoned I-1, light industry and OS-1, office service.</p>
Zoning/Development History	<p>No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan.</p> <p>In 1994, 1106 West Centre Avenue was rezoned from I-1, light industry to RM-2, multiple family residential with the exception of the north 75-feet, which was rezoned to R-1B, one family residential to serve as a buffer to the adjacent single family residential subdivision to the north. In 1987, the adjacent parcels to the east were rezoned from I-1, light industry to RM-2, multiple family residential.</p>
Historic District/Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Centre Avenue is designated as a five-lane major arterial with 22,788 vehicles per day (2010); capacity of 34,200 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify any wetlands and/or floodplains near the rezoning site.

III. PUBLIC REVIEW/COMMENT

The Planning Commission convened a public hearing on February 16, 2012. The applicant, Mr. Nathan Cronenwett, was present to support the rezoning request. Mr. Jim Bischoff, 1106 Tanglewood Drive, requested that the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and possibly increased to 100-feet. Mr. Bischoff also suggested any OS-1 zoning change be limited to the southern portion of the property, to a depth similar to the Portage Printing site.

IV. FINAL ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the rezoning site as appropriate for medium density residential but in an area of transition between office uses and low density residential. Properties to the west of the rezoning site are designated for office land use, with a depth extending approximately 400-feet north of West Centre Avenue. The remaining interior properties to the north are designated for low density residential land use. Adjacent properties to the east are designated for medium density residential land use, while properties located along the south side of West Centre Avenue are identified as appropriate for office land use.

The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors, with Milham Avenue designated as the other office corridor. Furthermore, the Comprehensive Plan indicates that offices are an important “transitional” use between higher intensity uses and major streets and interior residential neighborhoods.

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

Suitability of Existing RM-2 and R-1B Zones/Impacts of Proposed OS-1 Zone. The existing RM-2 zoning designation is consistent with the Future Land Use Map and the adjacent multiple family residential land use to the east. If developed as currently zoned, the property could accommodate approximately 28 one-bedroom multiple-family dwelling units, 19 two-bedroom units or 23 one/two-bedroom units (the actual number of dwelling units may be less due the configuration and size of the property). While personal service establishments, such as a hair salon/spa, are allowed in the RM-2 district when accessory to other permitted uses, a hair salon/spa as proposed by the applicant is not permitted in the RM-2 zone.

An office zoning district could also be considered consistent with the plan designation given the office designation to the south and west, identification of West Centre Avenue as an office corridor and adjacent nonresidential uses (printing business and church). Additionally, office uses typically have less impact on adjacent residential uses due to limited hours of operation, less traffic volumes and a building style and mass similar to residential structures. Uses permitted in the OS-1 district, and not in the RM-1/RM-2 districts, include executive, administrative and professional offices, medical offices and clinics, banks and credit unions, art and photographic studios as well as personal service establishments. If the property were developed with OS-1 zoning, approximately 40,000 square feet of office building area could be constructed (the actual area may be less due to the configuration and size of the property). Since the subject site is situated adjacent to single family residential zoning, office buildings would be limited to one-story and 25-feet in height. Additional Zoning Code requirements for screening, buffering, lighting and noise designed to mitigate adverse impacts on adjacent residential properties would also be applicable with any office redevelopment project.

With regard to the 75 feet of R-1B, one-family residential zoning located at the north end, this area was rezoned from I-1, light industrial to R-1B in 1994 to buffer the existing residential neighborhood to the north from future development activities.

Traffic Considerations. As noted above, if the entire property was rezoned to OS-1 and redeveloped, the 3.92 acre site could accommodate approximately 40,000 square feet of office building area based on 25% lot coverage. The ITE Trip Generation Manual, Sixth Edition, indicates that an administrative office of this size would generate approximately 657 vehicle trip ends (329 vehicles) on an average weekday. A medical office building of the same size would generate approximately 1,421 vehicle trips (711) vehicles on an average weekday. If the property were developed as currently zoned and 28 one-bedroom, 19 two-bedroom or 23 one/two-bedroom dwelling units were constructed on the site, approximately 224 (112 vehicles), 144 (72 vehicles), or 184 (92 vehicles), vehicle trip ends, respectively, would be generated on an average weekday. The traffic generated by either an office or multi-family type of development would not adversely impact the surrounding roadway network. Specific access management related issues including proposed access location, shared and/or cross access will be reviewed during the site plan stage of redevelopment.

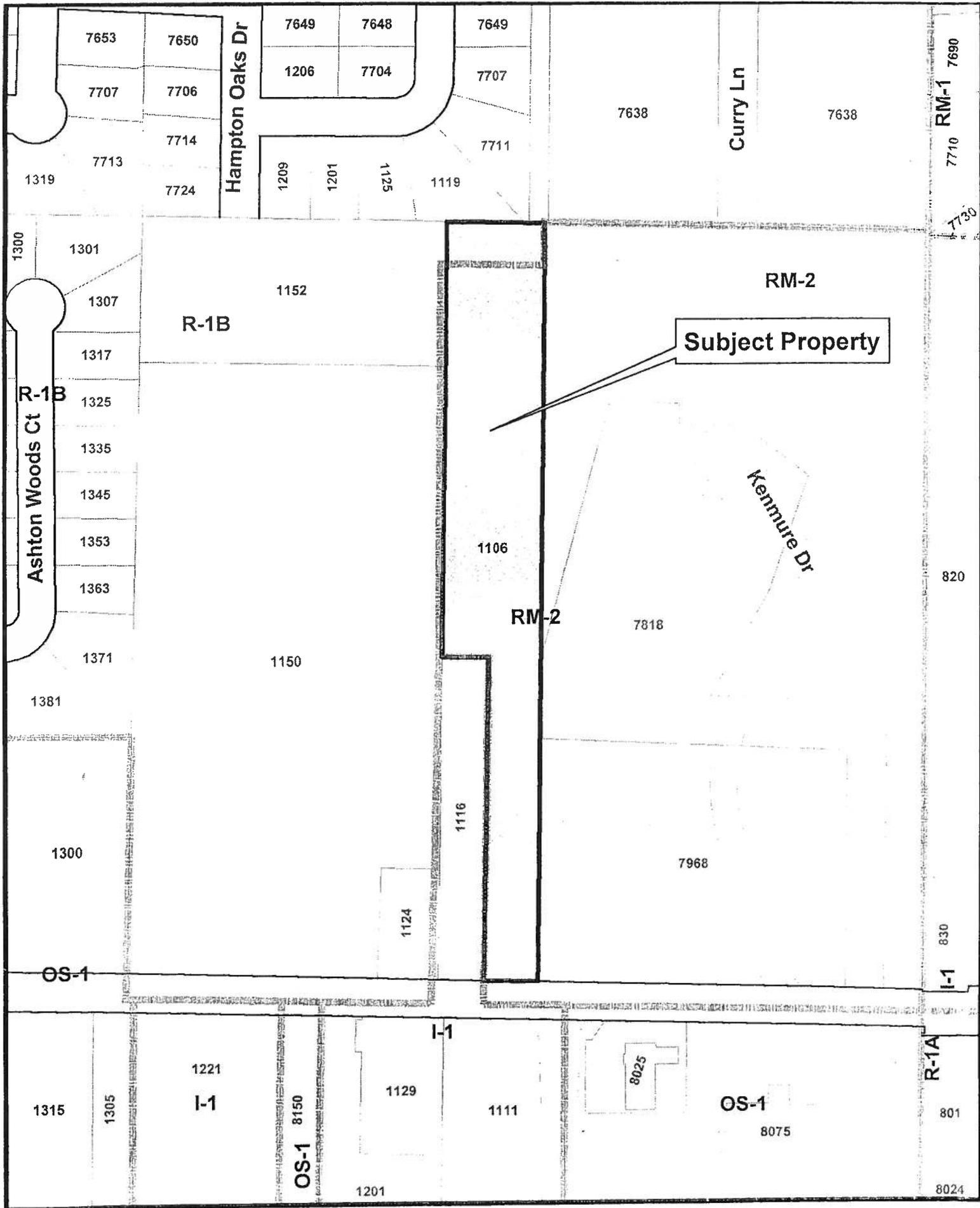
V. RECOMMENDATION:

Several alternatives are available for Planning Commission consideration including the following:

- 1) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the entire parcel be rezoned to OS-1, office service.
- 2) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the entire parcel, with the exception of the north 75-feet, be rezoned to OS-1, office service.
- 3) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the southern 539.5 feet be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential.
- 4) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, not be approved and the existing zoning pattern be retained.

