

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Suicide Prevention Month.

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. Committee of the Whole and Regular of August 28, 2018.
 - b. Pre-Council Meeting Notes of September 10, 2018.
2. Approval of the Accounts Payable Register of September 11, 2018 as presented.
3. Minutes of Boards & Commissions:
 - a. Senior Citizen Advisory Board of July 18, 2018.
 - b. Historic District Commission of August 1, 2018.
4. Adopt a Resolution Accepting Newly Constructed Dedicated Streets as Public Streets and authorize the City Manager to execute all documents related to these actions on behalf of the city.
5. Set a Special Meeting on Tuesday, October 9, 2018, beginning at 5:15 p.m., to interview Board and Commission applicants.
6. That City Council approve the five-year AT&T MI-Deal special government pricing contract for the continuation of field personnel radio dispatching communications in an annual amount not to exceed \$62,160 and authorize the City Manager to execute all documents related to this action on behalf of the City.
7. Materials Transmitted of August 28, 2018.

B. Petitions and Statements of Citizens:

C. Communications:

1. Calendar of Meetings:
 - Environmental Board, Wednesday, September 12 at 7:00 p.m., City Hall Room No. 1.
 - Youth Advisory Committee, Monday, September 17 at 6:00 p.m., City Hall Room No. 1.
 - Joint City Council/Portage Public Schools School Board Meeting, Monday, September 17 at 5:00 p.m., Council Chambers.
 - Senior Citizen Advisory Board, Wednesday, September 19 at 2:30 p.m., Portage Senior Center.
 - Planning Commission, Thursday, September 20 at 7:00 p.m., Council Chambers.
 - Capital Improvement Plan Open House, Monday, September 24 at 4:00 p.m., Council Chambers.

D. Public Hearings:

E. Regular Business Agenda:

F. Unfinished Business:

- G. Council Committee Reports:
 - H. New Business:
 - I. Statements of Citizens:
 - J. Statements of City Council and City Manager.
- Adjournment.



CITY OF PORTAGE PROCLAMATION

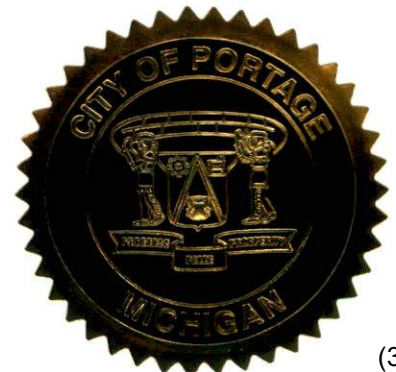
National Suicide Prevention Awareness Month

- WHEREAS,** September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and
- WHEREAS,** Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and
- WHEREAS,** According to the CDC, each year more than 41,000 people die by suicide; and
- WHEREAS,** Suicide is the 10th leading cause of death among adults in the US, and the 2nd leading cause of death among people aged 10-24; and
- WHEREAS,** Portage, Michigan, is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and
- WHEREAS,** local organizations like Suicide Prevention Services (SPS) and national organizations like the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness remain too taboo a topic to speak on; and
- WHEREAS,** every member of our community should understand that throughout life's struggles we all need the occasional reminder that we are all silently fighting our own battles; and
- WHEREAS,** I encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby proclaim the month of September 2018, as National Suicide Prevention Awareness Month in the City of Portage.

Signed this 11th day of September, 2018.

Patricia M. Randall, Mayor



**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE
PORTAGE CITY COUNCIL
OF AUGUST 28, 2018**

Mayor Patricia Randall called the meeting to order at 5:15 p.m. The following Councilmembers were present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Councilmember Claudette Reid arrived at 5:18 p.m. Also present were City Manager Laurence Shaffer, Deputy City Manager Rob Boulis, City Attorney Randall Brown, City Clerk Adam Herringa, Public Safety Director Nick Arnold, Senior Deputy Fire Chief John Podgorski, Assistant Fire Chief Stacy French, and Jack Michael, President of American Village Builders and Owners Representative.

Mayor Randall shared that this Committee of the Whole Meeting is to discuss the construction of a replacement to Fire Station No. 2 and invited the City Manager to begin discussion. City Manager Shaffer shared that City Council would hear from the experts when it comes to the need for the fire station and its design features. He shared that City Council would also be provided with an explanation as to why the proposed price tag has increased from \$2.5 million in 2015 to approximately \$6 million in 2018. Mr. Shaffer introduced Jack Michael of American Village Builders who is serving as the Owner's Representative and Construction Manager for the city on this project.

Mr. Michael explained that every building is unique and that he was not involved in the 2015 estimate for the cost of the fire station. He shared that he believes the initial 2015 estimate was very rough in nature and involved simple calculations based on pricing per square foot for a 14,101 square foot building. He pointed out that the initial cost estimate was based on an estimate of \$189/sq. foot. The current proposed building, he stated, will be 18,324 feet in size. Mr. Michael stated that the primary reasons for the price increase included: size increase, changes in code requirements, soil type, need for aggregate piers, disposal of potentially contaminated soil, training tower and training tunnel. In addition, he attributed construction cost increases to inflation, a competitive building trade and tariffs on construction materials.

Mr. Michael shared that two bids for construction were received with the bids being \$6,110,520 and \$6,113,000. He stated that these bids were reasonable and accurate based on similar projects. He then reviewed three case studies and pointed out costs and similarities between the case studies and what is being proposed. In response to a query about LEED certification and certification levels, Mr. Michael shared that the city is not seeking LEED certification for the proposed fire station.

City Manager Shaffer asked Mr. Michael to review the impact of only receiving two bids. Mr. Michael explained that the construction market is very competitive and there is question of capacity in the industry. He then reviewed the bid process and explained that, despite only receiving two bids, he believes the bids are fair and reasonable. Councilmember Reid inquired as to whether more bids might be received if the project were initiated next spring. Mr. Michael indicated that bidders were given the option of starting this fall or next spring. He continued by stating that if the project were bid next spring there may be more bidders but he questioned whether that would result in better pricing and lower costs.

Councilmember Urban questioned the capability of the bidders if they need the work during a hot construction market. Mr. Michael assured Councilmember Urban that the two bidders asked lots of good questions, were engaged in the process and had the experience needed for the project. Mr. Michael also stated that either bidder could construct a facility that is energy efficient, economic and will have low maintenance and operating costs.

Councilmember Urban inquired as to why a bigger building was necessary and Mr. Shaffer explained that the Department of Public Safety Representatives would review building details and recommendations. In response to a question from Councilmember Reid, Deputy Fire Chief John Podgorski stated that Fire Station No. 2 was built in 1974 and is 7,236 square feet in size. He also shared that Fire Station No. 1 is approximately 13,000 feet in size.

Director of Public Safety Nick Arnold explained that Public Safety had several goals in mind when meeting with the architect including a building that can meet current and future needs, fits in with the neighborhood, is durable, functional, has a long-life and promotes safety for firefighters. Director Arnold shared that when it first opened Fire Station No. 2 responded to 168 calls per year and that it has grown to over 2,200. Mr. Arnold reviewed five key features of the proposed station including built in training features and capabilities, availability as an Emergency Operations Center, energy efficiency, functionality as a work space for current and future firefighters regardless of gender and attention to the health and safety of employees. With regard to health and safety, Mr. Arnold pointed to the “clean room” and “dirty room” design features which allow firefighters and staff to better and more safely handle contaminated gear and equipment.

Mayor Pro Tem Pearson inquired as to the training tower and whether and how often the City of Portage utilizes the training tower offered by Kalamazoo County. Deputy Chief Podgorski shared that Portage does utilize the Kalamazoo County’s training tower on a quarterly basis but that sending a crew to the County training facility results in a shift plus its assigned equipment being out of commission. A local training tower, he stated, would permit training to take place while a fire crew is on their shift. The result is availability of the crew and a reduction in training costs. In response to a query from Mayor Pro Tem Pearson, Mr. Podgorski explained that there would be up to six staff on duty at Fire Station No. 2 at any given time but that the city population, number of structures in the community and call volumes continue to grow. The proposed facility, he stated, would equip the city to meet increasing demands while at the same time allowing for a diverse workforce. Mayor Pro Tem Pearson commented that in 2015 there were conversations about remodeling or replacing the fire station and likened the circumstance to current efforts to replace the Senior Center. He shared his belief that caution must be taken to avoid a similar situation as the Fire Station No. 2 costs increases.

Councilmember Urban inquired as to the proposed increase in the building size. Mr. Podgorski shared that it is derived from 400 square feet for the Emergency Operations Center, utilization of the “clean room” and “dirty room” and, most significantly, additional space in the apparatus bay which includes space for an additional aerial vehicle should it be necessary in the future. In response to a question from Councilmember Ford about training, Assistant Fire Chief Stacy French explained that the training budget is approximately \$25,000 per year. Mr. French shared that he anticipates being able to train at Fire Station No. 2 would cut down on training and overtime costs. City Manager Shaffer stated that an analysis would be conducted to estimate how much the savings would be.

With regard to the tunnel/pipe training Councilmember Knapp inquired where that training occurs presently. Mr. French stated that the Department of Public Safety cooperates with Pfizer in this regard and then reviewed some of the challenges with this arrangement. Councilmember Reid followed up by inquiring if other area first responders would be able to utilize the training opportunities afforded by the proposed station. Mr. French responded in the affirmative and reviewed the benefits of mutual aid partners training at this location. Councilmember Reid next inquired if improvements to the other fire stations were being considered. Mr. French responded in the affirmative and explained where the department is in planning for safety and facility enhancements to Fire Station No. 1 and No. 3.

Councilmember Burns inquired as to urgency of the proposed fire station. Public Safety Director Arnold reviewed the age and challenges of Fire Station No. 2 along with growing demands on the facility. Deputy Chief Podgorski explained that the building is at the end of its life cycle and a replacement is needed.

City Manager Shaffer reviewed the budget impact of the project and explained how it would be funded with a mix of debt service, capital improvement dollars and cash. However, before the funding is finalized, he stated that City Administration would need to conduct a thorough analysis of the proposals. Regardless of the final cost, Mr. Shaffer emphasized the importance of limiting the taking on of additional debt. Mayor Pro Tem Pearson pointed to the 2017-2027 and 2018-2028 Capital Improvement Plans and the difference between the two for the fire station cost. Mr. Pearson wondered if the \$7.5 million in the current CIP was to provide a safety cushion for the project. Mr. Shaffer responded that staff anticipated the cost of the new station might be approximately \$7 million.

Mayor Randall questioned the goal of building a fire station with aesthetics to “fit into the neighborhood” and whether savings could be realized by reducing emphasis on outward appearance of the building. She expressed support for the floor plan but encouraged City Administration to take a harder look at outward design features. Mayor Randall stated that, when complete, the fire station could be the most expensive building the city owns yet be one of the least utilized by the public and house a handful of employees. She contrasted this project with efforts related to a new senior center which would be open to the public and utilized by thousands. Mr. Michael responded by stating that proposals can and would be reviewed to look for opportunities to reduce costs.

Mayor Pro Tem Pearson questioned efforts related to LEED certifications and whether the city would realize a return on investment on energy efficiency enhancement efforts. Mr. Michael stated that much of the highest levels of LEED certification are related to sourcing materials. With this project, he stated, energy efficiency enhancements would result in a short return on investment and speculated that it would be three years or less. Mr. Shaffer assured City Council that energy efficiency efforts with the project would only occur if a return on investment would be realized. He stated that the increment of investment would be compared to the increment of return. Councilmember Ford inquired as to the cost per square foot of this project vs. the cost per square foot of the case studies provided. Mr. Michael explained that the cost per square foot of the examples reflected only the “build cost” and did not include site preparation.

Mayor Randall opened the floor to questions from the audience. Mr. Fernando Costas, 7639 Harvest Lane, inquired as to how city staff could miscalculate the anticipated cost of the fire station such that a change order of twice the magnitude for architectural services became necessary. Mr. Shaffer stated that the initial design firm, Paradigm Design, was hired and developed a schematic based on needs identified in 2015. Assistant Fire Chief Stacy French displayed a sample of the fire station envisioned by the Paradigm design vs. what is being considered today. Mr. Shaffer and Mr. Michael pointed to the difference in quality and lifespan of the building. In 2018 a more thorough and detailed plan was developed that was based on different assumptions, costs and a functionally different building. Mr. Shaffer stated that Mr. Costas is correct that City Administration should have taken a harder look. Mr. Costas encouraged City Administration to take a different and more thorough approach in the future so that a crisis such as this can be avoided.

Mr. Tim Earl, 6862 Shallowford Way, stated that he was attending the meeting to advocate and support the inclusion of the “clean room/dirty room” concept in the design. He stated that he is involved in the profession of fire safety and pointed out that, had the station been constructed in 2015, such a concept would not have been included. Mr. Earl then referenced the

training opportunities that would be afforded with the proposed new station and expressed his strong support for the facility and ability to train in-house. In response, Councilmember Urban shared that he used to train with Portage firefighters and that the ability to train on both the common and uncommon is extremely important.

Mayor Randall adjourned the meeting at 6:39 p.m.

Adam Herringa, City Clerk

DRAFT

CITY COUNCIL MEETING MINUTES FROM AUGUST 28, 2018

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. At the request of Mayor Randall, the City Clerk called the roll with the following members present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

Mayor Randall asked for a moment of silence in honor of all denominations or personal beliefs, in recognition of those we have lost, safety of children returning to school and significance of Labor Day. City Council and the audience then recited the Pledge of Allegiance.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Reid asked that Item A.4 (Final Plan for Greenspire Apartments) be removed from the Consent Agenda. Councilmember Urban stated that City Administration was asking for Item A.10 to be added to the Consent Agenda. He noted that City Council had just received the item and has not been able to review the material. As a result he stated that he would like the item placed on the Regular Business section of the agenda so the City Manager could explain the item and what is being requested.

Motion by Reid, seconded by Knapp, to approve the Consent Agenda items as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the minutes of the Regular Meeting of August 14 and Pre-Council Meeting of August 27, 2018. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF AUGUST 28, 2018: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of August 28, 2018. Upon a roll call vote, motion carried 7 to 0.

PURCHASE OF VEHICLES AND EQUIPMENT: Motion by Reid, seconded by Knapp, to authorize the purchase of 12 vehicles and pieces of equipment as noted through the State of Michigan MiDEAL and Sourcewell (formerly National Joint Powers Alliance) purchasing programs at a total cost of \$980,201.09 and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PRELIMINARY CONDOMINIUM SUBDIVISION FOR PENNRIDGE TRAIL (PHASE 1): Motion by Reid, seconded by Knapp, to approve the Preliminary Condominium Subdivision for Pennridge Trail (Phase I), 1722 and 1800 West Osterhout Avenue, subject to submittal of detailed engineering plans for streets, utilities and storm water as outlined in the August 10, 2018 Department of Community Development staff report. Upon a roll call vote, motion carried 7 to 0.

FINAL CONDOMINIUM SUBDIVISION FOR COPPERLEAF PHASE III: Motion by Reid, seconded by Knapp, to approve the Final Condominium Subdivision for Copperleaf Phase III, 3800 West Milham Avenue and 5710 Angling Road, subject to completion of sidewalks and street trees by November 2020, and amendment of Association Bylaws to include Phase III Maintenance and Indemnification agreements between the association and the City of Portage. Upon a roll call vote, motion carried 7 to 0.

REFUNDING BOND RESOLUTION: Motion by Reid, seconded by Knapp, to adopt a refunding bond resolution authorizing limited tax pledge to payment of the Downtown Development Limited Tax Refunding Bonds, Series 2018. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Knapp, to receive minutes of the Zoning Board of Appeals of June 11 and Planning Commission of August 2, 2018. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Mr. Alan Loveridge, 23965 88th Avenue, Marcellus, MI, spoke with regard to the success of "User Pay Daycare" in Portage Public Schools. He shared statistics regarding private daycare programs and asked City Council to work with the Portage Public Schools School Board and state and federal leaders in an effort to expand the program to other communities.

Mr. Matt Freeman, 3533 Fleetwood Drive, spoke with regard to the safety of children in Portage Public Schools. He shared that he believes the current staff of two dedicated School Resource Officers is inadequate and shared that this is supported by a member of the Portage Department of Public Safety. He expressed support for the addition of four more School Resource Officers and implored City Council to work with Portage Public Schools to identify funding.

Mr. Terry Henderson, 7767 Percheron, Kalamazoo, spoke in support of the addition of School Resource Officers to Portage Public Schools. He expressed concern about the safety of children along with response plans should a school shooting take place. Mr. Henderson and Mr. Freeman shared that conversations with State Representative Brandt Iden revealed that State of Michigan funding is available for equipment and training for School Resource Officers and that, if requested, funding might be made available to assist with salary.

Mayor Randall thanked Mr. Freeman and Mr. Henderson for their comments and shared that school safety is a top priority of City Council. City Manager Shaffer shared that City Council has established a School/Council Collaboration Committee and that a report on school safety from the Department of Public Safety had been received. In addition, he shared that a joint meeting of the Portage Public Schools School Board and City Council was upcoming in September and that school safety would be a topic of discussion.

Mr. Matt Longjohn, 2965 Innisbrook, shared that he is a longtime resident of Portage and has deep roots in the community. He shared that he is running for U.S. House of Representatives and plans to become the first member of the U.S. House of Representatives from the City of Portage. He shared that he is a consumer of Portage services and is impacted by decisions made by local leaders. He shared that he would be happy to review and discuss issues of the day and asked City Council to be mindful, when it comes to school safety, of the benefits of counseling and health centers.

COMMUNICATIONS:

CALENDAR OF MEETINGS: At the request of Mayor Randall, City Clerk Herringa read the meeting schedule for the record. Motion by Ford, seconded by Burns, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 7 to 0.