Staff recommends Alternative 3. Rezoning the south 539.5 feet of the property to OS-1, office service would be consistent with the Future Land Use Map and Comprehensive Plan designations and would be the same depth of the adjacent Portage Printing parcel to the west. This alternative would 1) afford the applicant office redevelopment options along the West Centre Avenue frontage; 2) retain the RM-2 zoning within the middle portion of the parcel (approximately 668-feet) for uses permitted in the district or for conveyance to an adjacent property owner; and 3) preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

Attachments: Zoning/Vicinity Map
 Future Land Use Map
 Aerial Photograph Map
 Staff Recommended Alternative #3
 Development Guidelines Table (OS-1)
 Rezoning Application and Attachments
 Communications Received



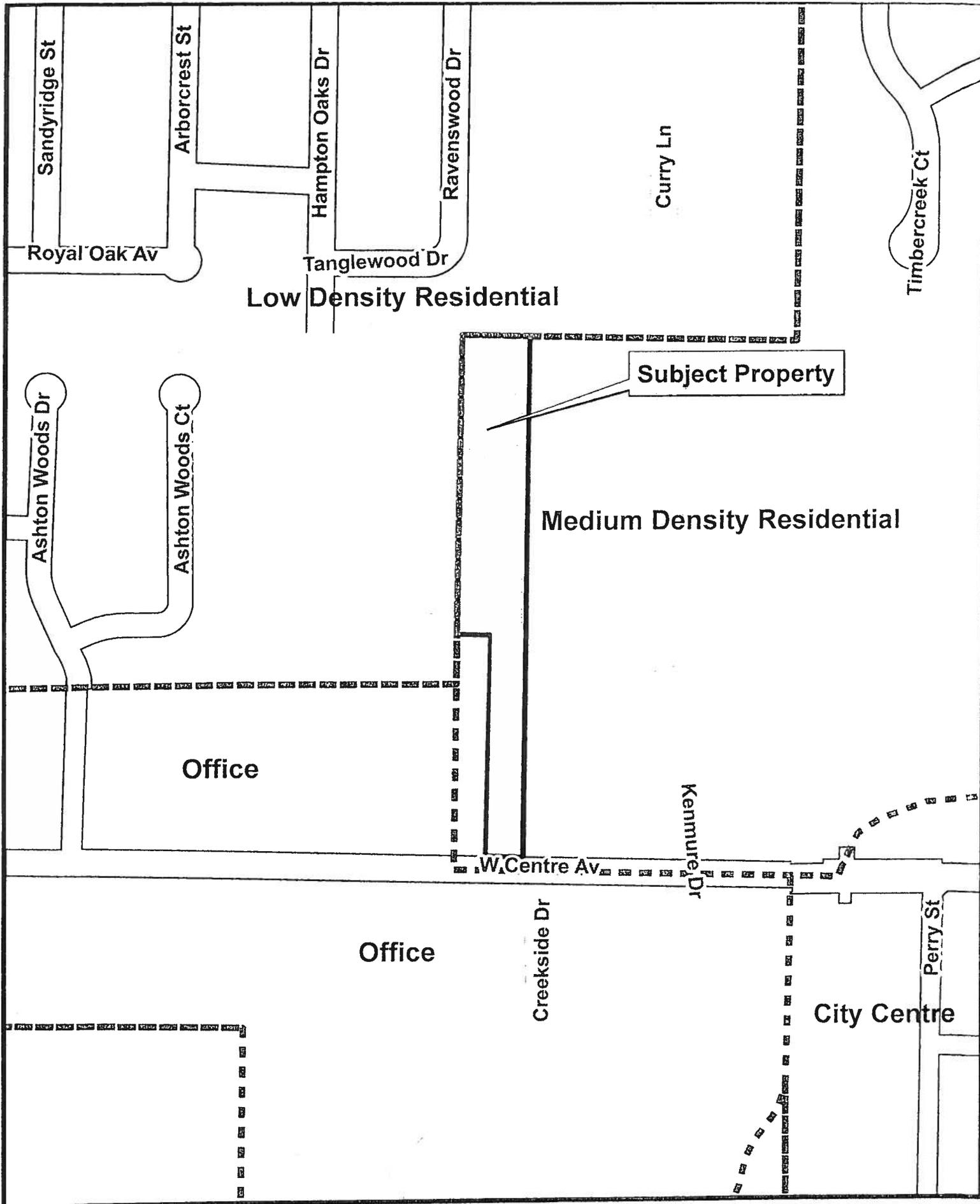
 Zoning Boundary
 Subject Property

Rezoning #11-02

1106 West Centre Avenue



1 inch = 207 feet



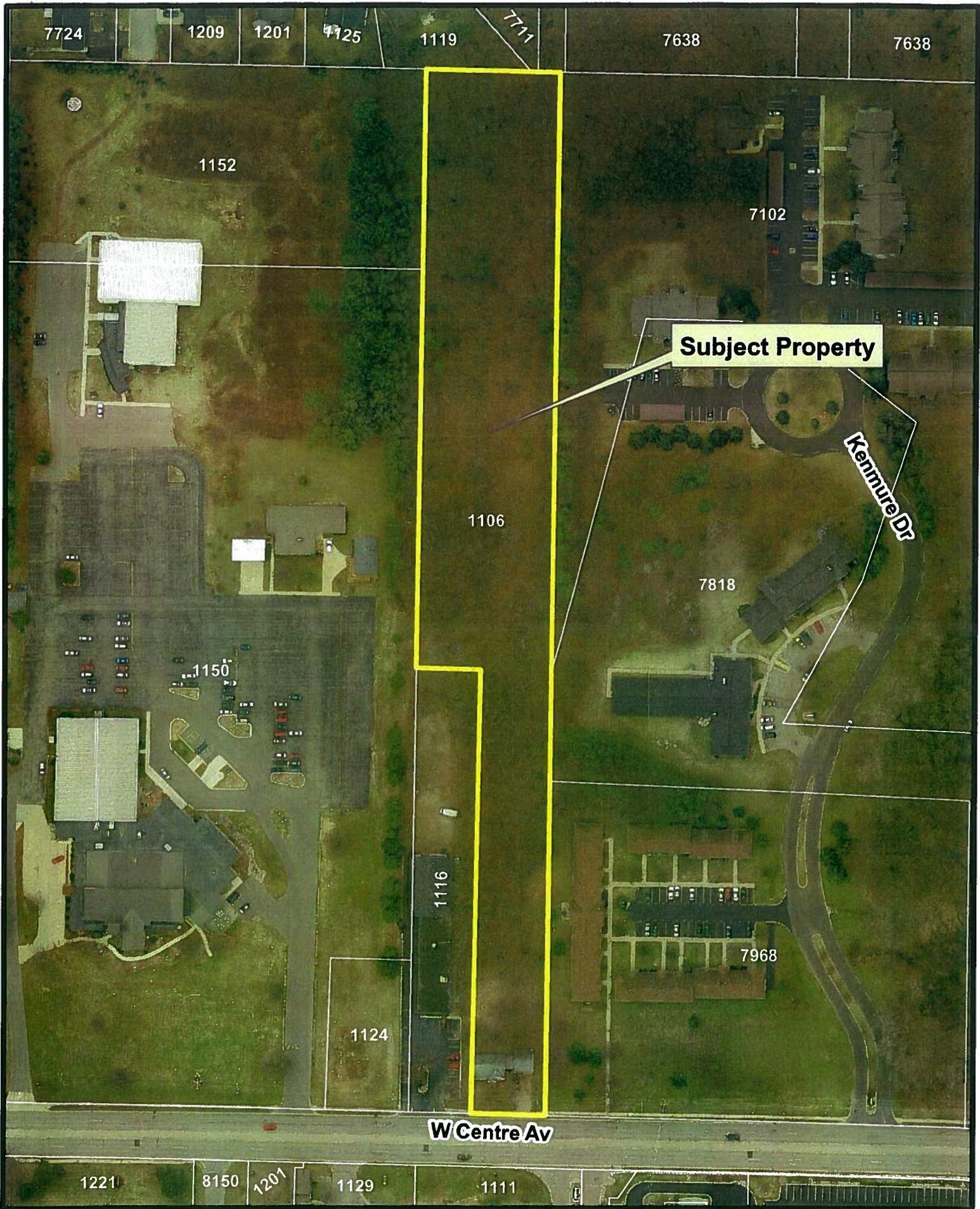
 Future Land Use
 Subject Property

Future Land Use Map

1106 West Centre Avenue



1 inch = 300 feet

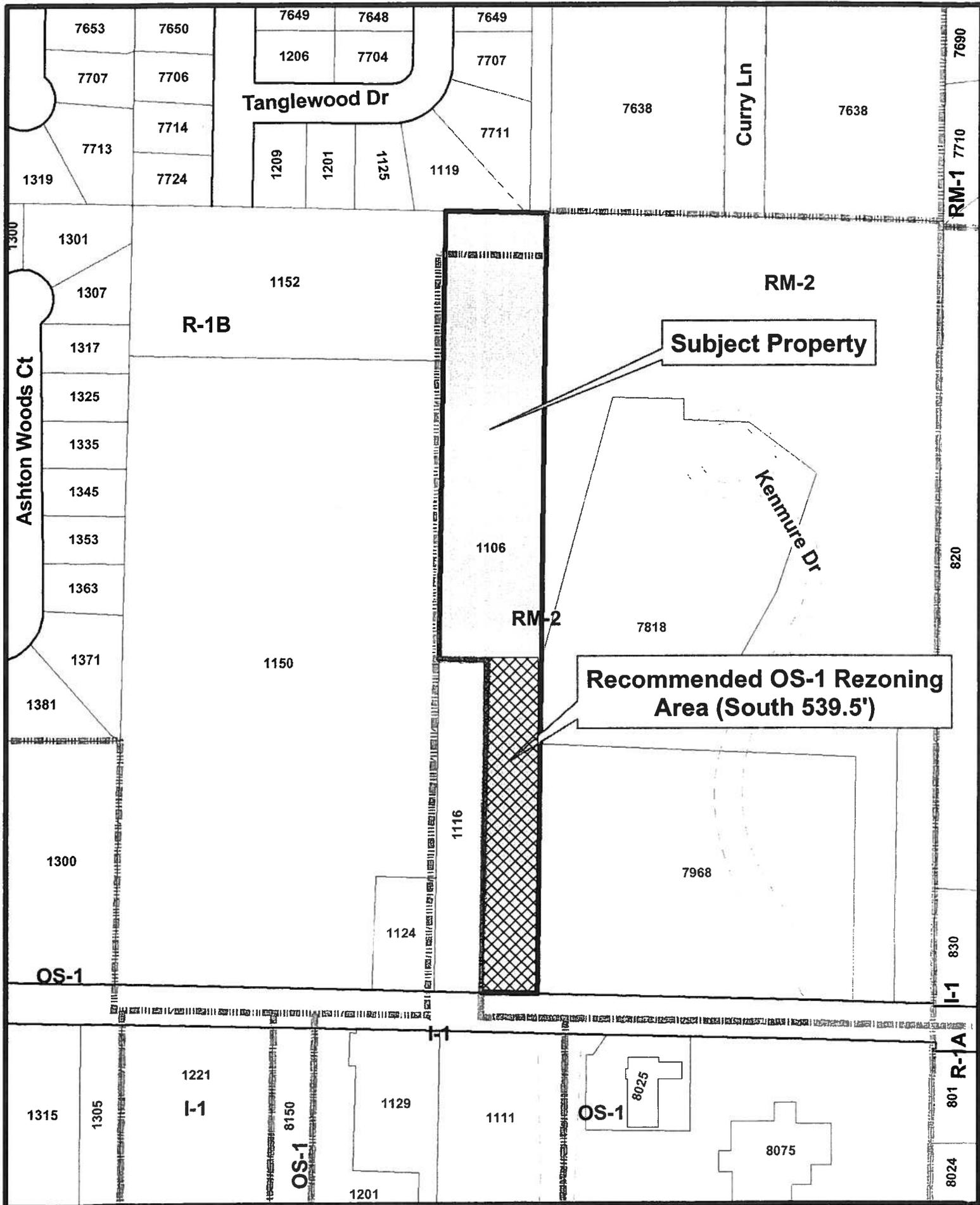


Aerial Photography
1106 West Centre Avenue

 Subject Property



1 inch = 150 feet



Subject Property

Recommended OS-1 Rezoning Area (South 539.5')