CITY MANAGER SALARY REVIEW COMMITTEE: Mayor Randall referred to this item and asked that City Council convene the City Manager Salary Review / Evaluation Committee and request a recommendation no later than November 6, 2018 as to compensation for the contract year. Councilmember Reid clarified that Mayor Randall, Mayor Pro Tem Pearson and Councilmember Ford are the members of this committee. Councilmember Reid inquired if City Council would be utilizing the same evaluation tool as last year and Mayor Randall responded in the affirmative but indicated that Councilmembers are welcome to provide input. Motion by Ford, seconded by Knapp, to convene the

City Manager Salary Review / Evaluation Committee and request a recommendation no later than November 6, 2018 as to compensation for the contract year. Upon a voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

FINAL PLAN FOR GREENSPIRE APARTMENTS: Councilmember Reid stated that she had questions regarding stormwater retention and the amount of impermeable surface. She stated her understanding that much of the retention would be underground and asked for clarification if this water would ultimately be discharged into Portage Creek and/or Hampton Lake. In addition, she pointed out that Portage Creek is a trout stream and the natural habitat can be harmed by the discharge of warm water and wondered as to whether the water in the retention ponds cooled sufficiently before discharge. Mayor Randall asked City Manager Shaffer to respond and Mr. Shaffer introduced Vicki Georgeau, Director of Community Development. Ms. Georgeau stated that Phase V-C is the final step of the Phase V development. Ms. Georgeau clarified that there will be an above ground stormwater storage basin and that this basin will discharge into a wetland area. Further, she stated that there is no connection between the discharge basin and either Hampton Lake or Portage Creek. She also stated that there should be no impact on the water temperature of Portage Creek.

Motion by Reid, seconded by Knapp, to approve the Final Plan for Greenspire Apartments (Phase V-C), 3413 Fawn Cove and 3413 West Centre Avenue, subject to MDEQ approval of the storm water discharge and finalization of the detailed engineering plans related to the underground utilities (storm sewer, water and sanitary sewer). Upon a roll call vote, motion carried 7 to 0.

MDOT FUNDING FOR IMPROVEMENTS TO ZYLMAN AVENUE, LOVERS LANE AND IDAHO AVENUE: Councilmember Urban asked City Manager Shaffer to review the item and what is being requested. Mr. Shaffer shared that the contracts from the Michigan Department of Transportation (MDOT) were received late last Friday. He continued by sharing that the contracts formalized that MDOT would be the conduit for the \$3.25 million in State of Michigan funding which is to be used for improvements to Zylman Avenue, Lovers Lane and Idaho Avenue. Mr. Shaffer stated that the request for City Council approval follows past practice and authorizes the City Manager to receive the funds. He shared that the contracts were placed on this agenda in order to best meet MDOT schedules. In response to an inquiry, Mr. Shaffer stated that the projects should take place in the year 2019. Mayor Randall shared that it is excellent news that the State of Michigan is contributing \$3.25 million to projects that the City was planning to pay for itself. Motion by Reid, seconded by Knapp, to approve Contract #2018-0770 between the Michigan Department of Transportation and the City of Portage for the completion of the Zylman Avenue Reconstruction Project; Approve Contract #2018-0771 between the Michigan Department of Transportation and the City of Portage for the completion of the Realignment of Lovers Lane north of Ramona Avenue Project; Approve Contract #2018-0772 between the Michigan Department of Transportation and the City of Portage for the completion of the Reconstruction of Idaho Avenue from Oregon to South Westnedge Avenue Project; and Adopt Resolutions authorizing the City Manager to sign Contracts #2018-0770, #2018-0771 and #2018-0772; and authorize the City Manager to sign all other documents related to these projects on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

FIRE STATION No. 2 ARCHITECTURAL CONTRACT: Mayor Randall stated City Council held a Committee of the Whole Meeting earlier in the evening to discuss the replacement of Fire Station No. 2 and indicated that this item had been on the agenda of the August 14th Regular Meeting. City Manager Shaffer indicated that no action was being requested on this contract at this time pending

additional review of the project. In response to a query from Councilmember Reid, Mr. Shaffer indicated that he planned to have an overall recommendation and analysis of the Fire Station No. 2 project on the next agenda. Motion by Burns, seconded by Knapp, that City Council take no action at this time concerning the August 14, 2018 recommendation that City Council approve an increase to the contract with Williams Architects of Itasca, Illinois, in the amount of \$276,500 for architectural services for Fire Station No. 2. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Reid provided an update on a meeting the City Council School Committee had with the City Manager. She shared that they discussed the upcoming joint City Council/School Board Meeting, agenda structure and discussion topics. She stated that the meeting is open to the public. Councilmember Burns shared that one of the topics on the agenda will be the School Resource Officers and infrastructure planning as it relates to safety. Motion by Knapp, seconded by Ford, to receive the Council Committee Report as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns thanked and congratulated the Portage District Library on their recent event called “Festival in the Flats.” He shared that he and Councilmember Knapp attended and read books to pre-school students. Mr. Burns shared that on September 7th at the KVCC Center for New Media an event involving Kalamazoo Loaves and Fishes and a youth committee for Kalamazoo County would be held. The event will showcase art that highlights hunger in the community.

Councilmember Ford welcomed Director of Community Development Vicki Georgeau back to the City Council meetings and shared that he recently attended orientation at Haverhill Elementary as his son will be starting school there in the fall.

Councilmember Urban encouraged residents to use caution in the coming days and weeks as school goes back into session. He reminded motorists to be watchful for children walking to and from school, buses and bikers.

Councilmember Reid shared her pleasure at Director Georgeau’s return to Council Chambers. Councilmember Reid also shared that the Kalamazoo County Substance Abuse Task Force will be hosting a town hall meeting on September 24th at the Kalamazoo Public Library regarding the impact of marihuana on youth and the community. Councilmember Reid expressed regret at not removing Item A.5, Preliminary Condominium Subdivision for Pennridge Trail (Phase 1), from the Consent Agenda. She shared that she has gone on record expressing concern with this development having only one ingress/egress and would like the record of this meeting to reflect her continued concern.

Councilmember Knapp shared that, like Councilmember Burns, she enjoyed the “Festival in the Flats” sponsored by the Portage District Library. Ms. Knapp referenced congratulations she offered at the previous City Council Meeting to the Paint the Plow contest winners. She amended her previous congratulations by noting that she should have included Lake Center Elementary and not Central Middle School. Finally, Ms. Knapp, congratulated the community and Portage Public Schools on the construction and opening of the new Huskie Stadium.

Mayor Pro Tem Pearson referenced the “Natural Place to Move” slogan of the City of Portage. He pointed out that City Council approved the addition of 264 housing units to the community on tonight’s agenda. He shared that within the past year and a half City Council has approved an additional 408 housing units. Mayor Pro Tem Pearson thanked and congratulated Vicki Georgeau, Community Development employees Mike West and Chris Forth, and other staff members of the Community Development Department for their efforts.

Mayor Randall welcomed Vicki Georgeau back and wished her a happy birthday. Mayor Randall shared that she recently attended a YWCA event regarding women in leadership and shared

that the 42% representation of women on the Portage City Council is well above average. She then recognized Portage Public Schools and the opening of the new Huskie Stadium and commented that good schools need a strong community and vice versa. Finally she wished everyone a happy holiday weekend and encouraged residents to watch out for children as they return to school.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:48 p.m.

Adam Herringa, City Clerk

**NOTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF SEPTEMBER 10, 2018**

Mayor Randall called the meeting to order at 8:01 a.m. Councilmember Chris Burns joined via the conference phone line. Mayor Pro Tem Pearson and Councilmembers Ford, Knapp, Reid and Urban were absent with excuse. Also in attendance were City Manager Larry Shaffer, Deputy City Manager Rob Boulis and City Clerk Adam Herringa.

There being no quorum, Mayor Randall inquired if Councilmember Burns had any questions regarding the September 11th Regular Meeting Agenda. Neither Councilmember Burns nor Mayor Randall had any questions

Mayor Randall shared that there would be a ceremony tomorrow morning, September 11th, at 8:30 a.m. at Fire Station No. 1 in remembrance of the events of September 11, 2001. She also shared that a similar ceremony would take place tomorrow evening at Bronson Park in Kalamazoo and invited City Council to attend either or both events.

ADJOURNMENT: Mayor Randall closed the meeting at 8:02 a.m.

Adam Herringa, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of September 11, 2018 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period August 19, 2018 through September 2, 2018 and notes \$726,097.66 in automated clearing house payments, \$440,011.25 in paper checks and \$4,444.30 in auto-pay payments for a grand total of \$1,170,553.21.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of 9-11-18

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 1 of 9

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	9356(A)	A-1 SIGNS	VEHICLE NUMBERS	10.35
08/24/2018	9357(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP ASSISTANCE	3,268.60
08/24/2018	9358(A)	AIRGAS GREAT LAKES	WELDING SUPPLIES	502.15
08/24/2018	9359(A)	ALL-TRONICS, INC.	MONITORING	515.40
08/24/2018	9360(A)	ALRO STEEL CORPORATION	ELIASON PROJECT	106.65
08/24/2018	9361(A)	AUMACK, MICHAEL	UMPIRE PAYROLL	650.00
08/24/2018	9362(A)	BATTERIES PLUS	MISC BATTERIES	160.00
08/24/2018	9363(A)	BEEBE, RONALD E.	UMPIRE PAYROLL	288.00
08/24/2018	9364(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	126,456.76
08/24/2018	9365(A)	BYHOLT INC.	SAND DELIVERY - DPS	296.51
08/24/2018	9366(A)	C D W GOVERNMENT, INC.	MONITORS & STANDS	4,064.10
08/24/2018	9367(A)	CLEANIT CORP	CARWASHES	12.00
08/24/2018	9368(A)	CONSUMERS CONCRETE CORP.	ELIASON PROJECT	582.00
08/24/2018	9369(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK REPAIRS	8,551.00
08/24/2018	9370(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	17,679.12
08/24/2018	9371(A)	EDWARDS, HENRY	UMPIRE PAYROLL	115.00
08/24/2018	9372(A)	ETNA SUPPLY, INC.	WATER HEATER	10,142.29
08/24/2018	9373(A)	F D LAKE COMPANY	CHAIN INSPECTION	257.85
08/24/2018	9374(A)	FORSHEE, MARK	UMPIRE PAYROLL	399.50
08/24/2018	9375(A)	GAIL ANDRUS TRAVEL	TRIP VENDOR PAYMENT	3,860.00
08/24/2018	9376(A)	GLOBAL EQUIPMENT CO., INC.	2 CONFERENCE TABLES	1,322.50
08/24/2018	9377(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL	135.00
08/24/2018	9378(A)	GWIN, KENDRA	2018 APWA PUBLIC WORKS	500.00
08/24/2018	9379(A)	HARTMAN, CHARLES	UMPIRE PAYROLL	264.00
08/24/2018	9380(A)	HOJNACKI, DAVID	UMPIRE PAYROLL	230.00
08/24/2018	9381(A)	HOWARD PRINTING	AUGUST PORTAGER	2,844.00
08/24/2018	9382(A)	INDUSCO SUPPLY CO., INC.	DPS JANITORIAL SUPPLIES	924.54
08/24/2018	9383(A)	J & J LAWN SERVICE, INC.	MOWING AND TRIMMING	10,973.00
08/24/2018	9384(A)	J. ALLEN & CO. INC.	BIKEWAY/TRAIL REPAIRS	48,413.62
08/24/2018	9385(A)	J. ALLEN & CO. INC.	DRIVEWAY REPAIRS	2,834.00
08/24/2018	9386(A)	KAHN, WILMA	PROGRAM VENDOR PAYMENT	286.00

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	9387(A)	KELLEY-GIEBER, SANDRA	911 TRAINING INSTITUTION	45.00
08/24/2018	9388(A)	KLOSTERMAN DISTRIBUTING	RAMONA CONCESSIONS	385.38
08/24/2018	9389(A)	LANDS END	UNIFORMS FOR RECORDS	862.63
08/24/2018	9390(A)	LAWSON PRODUCTS, INC	MAINTENANCE SUPPLIES	1,692.07
08/24/2018	9391(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION REPAIRS	4,819.00
08/24/2018	9392(A)	MATERIALS RESOURCES	MISC SUPPLIES	49.34
08/24/2018	9393(A)	MATTSON, NICHOLAS	TRAINING EXPENSE	225.00
08/24/2018	9394(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL	414.00
08/24/2018	9395(A)	MEDEMA, TIMOTHY	UMPIRE PAYROLL	200.00
08/24/2018	9396(A)	MEEKHOF TIRE SALES & SERVICE INC.	EQUIPMENT TIRES	519.14
08/24/2018	9397(A)	MENARDS, INC	CELERY FLATS VC	1,948.65
08/24/2018	9398(A)	MICHAEL A. BAKER	UMPIRE PAYROLL	325.00
08/24/2018	9399(A)	MICHIGAN PAVING & MATERIALS CO.	17/18 LOCAL STREET REPAIRS	10,940.07
08/24/2018	9400(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY	285.40
08/24/2018	9401(A)	NUYEN, ERIC	UMPIRE PAYROLL	189.00
08/24/2018	9402(A)	NYE UNIFORMS	UNIFORM SUPPLIES	954.94
08/24/2018	9403(A)	ONE WAY PRODUCTS	CAN LINERS	1,894.18
08/24/2018	9404(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEES	12,580.13
08/24/2018	9405(A)	PATESEL, TERRY	UMPIRE PAYROLL	188.00
08/24/2018	9406(A)	PERCEPTIVE CONTROLS, INC.	SCADA MAINTENANCE	2,179.16
08/24/2018	9407(A)	POWERDMS, INC.	ANNUAL SUBSCRIPTION	4,058.00
08/24/2018	9408(A)	PROFESSIONAL BUILDING SERVICES LLC	JANITORIAL SERVICES	3,197.54
08/24/2018	9409(A)	QUADRANT II MARKETING, LLC	AUGUST-SEPT NEWSLETTER	2,033.40
08/24/2018	9410(A)	R W LAPINE INC.	HVAC MAINTENANCE	3,934.25
08/24/2018	9411(A)	REYNHOUT, BRENT	TRAINING EXPENSE	225.00
08/24/2018	9412(A)	RHODES, KEVIN	UMPIRE PAYROLL	120.00
08/24/2018	9413(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	43.80
08/24/2018	9414(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	52.66
08/24/2018	9415(A)	SAFETY SERVICES, INC.	SAFETY SUPPLIES	324.99
08/24/2018	9416(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL REPAIRS	124,351.96
08/24/2018	9417(A)	SMITH, JESSICA	REIMBURSEMENT	263.41
08/24/2018	9418(A)	SOS TECHNOLOGIES	FIRE EMS SUPPLIES	282.35

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	9419(A)	SUEZ WATER ENVIRONMENTAL SERVICES	UTILITY SYSTEM OPERATION	171,130.91
08/24/2018	9420(A)	W W GRAINGER INC	METAL DETECTOR	173.08
08/24/2018	9421(A)	WIGHTMAN & ASSOCIATES, INC.	ENGINEERING SERVICES	99,287.01
08/24/2018	9422(A)	WOLFE, MATTHEW	EMPLOYEE REIMBURSEMENT	648.83
08/31/2018	9423(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP ASSISTANCE	589.60
08/31/2018	9424(A)	ALL-TRONICS, INC.	EQUIPMENT MAINTENANCE	194.50
08/31/2018	9425(A)	B L HARROUN & SON INC.	SPRINKLER INSPECTIONS	188.50
08/31/2018	9426(A)	BASIC CORPORATE	FILING & MAILING FEES	940.50
08/31/2018	9427(A)	BATTERIES PLUS	LIGHT BULBS	223.75
08/31/2018	9428(A)	CARLETON EQUIPMENT CO.	REPLACEMENT TRACKS	4,997.58
08/31/2018	9429(A)	CROWN TROPHY	AWARDS FOR DISPATCH	944.75
08/31/2018	9430(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,165.76
08/31/2018	9431(A)	GORDON WATER SYSTEMS	COFFEE SUPPLIES	67.60
08/31/2018	9432(A)	GREATER KALAMAZOO UNITED WAY	UNTIED WAY CONTRIBUTION	829.00
08/31/2018	9433(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL	50.00
08/31/2018	9434(A)	INDUSCO SUPPLY CO., INC.	RESTROOM SUPPLIES	108.21
08/31/2018	9435(A)	LANDS END	UNIFORMS	984.03
08/31/2018	9436(A)	LEWIS PAPER PLACE, INC.	COPY PAPER	1,185.00
08/31/2018	9437(A)	LEXISNEXIS RISK SOLUTIONS	MONTHLY ACCURINT	150.00
08/31/2018	9438(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRES AND SERVICES	450.60
08/31/2018	9439(A)	MEJEUR ELECTRIC LLC	ELECTRICAL SERVICES	625.00
08/31/2018	9440(A)	MENARDS, INC	SPLIT RAIL FENCE	3,966.00
08/31/2018	9441(A)	NYE UNIFORMS	UNIFORM SUPPLIES	221.94
08/31/2018	9442(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEES	6,176.53
08/31/2018	9443(A)	PORTAGE FIREFIGHTERS	IAFF UNION DUES	2,535.18
08/31/2018	9444(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF UNION DUES	120.00
08/31/2018	9445(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES FOR	1,134.00
08/31/2018	9446(A)	RIDGE AUTO NAPA	SUPPLIES	23.98
08/31/2018	9447(A)	SWAFFORD, JAMIE	LERMA FALL TRAINING	75.00
08/31/2018	9448(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW UNION DUES	683.43
			Total ACH Transactions:	726,097.66