Alternative #3

1106 West Centre Avenue



 Zoning Boundary
 Subject Property

1 inch = 200 feet

DEVELOPMENT GUIDELINES
Rezoning Application #11-02 (OS-1, Office Service)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	Yes	Future Land Use Map designates the rezoning site as appropriate for medium density residential land use, but also in a zone of transition between office and low density residential land use. Properties to the west are designated for office land use with a depth extending approximately 400-feet north of West Centre Avenue. Properties located along the south side of West Centre Avenue are also designated for office land use. The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors and further indicates that offices are an important “transitional” use between higher intensity uses and major streets and interior residential neighborhoods.
Commercial – 1	Coordinated Development	Yes	Applicant proposes demolition of the vacant single family residence and garage and redevelopment of the southern portion of the parcel for a hair salon/spa.
Commercial – 2	Commercial/Office Uses in General	Yes	Rezoning site is located along West Centre Avenue, a major arterial street, with ingress/egress occurring from this major thoroughfare.
Commercial – 6	Office/Commercial Site Design	Yes	Since the zoning lot is located adjacent to single family residential zoning/land use, office buildings would be limited to one-story and 25-feet in height. Conflicting land use screening would also be required where adjacent to residential zoning and/or land use. Issues associated with screening, buffering, landscaping, access, sidewalks, etc. would be reviewed when a site plan is submitted.
Natural & Historic Resources - 1	Environmental Protection	Yes	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, etc).
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Reviewed as part of a site plan submittal.
Natural & Historic Resources – 4	Noise	Yes	Reviewed as part of a site plan submittal.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Historic buildings are not present at the rezoning site.
Transportation – 1	Transportation Systems	Yes	West Centre Avenue is a five-lane major arterial street with 22,788 vehicles per day (2010); and a capacity of 34,200 vehicles per day (level of service “D”). Anticipated traffic can be accommodated.
Transportation – 2	Street Design	Yes	Rezoning site has frontage along West Centre Avenue (major arterial). Access associated with redevelopment project would be reviewed as part of a site plan submittal.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed as part of a site plan submittal.
Transportation – 6	Parking	Yes	Reviewed as part of a site plan submittal.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services –3	Underground Utilities	Yes	Reviewed as part of a site plan submittal.

APPLICATION FOR ZONING AMENDMENT

Application number #11-2

Date 1-16-12

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

RECEIVED
JAN 16 2012
COMMUNITY DEVELOPMENT

ZONING MAP AMENDMENT

1. a. **Platted Land:**

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

b. **Unplatted Land:**

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

The property sought to be rezoned is located at 1106 W Centre Ave. Between Oakland Dr. and Shaver Rd.
The property parcel number is: 00016-510-0. The property has 3.75 acres with a road frontage of 90ft and an overall depth of 1282ft.

2. a. Do you own the property to be rezoned? Yes No

b. Name of the owner of the property to be rezoned: Nathan Cronenwett

Address 9111 Austin Dr. Portage, MI 49002

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

Amendment: I purchased this property with the intrest of building a salon and spa at this location. The property is currently zoned multi-family residential but it is located between many different zonings, light industrial, office, and multi-family residential. The future land use for this property is on the border between office service zoning and multi-family residential.

4. CURRENT ZONING: RM-2 Multi-Family Residential **PROPOSED ZONING:** OS-1 Office Service

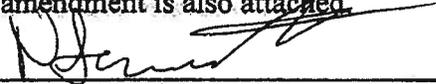
ZONING TEXT AMENDMENT

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

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

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

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



(Signature of Applicant)

(Signature of Applicant)

9111 Austin Dr. Portage MI 49002

(Address)

(Address)

(269) 217-7789

(Phone)

(Phone)

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

1106 W Centre Ave Zoning Change Request

Dear Portage Planning Commission,

I purchased the property at 1106 W Centre Ave. late last year. My business partner and I are hoping and eager to start building a new salon and spa on the property. Our vision for the business is to provide the high-end service that we see a need for in Portage. In order for us to accomplish our plan we will need to change the zoning out my property from Multi-Family Residential to Office Service.

Current Zoning

The property is currently zoned RM-2 Multi-Family Residential. We would like to have this zoning changed to OS-1 for Office and Service. The Property resides next to Portage Printing which is zoned I-1 light industrial and Portage Pines and Spruce Creek Apartments which are also zoned RM-2. It also resides next to many other OS-1 zoned service businesses.

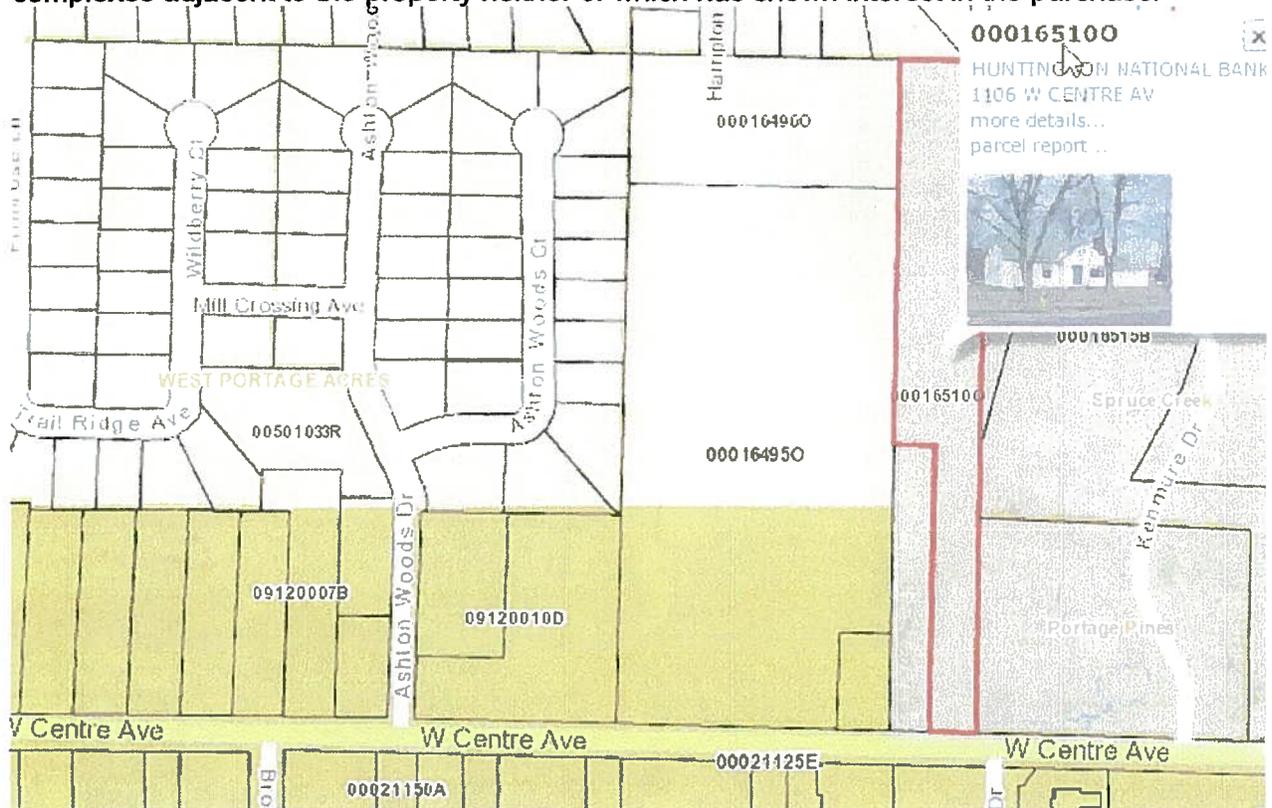


RM-2

OS-1

Future Land Use

The future land use for this property is on the line between OS-1 and RM-2. This property really does not lend itself to future RM-2 development due to the long skinny nature. Future development in RM-2 zoning would require a purchase from either of the two existing apartment complexes adjacent to the property neither of which has shown interest in the purchase.



I respectfully request the Portage Planning Commissions consideration towards changing the zoning of my property from RM-2 to OS-1. This will allow us to continue our business and create more jobs in the area.

Thank You,

Nate Cronenwett P.E.
9111 Austin Dr.
Portage MI, 49002
(269) 217-7789

Jim & Sandy Bischoff, 1119 Tanglewood Dr., Portage, MI 49024
John & Judy Provancher, 7711 Ravenswood Dr., Portage, MI 49024

RECEIVED
FEB 21 2012
COMMUNITY DEVELOPMENT

February 21, 2012

Mr. Michael West, AICP
Assistant City Planner
Department of Community Development
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: Proposed Rezoning, Application #11-2, Parcel #00016-510-0 / 1106 W. Centre Ave.