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 4 of 9

Check Date	Check	Vendor Name	Description	Amount
Check Type: Paper Check				
08/21/2018	307200	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	142.25
08/21/2018	307201	VICKSBURG HARDWARE	EQUIPMENT REPAIRS	308.65
08/21/2018	307202	WILKS, KURK	SOFTBALL DEPOSIT	100.00
08/24/2018	307203	A T & T LONG DISTANCE	LONG DISTANCE	53.64
08/24/2018	307204	ADP, INC.	BI-WEEKLY PAYROLL	3,812.38
08/24/2018	307205	ALVI, ESKANDER	RENTAL DEPOSIT REFUND	100.00
08/24/2018	307206	AMERICAN SCREEN PRINTING	FIRE ADMIN UNIFORMS	85.45
08/24/2018	307207	APPLIED INDUSTRIAL TECHNOLOGIE	CRACKSEALER REPAIRS	64.46
08/24/2018	307208	AR ENGINEERING LLC	ENGINEERING SERVICES	4,833.34
08/24/2018	307209	ASCENSION MICH OCCUPATIONAL HEALTH	2018-2019 DOT PHYSIC	280.00
08/24/2018	307210	B M C SOFTWARE, INC.	TRACKIT SOFTWARE	1,474.88
08/24/2018	307211	BENJAMIN N. ALDRICH	COOPERING DEMONSTRATION	150.00
08/24/2018	307212	BENJAMMIN EDUCATIONAL MUSIC	BONFIRE PERFORMANCE	300.00
08/24/2018	307213	BEST WAY DISPOSAL, INC.	SEDIMENT HAULING	2,328.32
08/24/2018	307214	BITTERSWEET ACRES	HORSE AND CARRIAGE	350.00
08/24/2018	307215	BLOOM SLUGGETT MORGAN, PC	LEGAL SERVICES	412.00
08/24/2018	307216	BLUE CROSS/BLUE SHIELD OF MICH	HEALTH INSURANCE	72,611.06
08/24/2018	307217	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	200.00
08/24/2018	307218	C A L E A	ANNUAL FEES	3,185.00
08/24/2018	307219	CAPITAL SERVICES	DUPLICATE SUMMER TAX	5,206.98
08/24/2018	307220	CARPENTER, COURTNEY	HAYLOFT DEPOSIT REFUND	150.00
08/24/2018	307221	CHIPPEWA, DONNA	RAMONA DEPOSIT REFUND	100.00
08/24/2018	307222	CHRISTINE GRANADEROS	REIMBURSEMENT	20.00
08/24/2018	307223	CINTAS CORP.	UNIFORM RENTAL SERV	297.02
08/24/2018	307224	CLARK HILL	BOND REDEMPTION	2,500.00
08/24/2018	307225	CORNERSTONE OFFICE SYSTEMS	ENVELOPE FOLDER MACH	189.59
08/24/2018	307226	COSTAR REALTY INFORMATION, INC.	REALTY FEES	336.28
08/24/2018	307227	CUSTER OFFICE ENVIRONMENTS	NEW DESK CHAIR	394.38
08/24/2018	307228	DEX-YP YELLOW PAGES	YELLOW PAGES AD	649.88
08/24/2018	307229	DOERR, CINDI	SCHRIER REFUND	150.00
08/24/2018	307230	DOTY & SONS CONCRETE PRODUCTS, INC.	CAFE GAME TABLES	1,336.00

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 5 of 9

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	307231	EICHAKER, DAVID	ADV ANGLERS REFUND	85.00
08/24/2018	307232	EICHAKER, DAVID	ADV ANGLERS REFUND	5.00
08/24/2018	307233	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	873.38
08/24/2018	307234	FADER EQUIPMENT, INC.	CELERY FLATS PROJECT	980.00
08/24/2018	307235	FIREFIGHTERS BOOKSTORE	FIRE TRAINING SUPPLIES	388.40
08/24/2018	307236	FISH WINDOW CLEANING	DPS WINDOW CLEANING	309.00
08/24/2018	307237	FLAGG, DEAN R	OVERPAYMENT REFUND	284.06
08/24/2018	307238	GARRETT, ANNE	SCHRIER REFUND	150.00
08/24/2018	307239	GILLETTE, NORMA	GRAIN ELV REFUND	150.00
08/24/2018	307240	GIVE 'EM A BRAKE SAFETY INC.	MESSAGE BOARD RENTAL	2,100.00
08/24/2018	307241	GLADSTONE & ASSOCIATES	GLADSTONE RETAINER	600.00
08/24/2018	307242	GORDON FOOD SERVICE	RAMONA CONCESSIONS	16.47
08/24/2018	307243	GRAY, CYNDI	STUART REFUND	150.00
08/24/2018	307244	H & K EXCAVATING	BOND REFUND	120.00
08/24/2018	307245	HALT FIRE, INC.	FIRE APPARATUS MAINT	633.88
08/24/2018	307246	HAMPTON INN	CONCERT HOTEL	1,547.00
08/24/2018	307247	HOME DEPOT	EVENT SUPPLIES	2,874.36
08/24/2018	307251	INT'L ASSOC OF ARSON INVESTIGATORS	FIRE MARSHAL MEMBERS	285.00
08/24/2018	307252	IRVING S GILMORE	KEYBOARD DONATION	75.00
08/24/2018	307253	JAMES HAMRICK	FISH CAMP INSTRUCTOR	518.97
08/24/2018	307254	JOE RAFACZ	DEMONSTRATION	150.00
08/24/2018	307255	JOHNSON, ANGELA	PARK REFUND	300.00
08/24/2018	307256	KALAMAZOO COUNTY TREASURER	MOBILE HOME TAX	320.00
08/24/2018	307257	KALAMAZOO COUNTY TREASURER	2ND QUARTER BILLING	125.25
08/24/2018	307258	KALAMAZOO FIRST ASSEMBLY OF GOD	PRECINCT USAGE	100.00
08/24/2018	307259	KALAMAZOO LANDSCAPE SUPPLIES	TOP SOIL	1,217.30
08/24/2018	307260	KIESER & ASSOCIATES, LLC	COMPOST SITE	336.75
08/24/2018	307261	LAKE, ANGELA	PARK REFUND	100.00
08/24/2018	307262	LKF MARKETING	PROJECT MANAGEMENT	5,650.00
08/24/2018	307263	LOCEY SWIM POOL CO.	FOUNTAIN PAINT	111.24
08/24/2018	307264	LORD OF LIFE LUTHERAN CHURCH	PRECINCT USAGE - AUG	100.00
08/24/2018	307265	MALENFANT, ROBERT	HAYLOFT REFUND	150.00

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	307266	MCCORMACK, PAM	REFUND OVERPAY	10.81
08/24/2018	307267	MICH MUNICIPAL POLICE & FIRE REPAIR	EQUIPMENT SERVICES	3,495.00
08/24/2018	307268	MICHIGAN MUNICIPAL LEAGUE	ON-LINE JOB ADS	74.40
08/24/2018	307269	MIDWEST CUSTOM EMBROIDERY COMPANY	POLO SHIRTS	107.00
08/24/2018	307270	MLIVE MEDIA GROUP	JULY LEGAL NOTICES	1,413.06
08/24/2018	307271	MOHNEY, DIANE	TRIP REFUND	106.00
08/24/2018	307272	MOHNEY, SHANE	TRIP REFUND	100.00
08/24/2018	307273	MOORE, LARRY	FIRE OPS TRAINING	560.18
08/24/2018	307274	MULDER'S MOVING AND STORAGE	MOVING SERVICES	1,653.75
08/24/2018	307275	NATIONAL BUSINESS FURNITURE LLC	OFFICE FURNITURE	759.00
08/24/2018	307276	NETWORKFLEET, INC.	GPS SERVICES	742.05
08/24/2018	307277	NEWPORT PLAYHOUSE & CABERET	TRIP VENDOR PAYMENT	1,192.00
08/24/2018	307278	NORTHERN CONSTRUCTION SERVICES CORP	SIDEWALK REPAIR	38,754.52
08/24/2018	307279	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,464.90
08/24/2018	307281	PADDLESPTS WAREHOUSE	RAMONA KAYAKS	2,703.03
08/24/2018	307282	PAJAY, INC.	WINTERS DRIVE	19,509.56
08/24/2018	307283	PATHFINDER CHURCH	PRECINCT USAGE - AUG	100.00
08/24/2018	307284	PETERMAN CONCRETE CO.	PROJECT SUPPLIES	125.00
08/24/2018	307285	PETTY CASH-COLEEA CANDERS	REPLENISHMENT CHECK	423.20
08/24/2018	307286	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	539.43
08/24/2018	307287	PETTY CASH-MARILYN MARION	REPLENISHMENT CHECK	657.43
08/24/2018	307288	PHILLIPS, KIMBERLY	PHOTO STABILIZER	172.62
08/24/2018	307289	POLDERMAN'S FLOWER SHOP	FLOWERS	45.00
08/24/2018	307290	PORTAGE CHAPEL HILL UMC	PRECINCT USAGE - AUG	100.00
08/24/2018	307291	PRINCE OF PEACE LUTHERAN CHURCH	PRECINCT USAGE - AUG	100.00
08/24/2018	307292	PUBLIC MEDIA NETWORK	4TH QTR PAYMENT	82,081.66
08/24/2018	307293	RENEWED EARTH, INC.	LEAF/BRUSH REMOVAL	9,083.33
08/24/2018	307294	REYNOLDS, ERICA	SCHRIER REFUND	150.00
08/24/2018	307295	RIGHT-WAY RENTAL, INC.	ELIASON PROJECT	175.00
08/24/2018	307296	ROBINSON, KEVIN	UMPIRE PAYROLL	276.00
08/24/2018	307297	RUHLAND, KAZMIRA	EDIBLE REIMB	94.34
08/24/2018	307298	SAM BROWN SHIELDS, LLC.	FIRE OPS UNIFORMS	235.40