Dear Mr. West,

It is our understanding that the subject parcel is currently zoned RM-2, multiple family residential and that the applicant is requesting a rezone to OS-1, office service.

We are comfortable with the applicant's stated wishes to build a one-story building and appropriate parking area for use as an upscale beauty salon and spa. And further, that the building and parking area will be located close to Centre Avenue.

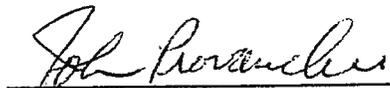
Since the applicant needs and intends to use only the south portion of the parcel to the approximate depth of 539' (same as the Portage Printing parcel),

We respectfully request that:

- 1) Only the south 539' portion of the parcel be rezoned to OS-1 to meet the applicants needs and that the northern remainder of the parcel (approximately 742') stay unchanged at RM-2.
- 2) The current north end buffer to 1119 Tanglewood and 7711 Ravenswood of 75' remain unchanged.

Thank you in advance for rezoning to meet the needs and wishes of the applicant and the neighbors and to comply with the City Plan.


Jim Bischoff


John Provancher


Sandy Bischoff


Judy Provancher

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND
ALL OTHER INTERESTED PERSONS.**

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2012, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 16, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1106 West Centre Avenue	00016-510-O

The South 539.5 feet be rezoned from RM-2, multiple family residential to OS-1, office service, or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

James R. Hudson, City Clerk

(App #11-02)

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 16, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1106 West Centre Avenue	00016-510-O

The South 539.5 feet be rezoned from RM-2, multiple family residential to OS-1, office service.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2012.

James R. Hudson, City Clerk

(App #11-02)

Approved as to Form:

Date: 3/14/12

By: RS

City Attorney

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 22, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: 2012 Utility Rate Financial Study

ACTION RECOMMENDED: That City Council establish a public hearing for April 24, 2012 to consider resolutions to:

- a. adopt the recommendation that the sewer commodity rate remain \$4.81 per 1,000 gallons of metered water;
- b. adopt a water commodity rate increase from \$3.10 to \$3.19 per 1,000 gallons of metered water;
- c. adopt the recommendation that adjustments be made to both the sewer and water base quarterly charges;
- d. adopt the recommendation that the new rates become effective on October 1, 2012; and
- e. adopt the recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2012 Utility Rate Financial Study.

The City Council Water/Sewer (Utility) Rate Study Committee (Mayor Pro Tem Reid, Councilmembers Pearson and Sackley, citizens Jeffrey Breneman and Ted W. Vliek, Sr.) has completed a review of the 2012 Utility Rate Financial Study as prepared by the City Administration. The 2012 Utility Rate Financial Study focuses on ensuring the financial health and stability of the utility system, while dealing with unique challenges such as continued increases in cost for sewage treatment by the City of Kalamazoo and unfunded mandates by the federal government regarding much lower levels of arsenic in public water supplies.

On November 16, 2010 City Council awarded Utility Financial Solutions, LLC (UFS) a contract to perform the 2011 Water and Wastewater Rate Study. The purpose of the UFS analysis was to determine the actual cost to provide water and wastewater services to the utility customers. The proposed 2012-13 utility rates are based in large part on the results of the comprehensive analysis performed by UFS.

The cost of service analysis prepared by UFS showed that the former rate structure was insufficient to ensure the receipt of revenues necessary to cover the fixed costs of the utility. To address this issue, the proposed 2011-12 rates began the trend of shifting revenue collection based on the quarterly (meter) charges while keeping the commodity rate increases in line with normal inflationary costs. A copy of the 2012 Utility Rate Financial Study, including UFS water and wastewater reports, is included under separate cover in Materials Transmitted of March 23, 2012.

Due to the level of debt that has accumulated in the utility funds, the increased debt attributable to the Garden Lane Arsenic Removal Facility project, combined with increasing sanitary sewer treatment charges from the City of Kalamazoo, a continued increase for utility charges will be necessary to ensure the long-term financial viability of the utility funds. An adequate balance of cash must be maintained to ensure the operation of the utility and to make debt payments. It is essential that sufficient resources are available within the utility funds to meet obligations in order to avoid the need for subsidy by non-utility related funds.

In 2008 the city received a letter from the State of Michigan requiring a financial plan to rectify the Water Fund deficit. The city has followed the plan submitted to the State of Michigan to eliminate the Water Fund deficit by 2013-2014. Water and sanitary sewer rate increases required to eliminate the deficit and meet the conditions in the financial plan submitted to the State of Michigan have been substantial since 2008. The City Administration continues to implement an action plan consisting of the following elements:

1. The focus of the utility rate review has changed to give additional consideration to working capital, debt service and fund balance with the utility funds. More specifically:
 - a. In addition to the current revenue/expenditure analysis, a working capital analysis is performed. The yearly analysis includes necessary cash elements to ensure that adequate funds are available to meet ongoing obligations.
 - b. Even with increasing sewage treatment costs, the Sewer Fund will be able to maintain a positive working capital balance. However, the Water Fund and the Utility Fund as a whole are not projected to achieve a positive working capital balance until fiscal year 2013-14.
 - c. A minimum debt coverage ratio of 1.25 has been established and targeted in future years. This standard ensures adequate funds are available to meet debt payments, support variations in sales due to wet summers, fluctuating treatment costs and other such variables, as they may occur.
 - d. Levels of cash will be re-established over time and then maintained within the range of approximately 3 to 4 months of current liabilities for each fund. This currently translates to approximately \$2.8 million for the Sewer Fund and \$2.9 million for the Water Fund.
2. Outstanding bond issues will continue to be reviewed/recommended for potential refinancing to save interest charges and lower expenses to the utility funds.
3. The City Administration has examined planned future capital expenditures during development of the 2012-22 Capital Improvement Program and reprogrammed projects, where possible, to limit additional major capital expenditures over the next several years.
4. The City Administration will continue to investigate opportunities in areas of utility fund operations in the interest of further reducing operating expenses of the utility funds over time.

The projected revenues, expenditures and resulting rate modifications in the Sewer Fund and Water Fund as contained in the 2012 Utility Rate Financial Study for fiscal year 2012-13 result in a combined rate increase of 4.85% to the typical residential customer. Projected rate increases for the combined funds for 2013-14 through 2016-17 reduce from 2.73% to 0.93% in the 2012 Utility Rate Financial Study.

For fiscal year 2012-13, the sewer commodity rate is recommended to remain at \$4.81 per thousand gallons of metered water. The water commodity rate is recommended to increase from \$3.10 to \$3.19 per thousand gallons of metered water. Basic quarterly charges for both sewer and water use, which are calculated to provide funding for certain fixed costs for the utility systems, are recommended to be increased to meet current expenditures.

The net effect of the combined sewer and water rate recommendations on the typical residential customer is an overall utility rate increase of 4.85%. The combined utility rate recommendations represent an annual increase of approximately \$41.00 (from approximately \$844.80 per year to approximately \$885.80 per year) for the typical residential customer with both public sewer and water service. On a monthly basis, the recommended rates would result in an increased monthly cost of \$3.41 to the typical residential customer.

Items less significant in dollar amount but still important to the continuing financial health of the utility systems were also reviewed by the City Council Water/Sewer Utility Rate Study Committee. It is essential that the amount charged for these services recover the costs to provide such services. If charges are inadequate to allow for recovery of costs, rate payers subsidize the service provided.

Charges and fees that were reviewed in the context of the 2012 Utility Rate Financial Study include water connection charges, meter charges, meter box charges, hydrant meter charges and water processing fees. Recommended changes to current charges are summarized as follows:

- Establish basic quarterly charges for 4 inch, 6 inch, 8 inch, 10 inch, 12 inch and 16 inch fire protection service connections at \$15, \$35, \$60, \$95, \$135 and \$240, respectively;
- An increase to the initial deposit for installation of a meter on a fire hydrant to \$250 and increasing the minimum charge for the meter to \$150, which includes the use of up to 15,000 gallons of water. The commodity charge of \$4.50 per thousand gallons be increased to \$6.40 for all water used over 15,000 gallons from fire hydrants;
- Establish a charge of \$135 for hydrant flow testing;
- An increase of the charge for the processing fee associated with turn-on or shut-off of a water service from \$40 to \$50, except that the initial turn-on for first time customers and turn-offs for customer repair will be at no charge. When it is necessary for the city to dispatch a person to turn on water during non-business hours, the processing fee increases from \$80 to \$100;
- A decrease of the flat rate for non-metered sewer customers from 20,000 to 15,000 gallons;

- A decrease of the sewer billing cap for residential customers having a zero water meter reading in the quarter that contains January from 20,000 to 15,000 gallons; and
- Continuation of the effective date for rate adjustments as of October 1.

Following a thorough review and analysis of the 2012 Utility Rate Financial Study, the City Council Water/Sewer Utility Rate Study Committee voted unanimously to recommend water and sewer rates and charges as proposed.

It is recommended that City Council establish a public hearing on April 24, 2012 for consideration of the proposed rates and charges as set forth in the 2012 Utility Rate Financial Study.

Attachment

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 22, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Mutual Aid Box Alarm System (MABAS)

ACTION RECOMMENDED: That City Council adopt a resolution allowing the Portage Department of Public Safety Fire Division to participate in the Mutual Aid Box Alarm System (MABAS) and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Mutual Aid Box Alarm System (MABAS) bridges the gap between local mutual aid agreements and the Michigan Emergency Management Assistance Compact (MEMAC). Mutual aid agreements currently exist between the City of Portage and other local governments in Kalamazoo County. If the City of Portage fully expends all of its public safety resources in response to a manmade or natural disaster, the city could acquire additional resources through mutual aid. In the event the incident is not localized, but is widespread, the city's neighboring municipalities may be in a similar situation and unable to provide aid.

MEMAC can only be used if a State Declaration of Emergency exists. Such a declaration is dependent upon the state government and may require a prolonged period of time or not occur at all. MABAS member cities can request and receive aid from any other MABAS organization without a State Declaration or an individual mutual aid agreement. As a result, MABAS fills the gap between local mutual aid agreements and the MEMAC, providing immediate assistance from a much broader range of providers.