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 7 of 9

Check Date	Check	Vendor Name	Description	Amount
08/24/2018	307299	SARKAR, TRINANJAN	PARK REFUND	100.00
08/24/2018	307300	SCHUMAKER, ADAM	GLENN MILLER 2018	50.00
08/24/2018	307301	ST MARY'S CHURCH	TRIP VENDOR PAYMENT	412.50
08/24/2018	307302	ST. CATHERINE OF SIENA CHURCH	PRECINCT USAGE - AUG	100.00
08/24/2018	307303	STAP BROS LAWN & LANDSCAPE, INC	LANDSCAPING SERVICES	2,295.00
08/24/2018	307304	STATE OF MICHIGAN	SOR FEES	30.00
08/24/2018	307305	STATE SYSTEMS RADIO, INC	TOWER FEES	1,551.67
08/24/2018	307306	STATE TAX COMMISSION	MAAO TRAINING	1,000.00
08/24/2018	307307	STEAMPSHIP AUTHORITY	TRIP VENDOR PAYMENT	490.00
08/24/2018	307308	STEENSMA LAWN & POWER EQUIPMENT	IRRIGATION REPAIRS	667.85
08/24/2018	307309	STONEGATE MANAGEMENT, INC.	PRECINCT USAGE - AUG	100.00
08/24/2018	307310	STRAIGHT LINE FENCE	COURT FENCING	19,327.00
08/24/2018	307311	SUITS U TAILOR SHOP INC	FIRE UNIFORMS	80.00
08/24/2018	307312	SWANK MOTION PICTURES, INC.	MOVIE RENTAL LICENSE	435.00
08/24/2018	307313	THE BRIDGE	PRECINCT USAGE - AUG	100.00
08/24/2018	307314	THE BRIDGE	RAMONA PASSES 8/4/18	135.00
08/24/2018	307315	TILLOTTSON, RUTH	CENTRAL PARK DEPOSIT	100.00
08/24/2018	307316	TIM RAYMOND	DEMONSTRATION	150.00
08/24/2018	307317	TODD ARBANAS ENTERPRISES INC.	TREE SERVICES	950.00
08/24/2018	307319	UNITED PARTY & EVENT SERVICES	TABLES, CHAIRS	1,122.00
08/24/2018	307320	USA TODAY	SUBSCRIPTION	29.01
08/24/2018	307321	VANGUARD FIRE & SUPPLY CO., INC.	EXTINGUISHER INSPECT	119.00
08/24/2018	307322	VERIZON WIRELESS SERVICES, LLC	WIRELESS SERVICE	1,814.96
08/24/2018	307323	VICKSBURG HARDWARE	SMALL EQUIPMENT REPAIRS	141.75
08/24/2018	307324	XYLEM DEWATERING SOLUTIONS, INC.	PUMP RENTAL	1,338.60
08/24/2018	307325	ZANTJER-LIN, ANGELA	PARK REFUND	100.00
08/24/2018	307326	SWANK MOTION PICTURES, INC.	SHOWING RIGHTS	362.00
08/27/2018	307327	JAQUA REALTORS	EARNEST MONEY	1,000.00
08/31/2018	307328	57TH DISTRICT COURT	BAIL BOND	249.00
08/31/2018	307329	A T & T	TELEPHONE SERVICE	400.41
08/31/2018	307330	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	704.00
08/31/2018	307331	AMERICAN WATER WORKS ASSOC.	PAPER SUBSCRIPTION	767.00

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 8 of 9

Check Date	Check	Vendor Name	Description	Amount
08/31/2018	307332	CARTRIDGE WORLD	FIRE ADMIN EQUIPMENT	4,095.00
08/31/2018	307333	CEKOLA, WILLIAM A & KELLIE S	BOND REFUND	200.00
08/31/2018	307334	CINTAS CORP.	INSPECTORS PANT RENTAL	14.26
08/31/2018	307335	COMPLETE LANDSCAPING SOLUTIONS	TALL GRASS AND WEEDS	1,050.61
08/31/2018	307336	CONSUMERS CREDIT UNION	OVERPAYMENT TAXES	10,864.21
08/31/2018	307337	CONSUMERS ENERGY CEM SUPPORT CENTER	SERVICE RELOCATION	1,741.00
08/31/2018	307338	CORELOGIC CENTRALIZED REFUNDS	OVERPAYMENT TAXES	62,461.11
08/31/2018	307339	CUSTER OFFICE ENVIRONMENTS	OFFICE SEATING	1,109.64
08/31/2018	307340	DEVON TITLE AGENCY	OVERPAYMENT	76.82
08/31/2018	307341	DEVON TITLE AGENCY	OVERPAYMENT	239.55
08/31/2018	307342	DTN, LLC	WEATHER SERVICE	876.00
08/31/2018	307343	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	325.00
08/31/2018	307344	ENVIRONMENTAL SYSTEMS RESEARCH	ONE YEAR MAINTENANCE	5,400.00
08/31/2018	307345	GORDON FOOD SERVICE	RAMONA CONCESSIONS	114.51
08/31/2018	307346	GREATER KALAMAZOO FOP LODGE 98	PPCOA UNION DUES	5,272.32
08/31/2018	307347	HOME DEPOT	MISC MAINTENANCE SUP	88.44
08/31/2018	307348	JOHN W. DUNLOP	FISH CAMP INSTRUCTOR	140.00
08/31/2018	307349	KALAMAZOO COUNTY HEALTH & COMMUNITY	HAZ WASTE DISP	43.88
08/31/2018	307350	KALAMAZOO LANDSCAPE SUPPLIES	TOP SOIL	123.20
08/31/2018	307351	KAMMINGA & ROODVOETS, INC.	PAVING SERVICES	3,868.33
08/31/2018	307352	KEVIN HOEKZEMA	BOND REFUND	150.00
08/31/2018	307353	LENS EQUIPMENT	GPS TRACKERS	2,016.00
08/31/2018	307354	LERETA	REFUND OVERPAY	2,568.33
08/31/2018	307355	LKF MARKETING	BANNERS	1,200.00
08/31/2018	307356	LOCEY SWIM POOL CO.	FOUNTAIN PAINT	34.00
08/31/2018	307357	MDEQ	CERTIFIED STORM WATER	95.00
08/31/2018	307358	MICHIGAN ASSOC. OF PLANNING	2018 PLANNING CONFER	780.00
08/31/2018	307359	MID-MICHIGAN ASSOC OF ASSESSING OFF	MMAAO MEMBERSHIP	15.00
08/31/2018	307360	MIDWEST ELECTRIC MOTORS, INC	MOTOR REPAIRS	377.80
08/31/2018	307361	MTU-CTT	PASER TRAINING 3/28/18	10.00
08/31/2018	307362	NANCY ARLIDGE	WATER OVERPAY	130.00
08/31/2018	307363	OFFICE DEPOT, INC.	OFFICE SUPPLIES	400.32

ACCOUNTS PAYABLE REGISTER
Check Dates From 8/19/2018 To 9/2/2018

Page 9 of 9

Check Date	Check	Vendor Name	Description	Amount
08/31/2018	307364	PETTY CASH-TERESA GIPSON	REPLENISHMENT CHECK	457.07
08/31/2018	307365	PURITY CYLINDER GASES, INC	WELDING MAINTENANCE	2,902.61
08/31/2018	307366	ROBERTS DEVELOPMENT GROUP INC	BOND REFUND	240.00
08/31/2018	307367	SMOKED DOWN BBQ LLC	REFRESHMENTS	61.32
08/31/2018	307368	ST JOSEPH COUNTY COURT	BAIL BOND	300.00
08/31/2018	307369	STATE OF MICHIGAN (DEPT LABOR)	INSPECTOR REGISTRATION	75.00
08/31/2018	307370	SUZANN ALBRIGHT	OVERPAYMENT TAXES	6.00
08/31/2018	307371	TANNER, STEVE	FIRE OPS TRAINING	198.88
08/31/2018	307372	TODD ARBANAS ENTERPRISES INC.	TREE REMOVAL SERVICE	2,450.00
08/31/2018	307373	UNITED PARCEL SERVICE	WEEKLY DELIVERY	37.00
08/31/2018	307374	WILLIAM A. WATSON	TRAINER COSTS	1,250.00
			Total Paper Checks:	440,011.25
Check Type: Auto-Pay Payments				
08/20/2018	6883	CONSUMERS ENERGY	GAS-ELECTRIC	354.17
08/21/2018	6894	CONSUMERS ENERGY	GAS-ELECTRIC	3,888.14
08/22/2018	6895	CONSUMERS ENERGY	GAS-ELECTRIC	201.99
			Total Auto-Pay Payments:	4,444.30
			Grand Total:	1,170,553.21

Portage Senior Citizens Advisory Board

July 18, 2018

ATTENDANCE:

Larry Smith, Mary Lou Petrulio, John Graca Lobo, Sharon White, Bill Wieringa, Trudy Riker

Absent Excused: Art Roberts, Ann Perkins, Nikki Gilette

Absent Un-excused:

Resignation: Joe McCrumb

Guests: Monifa Jumanne

Staff: Kim Phillips

Call to order time: 2:30 PM

Corrections to previous minutes:

Second page of the minutes Area Agency of Aging the word Agency was omitted. Motions to approve: Sharon White and Larry Smith. The minutes were approved.