It is recommended that City Council approve the resolution to join the Michigan Mutual Aid Box Alarm System (MABAS) and authorize the City Manager to execute all documents related to this action on behalf of the city. Locally, the townships of Oshtemo and Texas have passed similar resolutions to join MABAS.

**RESOLUTION FOR APPROVAL OF THE PORTAGE DEPARTMENT OF
PUBLIC SAFETY FIRE DIVISION TO PARTICIPATE IN
THE MICHIGAN MUTUAL AID BOX ALARM (MABAS) DIVISION**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on _____, 2012 at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER: _____ and supported by

COUNCILMEMBER: _____.

WHEREAS: The City of Portage has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency services, technical rescue, hazardous incident response, and other emergency response services ("Fire Service"); and

WHEREAS, Fire services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster ("Incidents"); and

WHEREAS, the Michigan Constitution of 1963, Article 7, § 28m and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501 et seq. (the "Act"), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately; and

WHEREAS, the City of Portage desires to enter into an interlocal agreement, pursuant to the Act, to further improve Fire Services; and

WHEREAS, the Mutual Aid Box Alarm System (MABAS), is a mechanism that may be used for deploying personnel and equipment in a multi-jurisdictional or multi-agency emergency mutual aid response; and

WHEREAS, as a result of entering into an interlocal agreement to further improve Fire Services, the Parties are creating the Kalamazoo MABAS Division; and

WHEREAS, the City of Portage has the authority to execute this Agreement pursuant to resolution of its governing body; and

WHEREAS The City of Portage desires to commit personnel and equipment to another Party if deemed reasonable upon the request of another Party; and

NOW, THEREFORE BE IT RESOLVED: The City of Portage finds it is the best interest of its citizens from a safety and fiscal standpoint to enter into the Interlocal Agreement creating the Kalamazoo County MABAS Division and agrees to appoint one member to the MABAS Executive Board.

ADOPTED: _____

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

James R. Hudson, City Clerk

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage, Michigan, and that the foregoing resolution was adopted by the City of Portage on the ____ day of _____, 2012.

James R. Hudson, City Clerk

APPROVED AS TO FORM
DATE 3/14/12
Ken
CITY ATTORNEY

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 19, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Major Street Reconstruction Program

ACTION RECOMMENDED: That City Council support the re-establishment of the Romence Road East project (Portage Road to Sprinkle Road) in the 2011-12 Major Street Reconstruction Program and the Kalamazoo Area Transportation Study 2011-14 Transportation Improvement Plan.

On May 24, 2011, City Council supported the substitution of West Centre Avenue (Shaver Road to Oakland Drive) for Romence Road Parkway (Lovers Lane to Sprinkle Road) in the 2011-12 Major Street Reconstruction Program. The Major Street Reconstruction Program is intended to provide funding for major and collector street reconstruction. Funds for the Major Street Reconstruction Program come primarily from the Municipal Street Fund millage and Federal Surface Transportation program (STP) funds. The STP funds are allocated to local agencies through the Kalamazoo Area Transportation Study (KATS) via a four-year Transportation Improvement Plan (TIP) approved by the KATS Policy Committee. The substitution was approved by the Kalamazoo Area Transportation Study (KATS) for inclusion in the 2011-14 TIP. The West Centre Avenue project (Shaver Road to Oakland Drive) has now been awarded and is scheduled for construction during the upcoming construction season.

On March 12, 2012, the City Administration was made aware that additional federal funds would be available in the KATS district for projects capable of being obligated before September 1, 2012. Based on traffic volume, pavement condition, project condition, and federal aid eligibility, the City Administration is recommending that Romence Road East (Portage Road to Sprinkle Road) be re-established in the TIP to utilize these available federal funds (\$84,000).

This section of Romence Road (Romence Road East, Portage Road to Sprinkle Road) has the lowest pavement condition rating of the city's major streets and is a major city industrial transportation corridor. The proposed improvement project will complement the recent traffic signal modernization at the Sprinkle Road/Romence Road East/Bishop Avenue intersection. The adjacent section of Romence Road Parkway (Lovers Lane to Portage Road) will be programmed as funds become available in the future.

Total cost of the project is established at \$458,000 with \$84,000 in federal funds and \$374,000 from the Major Street Reconstruction Program fund. Local funds are available based on fund

balance and favorable bids received for past road construction projects. Acceptance of this project reestablishment will enable the Romence Road East project (Portage Road to Sprinkle Road) to be included for funding assistance in Federal Fiscal Year 2012, with funds then being obligated in September 2012 for construction in 2013.

It is recommended that City Council support the re-establishment of the Romence Road East project (Portage Road to Sprinkle Road) in the 2011-12 Major Street Reconstruction Program and the Kalamazoo Area Transportation Study 2011-14 Transportation Improvement Plan.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 23, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Equity Adjustment

ACTION RECOMMENDED: That City Council authorize the City Manager to provide an equity adjustment to Department Head and full time Non-union employees.

As the Council is aware, the city for many years has implemented expenditure control measures including the limiting of employee related long term financial liabilities. Most recently and directly impacting upon the city work force, the number of full-time employees has been reduced by 36 full time positions (approximately 17%) since fiscal year 2005-2006. Furthermore, the majority of city represented and non-represented employees have foregone pay adjustments over the past two to three years, the exception being International Association of Fire Fighter represented employees. Finally, benefit levels have been altered whereby all employees are assuming a greater share of health insurance related expenses. The contributions of city employee groups in assisting with the financial challenges being addressed by the city have generally been accomplished with the support of those involved.

During most recent contract renewals with the United Auto Workers (UAW) and Portage Police Command Officer Association (PPCOA) labor groups, small compensation adjustments were negotiated and provided in recognition of the lack of pay increases over the past two to three years. As approved by Council, depending on the bargaining unit group these adjustments consisted of a signing bonus award equivalent to approximately 1 percent to 1.5 percent of average base pay. In addition, City Council also authorized a contractual bonus award of between 1 percent and 1.5 percent of base salary effective July 1, 2012 for UAW and PPCOA represented employees. Negotiations are underway with the Portage Police Officer Association (PPOA) membership for a replacement labor agreement with a city proposal to provide similar adjustments. International Association of Fire Fighter (IAFF) employees have received base compensation adjustments over the past 5 years in accordance with a labor agreement entered in 2007, including a 2.5 percent increase during this final year of the agreement. Negotiations with the IAFF are underway for a replacement labor agreement that expires June 30, 2012.

As the majority of union represented employees have now received compensation adjustments in the form of a signing bonus or contractual wage increase for fiscal year 2011-2012 (the exception being the PPOA which is currently under negotiation), an equity adjustment applicable to Department Head and full time Non-union employees is being recommended. While the

Department Head and Non-union personnel do not have bargaining privileges, it is important that the non-unionized work force be treated fairly in comparison with other city employee groups.

Given the reduction in employer related health insurance premium expense resulting from the enactment of Public Act 152, the city is in a position to offer an equity adjustment for Department Head and full-time Non-union employees in the range of those authorized by City Council for the represented employee groups. Accordingly, in recognition of the lack of pay increases over the past three years I am requesting approval of City Council to present non-represented full time employees with an equity adjustment bonus (in lieu of a wage increase) of approximately 1.00 percent to 1.25 percent of base salary, effective April 2, 2012. A bonus award will also be included for Council consideration in the fiscal year 2012-2013 proposed budget for Department Head and full time Non-union employees, similar to those that have been recently authorized by City Council for unionized employee groups.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 21, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Westfield Park Grant Application

ACTION RECOMMENDED: That City Council resolve to support a Recreation Passport Grant application to the Michigan Department of Natural Resources for Westfield Park Playground renovations and authorize the City Manager to execute all documents related to the action on behalf of the city.

The Recreation Passport Grant program provides funds for the development of community parks and recreation facilities. Governmental units in the state may apply for matching funds through an application process coordinated by the Michigan Department of Natural Resources (MDNR). Projects submitted must have a resolution of support from the local unit of government to be eligible for funding. During the meeting of March 7, 2012, the Park Board held a public discussion session and reviewed the grant application for Westfield Park Development as summarized below. The Park Board unanimously supported submission of this project proposal to the MDNR for grant funding consideration (attached).

Westfield Park was acquired by the city in 1974 and has been developed into a popular, well-utilized park facility attracting thousands of annual visitors to the playground, picnic, basketball, volleyball, tennis, softball, and soccer facilities. The approved 2011-2012 Capital Improvement Program (CIP) identifies funding for the renovation of the playground facility through a combination of city and Community Development Block Grant (CDBG) funds. However, due to federal funding reductions, the CDBG funds are no longer available. A \$45,000 Recreation Passport Grant is being sought, that combined with a \$20,000 city match of CIP funding will allow for a \$65,000 project.

The Westfield Park playground was constructed in 1992 and is the oldest play structure remaining in the city park system. The structure style is no longer in fabrication and repair/upgrade parts are not available. Due to age and safety issues, several pieces of the structure have been removed, which has diminished user benefit. The proposed project will replace the existing playground structure with a new structure that meets all current Americans with Disabilities Act and playground safety standards. The project will emphasize accessibility through prudent design and use of a unitary surface under and around the new structure. The Westfield Park playground renovation project will significantly enhance park patron opportunities and encourage increased facility use.

It is recommended that Council resolve to support submission of a \$45,000 MDNR Recreation Passport Grant application supplemented by a city match of \$20,000 CIP funds and authorize the City Manager to execute all documents related to the action on behalf of the city.

Attachments

CITY OF PORTAGE

PARK BOARD

7900 SOUTH WESTNEDGE AVENUE, PORTAGE, MI 49002

March 8, 2012

Honorable Mayor and City Council

Re: Westfield Park Playground – Recreation Passport Grant Application

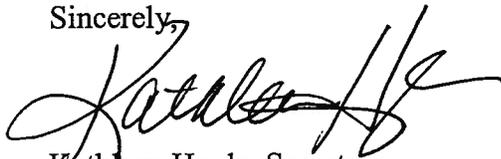
Dear Mayor Strazdas and City Council:

During our March 7, 2012 meeting, the Portage Park Board participated in public discussion regarding a proposed Recreation Passport Grant application for renovations to the Westfield Park playground. Following this discussion, the Park Board moved to support submission of this grant application.

The City of Portage has taken a leadership role in the region to provide park facilities that serve the community and surrounding jurisdictions. The Westfield Park playground is in need of renovation to meet current and future needs. Each year we hold a meeting at Westfield Park where surrounding residents are invited to attend. A common request from these residents is renovation of the playground. These citizens have commented that the structure is in need of repair or replacement due to age and potential safety issues.

The Portage Park Board would request City Council support for the Westfield Park Recreation Passport Grant application.

Sincerely,



Kathleen Hoyle, Secretary
Portage Park Board

c: William M. Deming, Portage Parks Director

**CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN**

RESOLUTION

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the 27th day of March, 2012, at 7:30 p.m. local time.

PRESENT: _____

ABSENT: _____

Resolution offered by: _____

Seconded by: _____

RESOLVED, that the Portage City Council does hereby support the following project:

The Westfield Park Development Project for Recreation Passport Grant program application to be submitted to the Michigan Department of Natural Resources for \$45,000 in grant funds, supplemented by \$20,000 in local match cash funds and undertake the project should state or federal funds be made available.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

YEAS: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

James R. Hudson, City Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 27th day of March, 2012, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this 27th day of March, 2012.

James R. Hudson, City Clerk

Prepared by:
Randall L. Brown
City Attorney
1662 East Centre Avenue
Portage, MI 49002

Approved as to form:
Date: 3/5/12
RLB

City Attorney

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor & City Council

DATE: March 21, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Application for Special License for Sale of Beer, Wine and Spirits

ACTION RECOMMENDED: That City Council resolve to submit an application to the Michigan Liquor Control Commission for a Special License for the sale of beer and wine for consumption on the premises at Portage Central Park, 7800 Shaver Road, for *The Taste of Portage* on June 23, 2012 and authorize the City Manager to execute all documents on behalf of the city.

The City of Portage Summer Entertainment Series (SES) has for many years been a self-funded program, relying on grants, donations and event revenue to offset program costs. In order for the SES to be self-sustaining, fees have been established for most events and alternative revenue sources are continually utilized where appropriate.

In an effort to generate critical revenue necessary for continuing a vibrant SES, it is proposed that the sale of beer and wine be approved for one event in 2012. The seventh annual *Taste of Portage* will be held in Central Park on June 23, 2012. The sale of alcohol has been recommended by city staff, volunteers, participating restaurants and past patrons as important to making the *Taste of Portage* the regional draw envisioned. Alcohol has been provided for several years without incident and generates over \$1,000 annually in program revenue.

The Parks and Recreation Department, along with the Public Safety Department Police Division have worked cooperatively to develop controls in order to ensure safe and successful events where alcohol is served. Wristbands will be issued to participants over 21 years of age and drink tickets will be sold separately. Park Rangers and Cultural Event staff members will monitor and patrol the Central Park perimeter, limiting access to the main event entrances at each location. Police patrol officers will be put on notice to make periodic visits during the event. Park Board and other adult volunteers will provide the identification checking and serving functions. A combination of fencing and Portage Creek will be used for crowd containment. All of these controls have proven very effective for past alcohol sales at city events and at no time have patrons been problematic.

As a requirement for the city to undertake the sale of alcohol at the *Taste of Portage*, City Council must resolve to make an application to the Michigan Liquor Control Commission (MLCC), after which the completed application will be forwarded to the MLCC for review and approval.

It is recommended that City Council resolve to submit an application to the MLCC for a Special License for the sale of beer and wine for consumption on the premises at Portage Central Park, 7800 Shaver Road on June 23, 2012 and authorize the City Manager to execute all documents on behalf of the city.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 19, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Final Plan for Alkhamis Financial, 7900 Kirkland Court

ACTION RECOMMENDED: That City Council approve the Final Plan for Alkhamis Financial, 7900 Kirkland Court.

Attached is a report from the Department of Community Development concerning the Final Plan for Alkhamis Financial at 7900 Kirkland Court. The property is zoned PD, planned development and is part of the larger Woodbridge Hills Planned Development. Consistent with Section 42-375 of the Zoning Code, final plans in the PD, planned development zoning district require City Council approval after the review and recommendation of the Planning Commission.

The final plan for Alkhamis Financial has been submitted by Mr. Walter Hansen and involves construction of an approximate 4,200 square foot professional office building and associated improvements at the north end of Kirkland Court. The 1.2 acre property is located within a portion of the Woodbridge Hills Planned Development that is designated for office land use and the final plan has been designed consistent with the previously approved tentative plan.

The Planning Commission reviewed the project during its March 15, 2012 meeting and recommended that the Final Plan for Alkhamis Financial be approved, consistent with the recommendation of the City Administration.

It is recommended that City Council approve the Final Plan for Alkhamis Financial, 7900 Kirkland Court.

Attachment: Department of Community Development Communication

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: March 19, 2012

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

SUBJECT: Final Plan for Alkhamis Financial, 7900 Kirkland Court.

A final plan has been submitted by Mr. Walter Hansen, on behalf of Alkhamis Financial, to construct an approximate 4,200 square foot professional office building and associated site improvements at 7900 Kirkland Court. The 1.2 acre property (Unit 4, Woodbridge Commons Office Park) is zoned PD, planned development and located within a portion of the Woodbridge Hills Planned Development that is designated for office land use.

The applicant is proposing to preserve an existing double row of mature evergreen trees, together with scattered deciduous trees and natural vegetation, along the eastern portion of the site to screen/buffer the office development from the adjacent single family residential neighborhood. Access to the site will be provided through a full service driveway from Kirkland Court, a local cul-de-sac street. Storm water from the development will be collected and conveyed to the existing private storm water basin located along the east side of Kirkland Court.

In a report dated March 9, 2012, the Department of Community Development recommended approval of the Final Plan for Alkhamis Financial. The final plan is consistent with the the previously approved tentative plan for the Woodbridge Hills Planned Development. At the March 15, 2012 meeting, the Planning Commission also voted unanimously to recommend City Council approval of the Final Plan. Attached find the Planning Commission transmittal and meeting minutes, Department of Community Development communication and related materials.

Attachments: Department of Community Development report dated March 9, 2012
Final Plan Sheets
Planning Commission transmittal dated March 19, 2012 with meeting minutes

TO: Planning Commission **DATE:** March 9, 2012
FROM: Vicki Georgeau, ^{VB} Director of Community Development
SUBJECT: Final Plan for Alkhamis Financial, 7900 Kirkland Court.

I. INTRODUCTION:

A final plan has been submitted by Mr. Walter Hansen, on behalf of Alkhamis Financial, to construct an approximate 4,200 square foot professional office building and associated site improvements at 7900 Kirkland Court (Unit 4 of the Woodbridge Commons Office Park Condominium). The approximate 1.2 acre property is zoned PD, planned development and is part of the larger Woodbridge Hills planned development project (refer to the attached vicinity map). The proposed use is consistent with the Woodbridge Hills tentative plan designation of office for this area. For Commission information, the Woodbridge Commons Office Park Condominium project received City Council approval in June 1994.

The building will be setback approximately 135-feet from the south property line (Kirkland Court), 61-feet from the north property line, 25-feet from the west property line and 78-feet from the east property line. A single-family residential neighborhood is located to the east and a double row of mature evergreen trees, together with scattered deciduous trees and natural vegetation, intended to screen/buffer the office park from the adjacent residences currently exists. This screening was installed when the infrastructure improvements (street and utilities) were installed in 1994. This existing natural screen/buffer will not be altered as part of this development project.

Access to the site will be provided through a full service driveway from Kirkland Court, a local cul-de-sac street. Storm water from the development will be collected and conveyed to the existing private storm water basin located to the south, along the east side of Kirkland Court. This basin was originally constructed with Kirkland Court and has been designed with sufficient capacity to handle storm water runoff from the public street and individual development sites within the project area. Outdoor lighting units associated with the proposed development will include light poles with shielded fixtures and will conform to applicable ordinance standards. The plan has also been reviewed and approved by The Moors of Portage Architectural Control Committee on March 1, 2012 (see attached letter from Ms. Jan Boody).

II. RECOMMENDATION:

The final plan has been reviewed by the City Administrative departments. Staff recommends that the Final Plan for Alkhamis Financial, 7900 Kirkland Court, be approved.

Attachments: Vicinity Map
Final Plan
March 1, 2012 correspondence from The Moors of Portage Architectural Control Committee



**Vicinity Map
Woodbridge Commons Office Park**

Imagery: March 2009

*The Moors of Portage Association
Architectural Control Committee
7950 Moorsbridge Road
Portage, Michigan 49024*

269/329-0366

RECEIVED
MAR 08 2012
COMMUNITY DEVELOPMENT

March 1, 2012

Mr. Walt Hansen
HB Development Group LLC
3027 Woodhams
Portage, MI 49002

Re: New office building on Kirkland Court

Dear Mr. Hansen:

The Architectural Control Committee met today to review your revised plans for the new office building on Kirkland Court.

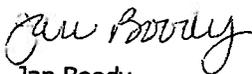
Per our discussion earlier today you know that:

- The site plan is preliminarily approved and final approval will be given upon acceptable staking of the building.
- Any approvals do not include the area of future expansion. This will need to be resubmitted for review and approval prior to the expansion taking place.
- Please have the floor elevation marked on the stakes for on site review by the ACC.
- The ACC understands that you will not be using any metal roofing and that the entire roof will be asphalt shingles.
- Please submit a final landscape plan that is based on this new site plan and includes tree plantings on the golf course side of the building.
- Please indicate on your plan where all existing Oak trees on the lot are located. The assumption is made that none of these trees will be removed. If tree removal is required, please indicate this for approval from the ACC.