Items of Information, Sharon White:

Sharon made apologies for the omission of July and August birthdays in items of information handouts. The items of interest included a July 31st presentation, Active Shooter Response and commented that the upcoming garden party is already sold out. All of the items listed on the hand outs will be held at the PSC.

Travel Program, Trudy Riker:

The travel department is up 40% in numbers of trips and travelers over this time last year.

We had several trips going out and enjoyed many good reviews but we did have one sad thing happen with a restaurant that knew we were coming but were ill prepared. This business is in the process of making amends.

Friends of PSC Board Update, Trudy Riker:

Friends welcomed two new board members, introductions took place around the room and the Friends mission was reviewed.

There is a senior center expansion meeting on July 24th at 5:30.

Scholarships were approved and the investments were reviewed.

The purse sale is on September 22. There will be reception in September or October during which information will be shared regarding giving through bequests.

Legislative Update, Art Roberts:

There was no legislative report.

Managers Report, Kim Phillips:

One of the things Sharon mentioned is that September is National Senior Center month. The PSC is launching a *Selfie September* activity in honor of this, encouraging participants to learn more about their cell phones and how to take selfies, hash tags and hopefully share their (PSC Activity-related) selfies with staff who could then post them on PSC's Facebook pages.

Old Business, Kim Phillips:

The fundraising feasibility study results for a new senior center facility came back to the City Manager, who will be sharing them with City Council on Tuesday, July 24th, at 5:30 PM. This Committee Of The Whole meeting will be to discuss moving forward with fundraising efforts. Kim encouraged folks to be there at 5:30. The new building would triple the size of the current facility. This meeting is open to the public, please share meeting details with others and encourage them to come. Please keep in mind that this has nothing to do with the senior millage on the ballot in August.

New Business:

The City Manager and a few department heads met with representatives of AARP to introduce an initiative called Age Friendly Communities. This is a fairly intense, five year process involving the entire community. Before there is a move forward by the city to commit to the process, the City Manager wants both boards to review the program and make recommendation to city council. Kim will provide information to the board members for their consideration, hopefully in advance of next month's meeting. There are a lot of advantages to the program from the viewpoint that what benefits seniors benefits everybody, whether it be easily accessed facilities, walkability, safety measures, etc. The process builds community awareness. A couple of Michigan communities which have gone through the process have become eligible for opportunities such as grant funds. There are only three or four communities in Michigan who have undergone this process. Meanwhile, if you would like to, you can pull up AARP's Age Friendly Community on line for additional information.

ACTIVITIES REMINDERS:

Don't forget the Ice Cream Social on August 6, at 1:00 PM

Coffee with a Cop is tomorrow at 1:00 PM

Garden Tea Party is sold out

ABC's of Medicare on Tuesday, August 21 at 6:30 PM

The PSC will be closed on August 31st, the Friday before Labor Day

Advisory Board Comments:

None

Citizen comment:

Monifa Jumanne expressed her concerns about the diversity & inclusion program offerings at the Portage Senior Center. She expressed concern that the Senior Center was not being proactive enough in developing and pursuing programs that promote diversity. After some discussion, board members responded that they heard and understood her concerns and that the board would discuss the topic and get back to her with a response.

Time Adjourned: 3:35 PM

Next meeting: August 15, 2018, 2:30 PM

City of Portage
Historic District Commission
Wednesday, August 01, 2018

Meeting Called to Order: 8:22 A.M.

Members Present: Duniphin, Lopez, vanLonkhuyzen, Grunert, Barton, Maytnier, Nemeth.

Members Excused: Custer, Forrest.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): Debbie & Randy Newsome (2663 Mandigo Avenue)

Approval of Minutes: Grunert moved, seconded by Barton, to approve the July 11, 2018 meeting minutes. Motion approved 7-0.

Old Business:

- a. Election of Officers: Lopez moved, seconded by Grunert, to re-elect vanLonkhuyzen as Chair, Nemeth as Vice-Chair and Maytnier as Secretary. Motion approved 7-0.

Old Business:

- a. 2663 Mandigo Avenue; Accessory Building (Horse Barn): Owners, Debbie and Randy Newsome, were present to speak on behalf of their application regarding the construction of an accessory building (horse barn). Mrs. Newsome provided an update regarding the color choice for the siding and roof of the barn and indicated her and Mr. Newsome will be constructing the barn instead of hiring a contractor. At the request of vanLonkhuyzen, Mrs. Newsome was able to provide a rendering of what the proposed accessory building will look like upon completion. vanLonkhuyzen stressed the need to make the new accessory building look as historical and time period correct as possible. Grunert thanked the applicants for the thorough detail listing of how the structure will be constructed via the submitted material listing. Lopez moved, seconded by Duniphin, to approve the construction of the accessory building (horse barn). Motion passed 7-0.

New Business:

- a. 2663 Mandigo Avenue; Windows: Debbie and Randy Newsome presented their application, dated July 20, 2018, for the replacement of the windows on the farm house. Mr. Newsome indicated that due to severe neglect from a previous owner, panes of glass are missing, trim around some of the windows are rotten and missing. Discussion followed regarding replacing the windows verse repairing the windows. Grunert stated his support of Mr. & Mrs. Newsome's application to replace the existing windows with vinyl windows due to the applicants restoring the property. Grunert also applauded the work the Newsomes have been able to do over the past few months to correct years worth of neglect from the previous owner.

Nemeth voiced support of the Newsome's application and stated that vinyl windows will not be as noticeable from the roadway. Nemeth also thanked the Newsomes for the work they have been able to complete to bring the property back from severe neglect.

Maytnier gave her support of the proposed window replacement and encouraged the rest of the Commission to look at the big picture of the property and the work the Newsomes are undertaking.

Barton encouraged the applicants to look into aluminum windows compared to vinyl due the quality and aesthetics on the farmhouse.

Grunert moved, seconded by Nemeth, to approve the replacement of the windows on the farmhouse that matches the existing windows, with the option to use vinyl. Motion passed, 7-0.

Community Outreach: Duniphin informed the Commission that Story Point Senior Community has inquired about a presentation and possible additional tour of the home located at 3821 West Milham Avenue. Duniphin informed the Commission that the October event with the Parks Department has been put on hold and that Duniphin will inform the Commission once further details are available.

Citizen Comments: Debbie Newsome thanked the Commission for the patience, understanding and willingness to work with herself and Randy to address the issues at 2663 Mandigo Avenue.

Adjournment: There being no further comments or business, vanLonkhuyzen adjourned the Historic District Commission regular meeting of August 01, 2018 at 9:12 A.M.

Historic District Study Committee

August 01, 2018

Call to Order: vanLonkhuyzen called the Historic District Study Committee meeting to order at 9:12 A.M.

Members Present: Duniphin, Lopez, vanLonkhuyzen, Barton, Grunert, Maytnier, Nemeth.

Members Excused: Forrest, Custer.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest: Debbie & Randy Newsome, 2663 Mandigo Avenue.

2663 Mandigo Avenue: Duniphin provided a brief update on the drafted preliminary report to the Study Committee. Upon review, an update was requested to reflect the non-historic ranch home address as 2421 Mandigo Avenue. Maytnier moved, seconded by Lopez, to approve the preliminary report, subject to the address change, and set a public hearing for the proposed district modification for October 03, 2018 at 9:00a.m. Motion passed 7-0.

Adjournment: there being no further comment or questions, vanLonkhuyzen adjourned the study committee meeting at 9:23 A.M.

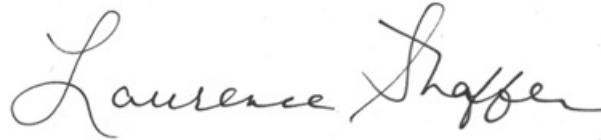
Respectfully submitted,

A handwritten signature in dark ink that reads "Kyle Mucha". The signature is written in a cursive, slightly slanted style.

Kyle Mucha
Zoning & Codes Administrator

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Resolution Adopting New Public Streets - Act 51 Mileage Certification

SUPPORTING PERSONNEL: Rod Russell, Director of Public Services

ACTION RECOMMENDED: Adopt a Resolution Accepting Newly Constructed Dedicated Streets as Public Streets and authorize the City Manager to execute all documents related to these actions on behalf of the city.

The Annual Act 51 Mileage Certification Report requires that all streets constructed during the preceding calendar year be accepted for public use through the adoption of a resolution by the jurisdiction's governing body. In the case of new streets constructed within the confines of new residential development, although these streets are technically accepted through the plat approval process, Act 51 requires the governing body to adopt one inclusive resolution accepting these streets incorporated in the new development, which merely need to be listed in the resolution. This action certifies that the new streets conform to city specifications and can be dedicated for public use, which qualifies these streets for annual roadway maintenance funding in accordance with the provisions of Act 51, Public Act 1951, as amended. The previous Annual Act 51 Mileage Certification Report for the year of 2017 was adopted by Council on May 8, 2018.

Streets constructed and dedicated for the 2018 calendar year include:

- Bunchberry Drive
- Boxwood Court

With the certification of Bunchberry Drive and Boxwood Court (in the Whispering Meadows plat) a total of 1,043.44 centerline feet of local street will be added to the city street network, bringing the total centerline miles of local streets to 148.94 miles. Coupled with the existing 72.04 centerline miles of major streets, a total of 220.98 centerline miles of streets will make up the City of Portage street system.

It is recommended that City Council adopt the Resolution Accepting Newly Constructed Dedicated Streets as Public Streets.

FUNDING: NA

Attachments: 1. Resolution

CITY OF PORTAGE

RESOLUTION ACCEPTING NEWLY CONSTRUCTED
PLATTED STREETS AS PUBLIC STREETS

At a regular meeting of the Council for the City of Portage, Michigan, Kalamazoo County, Michigan, held at the City Hall on the ____ day of _____, 2018, at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

Resolution offered by: _____

Seconded by _____

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place platted streets within the City Local Street System for the purpose of obtaining funds under Act51, P.A. 1951 as amended:

AND WHEREAS, streets were constructed and final plat and site acceptance was granted to certain plats during the 2018 calendar year.

NOW, THEREFORE, BE IT RESOLVED: that the center line of said streets are described in the following:

BUNCHBERRY DRIVE

THE CENTERLINE OF BUNCHBERRY DRIVE (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF SAID SECTION 7 AND THE WEST LINES OF "ROBINSWOOD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, KALAMAZOO COUNTY RECORDS AND "ROBINSWOOD NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 05, KALAMAZOO COUNTY RECORDS, 924.32 FEET (RECORDED AS 924.70 FEET) TO THE NORTH LINE OF WHISPERING MEADOWS NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 39, PAGE 05, KALAMAZOO COUNTY RECORDS; THENCE NORTH 85° 03' 20" WEST ON SAID NORTH LINE 467.64 FEET; THENCE NORTH 16° 31' 29" WEST ON SAID NORTH LINE 79.77 FEET; THENCE NORTH 81° 10' 10" WEST ON SAID NORTH LINE 78.17 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF BUNCHBERRY DRIVE

(PUBLIC RIGHT OF WAY); THENCE NORTH 33° 20' 53" EAST ON SAID CENTERLINE 128.20 FEET; THENCE NORTHEASTERLY 124.53 FEET ON SAID CENTERLINE AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 40° 29' 00" EAST 124.21 FEET; THENCE NORTH 47° 37' 07" EAST ON SAID CENTERLINE 152.01 FEET; THENCE NORTHEASTERLY 173.40 FEET ON SAID CENTERLINE AND ON A 200.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 22° 46' 53" EAST 168.02 FEET; THENCE NORTH 02° 03' 21" WEST ON SAID CENTERLINE 159.35 FEET TO THE POINT OF ENDING OF SAID CENTERLINE OF BUNCHBERRY DRIVE. TOTAL LENGTH 737.49'

BOXWOOD COURT

THE CENTERLINE OF BOXWOOD COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF SAID SECTION 7 AND THE WEST LINES OF "ROBINSWOOD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, KALAMAZOO COUNTY RECORDS AND "ROBINSWOOD NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 05, KALAMAZOO COUNTY RECORDS, 924.32 FEET (RECORDED AS 924.70 FEET) TO THE NORTH LINE OF WHISPERING MEADOWS NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 39, PAGE 05, KALAMAZOO COUNTY RECORDS; THENCE NORTH 85° 03' 20" WEST SAID NORTH LINE 467.64 FEET; THENCE NORTH 16° 31' 29" WEST ON SAID NORTH LINE 79.77 FEET; THENCE NORTH 81° 10' 10" WEST ON SAID NORTH LINE 78.17 FEET TO THE CENTERLINE OF BUNCHBERRY DRIVE; THENCE NORTH 33° 20' 53" EAST ON SAID CENTERLINE 128.20 FEET; THENCE NORTHEASTERLY 124.53 FEET ON SAID CENTERLINE AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 40° 29' 00" EAST 124.21 FEET; THENCE NORTH 47° 37' 07" EAST ON SAID CENTERLINE 54.25 FEET; THENCE SOUTH 42° 22' 53" EAST 30.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF BOXWOOD COURT (PUBLIC RIGHT OF WAY); THENCE CONTINUING SOUTH 42° 22' 53" EAST ON SAID CENTERLINE 23.90 FEET; THENCE SOUTHEASTERLY 132.90 FEET ON SAID CENTERLINE AND ON A 230.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 58° 56' 08" EAST 131.06 FEET; THENCE SOUTHEASTERLY 69.15 FEET ON SAID CENTERLINE AND ON A 341.75 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 69° 41' 36" EAST 69.03 FEET; THENCE SOUTH 63° 53' 48" EAST ON SAID CENTERLINE 50.00 FEET TO THE POINT OF ENDING OF SAID CENTERLINE OF BOXWOOD COURT. TOTAL LENGTH 305.95'

BE IT FURTHER RESOLVED that said streets are located within city rights-of-way and are under the control of the City of Portage; that said streets are public streets and are for public street purposes; and that said streets are accepted into the City Local Street System.

That all resolution or parts of resolutions insofar as they conflict with this provision of this resolution are hereby rescinded.

Dated: _____, 2018

Adam Herringa, City Clerk

YEAS: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

Adam Herringa, 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 ____ day of _____, 2018, the original of which resolution is on file on my office.

Adam Herringa, City Clerk

APPROVED AS TO FORM
DATE 8/20/2018
[Signature]
CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Board and Commission Interview Session

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: That City Council set a Special Meeting on Tuesday, October 9, 2018, beginning at 5:15 p.m., to interview Board and Commission applicants.

The City of Portage relies upon citizen participation on many Boards and Commissions that help to serve the community. The advice received from these groups assists the City Council and City Administration in making Portage A Natural Place to Move! These citizens provide the talent and experience needed to meet the diverse challenges facing the community.

Interviews of Board and Commission applicants are performed each year in October, January and May. Per the Policy for Appointments to Citizen Advisory Boards, City Council will interview applicants to fill vacancies on the following Boards and Commissions and any other vacancies that arise:

- Economic Development Corporation, Tax Increment Finance Authority, and Brownfield Redevelopment Authority
- Environmental Board
- Historic District Commission
- Human Services Board
- Park Board
- Senior Citizen Advisory Board

It is recommended that City Council set a Special Meeting on Tuesday, October 9, 2018, beginning at 5:15 p.m., to interview Board and Commission applicants.

FUNDING: N/A

Attachments: 1. 2018 10 09 CC Agenda Item - Summary Attachment

BOARDS/COMMISSIONS VACANCY SUMMARY FOR OCTOBER 9, 2018 SPECIAL MEETING

INTERVIEWS	5:15 pm	pm	pm	pm	pm	pm
APPLICANTS	SR CITZ <i>3 exp terms 3 vacancies 3 yr terms</i>	ENV BD <i>1 exp term 2 vacancies 3 yr terms</i>	HDC <i>3 exp terms 3 yr terms</i>	HSB <i>3 exp terms 3 yr terms</i>	PK BD <i>1 exp term 2 vacancies 3 yr terms</i>	EDC/TIFA and BRA <i>1 exp term 2 vacancies partial term</i>
Diane Durian				Member		
Collin Forrest			Member			
Bradley D. Galin (PPS)						Member
Ryan Johnson					Applicant	
Jerry Kroehn		Member				
Raymond LaPoint				Member		
John Lobo	Alternate					
Alice Mwanda				Member		
Suzanne M. Nemeth			Member			
Gertrude “Trudy” Riker	Member					
Kazmira Ruhland					Member	
Katie vanLonkhuyzen			Member			
William R. Wieringa	Member					
Timothy Young		Applicant			Applicant	
Linda Zoeller	Applicant	Applicant		Applicant		
Susan Williams					Applicant	

NOTE: Alternate – currently serving as an Alternate Member of a Board or Commission and is seeking appointment or reappointment.

Applicant – new applicant seeking appointment to a Board or Commission.

Member – currently serving as a Member of a Board or Commission and is seeking reappointment.

NP – Applicant with No Preference.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: AT&T Switched Ethernet Service Intrastate Contract

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: Approve the five-year AT&T MI-Deal special government pricing contract for the continuation of field personnel radio dispatching communications in an annual amount not to exceed \$62,160 and authorize the City