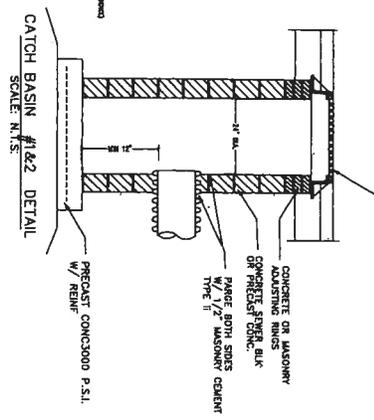
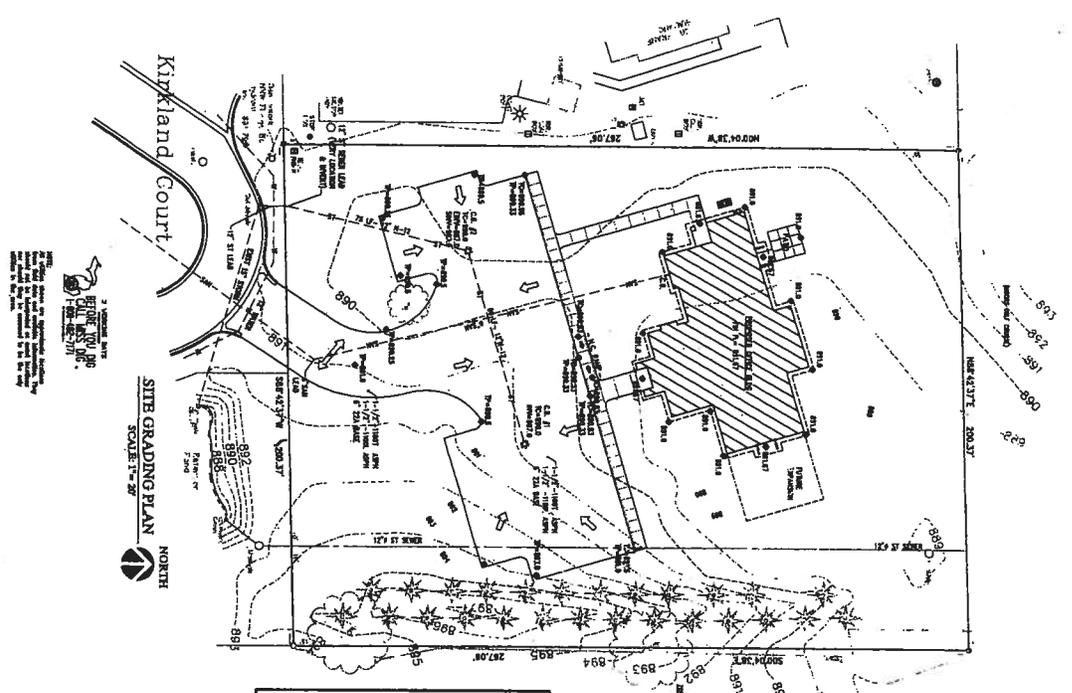
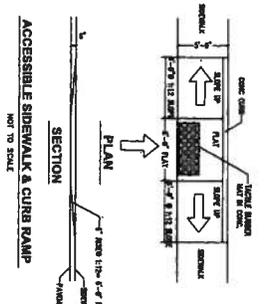
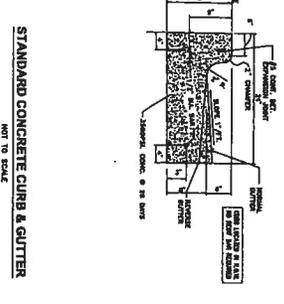
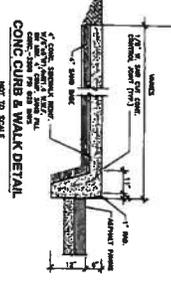
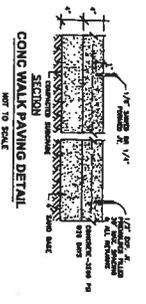
Please contact my office when the staking has been completed so that the ACC may make an onsite inspection of the property. I will be out of the office from March 9th to the 14th. If you need to contact this office during that time regarding the staking or other issues, please speak with Elizabeth Wright.

Thank you.

Sincerely,

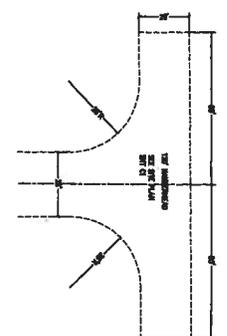
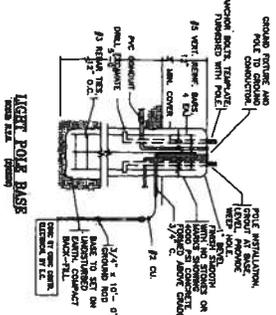


Jan Boody
Secretary to the Architectural Control Committee



SIGNAL BOXES DESIGN CRITERIA

1. SIGNAL BOXES SHALL BE DESIGNED TO WITHSTAND THE IMPACT OF A 10,000 LB. TRUCK WITH A 10' X 10' CONTACT AREA.
2. SIGNAL BOXES SHALL BE DESIGNED TO WITHSTAND THE IMPACT OF A 10,000 LB. TRUCK WITH A 10' X 10' CONTACT AREA.
3. SIGNAL BOXES SHALL BE DESIGNED TO WITHSTAND THE IMPACT OF A 10,000 LB. TRUCK WITH A 10' X 10' CONTACT AREA.
4. SIGNAL BOXES SHALL BE DESIGNED TO WITHSTAND THE IMPACT OF A 10,000 LB. TRUCK WITH A 10' X 10' CONTACT AREA.



TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: March 19, 2012

SUBJECT: Final Plan: Alkhamis Financial, 7900 Kirkland Court.

During the March 15, 2012 meeting, the Planning Commission reviewed and discussed the Final Plan for the above captioned development project. Mr. Walter Hansen (Hansen Building and Design Corporation) was present to support the proposed project.

After a brief discussion, a motion was offered by Commissioner Patterson, seconded by Commissioner Stoffer, that the Planning Commission recommend to City Council the Final Plan for Alkhamis Financial, 7900Kirkland Court, be approved. The motion was unanimously approved.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cheesebro". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James Cheesebro
Chairman

PLANNING COMMISSION

March 15, 2012

DRAFT

The City of Portage Planning Commission meeting of March 15, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Rick Bosch, Miko Dargitz, Dave Felicijan and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Allan Reiff, Mark Siegfried and Paul Welch.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the March 1, 2012 meeting minutes. A motion was offered by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

1. Final Plan for Alkhamis Financial, 7900 Kirkland Court. Mr. West summarized the staff report dated March 9, 2012 involving a final plan submitted by Walt Hansen, on behalf of Alkhamis Financial, to construct an approximate 4,200 square foot professional office building and associated site improvements. Mr. West stated the 1.2 acre site is zoned PD, planned development and located within Woodbridge Hills in an area designated for office use. Mr. West discussed the existing natural screening that was present along the eastern portion of the property (double row of evergreen trees and scattered deciduous trees) and indicated this screening will be preserved. Mr. West stated the final plan is consistent with the approved tentative plan for the Woodbridge Hills planned development.

Mr. Walt Hansen (Hansen Building & Design Corporation) was present to support and explain the office development project. No citizens spoke in regard to the development project. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that the Final Plan for Alkhamis Financial, 7900 Kirkland Court, be approved. The motion was unanimously approved.

TO: Honorable Mayor and City Council

DATE: March 20, 2012

FROM: Maurice S. Evans, City Manager

(Handwritten initials)

SUBJECT: Fiscal Year 2012-2013 Proposed Budget Review Schedule

ACTION RECOMMENDED: That City Council establish April 17 and May 1 from 4:30 to 8:30 p.m. as the dates for review of the proposed Fiscal Year 2012-2013 Budget.

Council will receive the proposed Fiscal Year 2012-2013 Budget on April 10, 2012. The budget review schedule has been developed to permit review of all budget aspects. Budget review sessions are proposed for April 17 and May 1 scheduled to begin at 4:30 p.m. on each of the proposed dates in Conference Room #1 of Portage City Hall. A tentative schedule of 2012-2013 budget review activity follows.

Further, a public hearing on the proposed budget will be held during the May 8, 2012 regular meeting of City Council, with formal adoption scheduled for May 22, 2012. As in the past, the review sessions, public hearing and other Council meetings will provide ample opportunity for public comment and analysis.

TENTATIVE FISCAL YEAR 2012-2013 BUDGET REVIEW ACTIVITY SCHEDULE

Tuesday, April 17

Budget Overview	4:30 - 4:40 p.m.
Benefit Services	4:40 - 5:00
Purchasing	5:00 - 5:20
City Assessor	5:20 - 5:40
	(30 minute break 5:40 - 6:10 p.m.)
Transportation & Utilities	6:10 - 6:30
Parks, Recreation & Public Services	6:30 - 7:30
Public Safety	7:30 - 8:30

Tuesday, May 1

Legislative/Human Services	4:30 - 5:00 p.m.
Employee Development	5:00 - 5:20
City Clerk	5:20 - 5:40
Information/Technology Services	5:40 - 6:00
	(30 minute break 6:00 - 6:30 p.m.)
Community Development	6:30 - 6:50
City Manager	6:50 - 7:10
Finance & Other Fund Activities	7:10 - 7:30
Capital Improvement Program	7:30 - 8:30

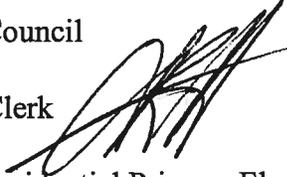
CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 23, 2012

FROM: James R. Hudson, City Clerk



SUBJECT: February 28, 2012 Presidential Primary Election Results - Information Only

Please accept the attached summary report as the final results of the February 28, 2012 Presidential Primary Election that was provided by the Kalamazoo County Clerk as information only.

Attachment

VOTES PERCENT

PRECINCTS COUNTED (OF 22)	22	100.00
REGISTERED VOTERS - TOTAL	36,269	
REGISTERED VOTERS - REPUBLICAN	0	
REGISTERED VOTERS - DEMOCRATIC	0	
REGISTERED VOTERS - NONPARTISAN	0	
BALLOTS CAST - TOTAL	5,989	
BALLOTS CAST - REPUBLICAN	5,296	88.43
BALLOTS CAST - DEMOCRATIC	693	11.57
BALLOTS CAST - NONPARTISAN	0	
VOTER TURNOUT - TOTAL		16.51

VOTES PERCENT

PRESIDENT

Vote for not more than 1
(WITH 22 OF 22 PRECINCTS COUNTED)

Michele Bachmann	8	.15
Herman Cain.	6	.11
Newt Gingrich	324	6.13
Jon Huntsman	12	.23
Gary Johnson	2	.04
Fred Karger.	5	.09
Ron Paul.	497	9.40
Rick Perry	5	.09
Buddy Roemer	10	.19
Mitt Romney.	2,392	45.23
Rick Santorum	1,892	35.78
UNCOMMITTED.	128	2.42
WRITE-IN.	7	.13

SUMMARY REPORT

PRESIDENTIAL PRIMARY ELECTION
FEBRUARY 28, 2012
KALAMAZOO COUNTY, MICHIGAN
Democratic

PORTAGE CITY

RUN DATE:03/01/12 10:19 AM

REPORT-EL45 PAGE 003

VOTES PERCENT

PRESIDENT

Vote for not more than 1
(WITH 22 OF 22 PRECINCTS COUNTED)

Barack Obama	614	89.24
UNCOMMITTED.	71	10.32
WRITE-IN.	3	.44

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 19, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: February 2012 Summary Environmental Activity Report – Information Only

Attached please find the February 2012 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes. New material, or material of specific interest to City Council is presented in italics.

These items serve to update the Council on environmental affairs.

c: W. Christopher Barnes, Director of Transportation & Utilities
Planning Commission
Portage Environmental Board

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: March 19, 2012

FROM: W. Christopher Barnes, Director of Transportation & Utilities 

SUBJECT: February 2012 Environmental Activity Report – Information Only

In keeping with goals and objectives adopted by the Council emphasizing the need to enhance environmental quality and protect natural resources, the following information is intended to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

Important environmental issues being monitored and coordinated by the Administration are attached. The Summary Environmental Activity Report will continue to be provided on a monthly basis to the Council, Planning Commission and Environmental Board.

Attachment

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
February 2012 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	<ul style="list-style-type: none"> -City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling completed in April 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. 2011 annual report submitted to MDEQ, with moderate groundwater quality improvements. <i>Investigation into methane gas presence is underway.</i>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	<ul style="list-style-type: none"> -Coordination with property owners and City or State agencies ongoing. -<i>Review of 3 site/building plans and/or plats completed in February 2012.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<ul style="list-style-type: none"> -<i>Sanitary sewer hookup permits issued in February 2012: 0 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	<ul style="list-style-type: none"> -Five Year Lake Management Assessment District process was approved by City Council on March 23, 2010. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. The 2011 lake survey and treatment preparations are complete. Additional areas requested by the Association for treatment. Amendment to the 2011 Treatment Program approved by City Council on August 9, 2011. The 2011 program is complete. Lake Association is preparing 2012 plan.
Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	<ul style="list-style-type: none"> -Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on

June 25, 2010. The 2010 year report received in January 2011. The 2011 results show declining groundwater levels throughout the city. The 2011 annual report received and under review. Groundwater results show that general groundwater table on the east side of Portage has risen approximately one foot in 2011 and is generally at levels seen in 2009. *Groundwater levels especially on the east side of Portage, continued to rise approximately six inches in February.*

Wellhead Protection Program (WHPP)
 Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.

-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. Staff has met internally to discuss the future needs to update the plan pending grant opportunities. Plan implementation is ongoing.

Leaf Compost Monitoring Program
 Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.

-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi annual sampling was performed from 2002 to 2009 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. The 2010 report was received with results showing minimal impact on groundwater. Annual sampling completed in June 2011 minimal impacts noted. Sampling will continue.

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

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing. Received a notice from MDNRE rescinding the 2008 permit due to a recent court case ruling. MDNRE reinstated the 2003 permit for implementation. Information on new permit requirement was received February 2011. *MDNRE expected to issue new permit in 2014.* City staff presented public information with other local agencies at the 2011 Home Expo on March 9-12, 2011. Tour of Liberty Park Stormwater

treatment was held September 6, 2011 for the Southwest Michigan Soil Control Association. *2010-11 annual report was submitted on January 20, 2012.* Implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation
Kalamazoo River Mainstem Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010. Notice received July 18, 2011 that grant application was not awarded. Kalamazoo River Watershed council completed a watershed update in November, 2011.

Portage River Watershed Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the current Watershed Plan using grant funds. Meeting held on May 9, 2011 among stakeholders to determine interest in updating the current watershed plan. Second meeting held on June 20, 2011, and grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan. *Grant outcome pending.*

Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP).

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit

Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI. *Implementation is ongoing.*

Storm Sewer Outfall Testing

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

Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron and manganese from the groundwater.

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14, 2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Contract awarded by City Council on December 6, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day. Staff conducted a tour of the facility on April 27, 2011 to the local Chapter of the National Society of Professional Engineers. Facility is in regular operation.

Garden Lane Arsenic Removal Facility

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

Environmental Incident/Spill Clean Up Notification

-The number of environmental incident/spill investigations performed in February 2012 - 0. Number of environmental cleanups in February - 0. Emergency spill response contract for 2012-13 with Terra Contracting is in place.

Assistance with the Inverness Condominium Association to Review Surface Water Levels

-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Met with MDNRE staff to determine feasible method to lower water levels. Association

currently working with MDNRE permit staff on February 26, 2010 to clarify permit requirements. Lower groundwater table elevation has reduced the concerns from the Condominium Association. Conference call with MDNRE held on December 8, 2010 to discuss permit submission updates. Condo Association discussing project with other property owners for support. Association submitted a letter to City Administration asking that the city consider the Wetland Water Level Regulation a municipal project. On March 22, 2011, city staff response recommending the Association consider governmental lake board. The Association is considering next steps. No new developments.

Southwest Michigan Regional Sustainability Covenant
Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.

-On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDNRE for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.

TO: Portage Public School Board, City of Portage City Council, and Portage District Library Board of Directors

FROM: Joint Marketing Committee*

RE: COLLABORATIVE MARKETING EFFORT – Update & “Top 10” List

DATE: March 20, 2012

RECOMMENDATION: That the Portage City Council, Portage Public School Board and the Portage District Library Board approve the next step with the publication of Top 10 Reasons listing.

INTRODUCTION

The City of Portage, the Portage District Library, and Portage Public Schools have agreed to band together for collaborative marketing to promote their services to residents and businesses, in addition to presenting a unified message to attract new families and business. Leaders from the three units decided a collaborative effort would be economical and powerful. This joint campaign goes to a higher level with a combined marketing plan, consisting of coordination of existing communications by all three entities, primarily social media and electronic communications. Other joint communications will include cable access shows and news featuring officials from the three units appearing together talking about the community and its resources.

UPDATE

To date, the Joint Marketing Committee’s proclamation has received approval from each of the governing bodies and announced the collaborative effort to the local media as well as National School Public Relations Association, Kalamazoo Regional Chamber of Commerce, Center for Michigan “Bridge” magazine, and the Portage Rotary. An official blog has been created to act as the central access point and referral site for this effort, explaining the collaborative campaign and offering a space for citizen comments and feedback on areas of improvement. In addition, the March edition of the city’s *Portager* newsletter was delivered to all area households and businesses with a special joint marketing effort announcement article. The Committee members will next be completing cable access interviews to reiterate the purpose of the collaborative effort, individually discussing the key service areas. These segments will be televised on the government and education channels throughout the year, as well as available on the blog.

NEXT STEP: “Top 10” List

The joint marketing initiative was designed to help position Portage as a place that communicates with one voice and projects a cooperative spirit. In order to best achieve a unified voice, the Joint Committee has developed the **Top 10 Reasons Why I Love Portage** and propose opening the project to the people of the community, enabling the public to convey why they love Portage. The Top Ten list includes:

1. Low municipal tax rate
2. Over 2,000 acres of park and recreational space
3. Extensive bikeway system
4. Award-winning public schools
5. Outstanding library
6. Open and responsive municipal government
7. Largest retail center in southwest Michigan
8. Great healthcare
9. Excellent public safety services
10. Great neighborhoods and affordable housing

With the approval of the governing bodies, the Joint Marketing Committee will have the City of Portage website host the specific page. Please note, the Top 10 Reasons are a broad approach. An identification marker will be developed for each of the organizations’ websites to direct interested parties to a web page that may have samples with content and links to the pages and/or sites that will enhance the Top 10 Reasons. It is therefore recommended that the Portage City Council, Portage Public School Board and the Portage District Library Board approve the next step with the publication of the Top 10 Reasons listing.

- * Mayor Peter J. Strazdas
- Councilmember Elizabeth Campbell
- Councilmember Jim Pearson
- Betty Lee Ongley, PDL Board Chair
- Stephanie Brown, PDL Boardmember
- Joe Yantis, PDL Boardmember
- Bo Snyder, PPS Board of Education President
- Randy VanAntwerp, PPS Board of Education member
- Ted Hartridge, PPS Board of Education member

MATERIALS TRANSMITTED

Friday, March 9, 2012

1. Communication from the City Manager regarding the Settlement of February 2012 Citizen Comment Card Summary– Information Only.


Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager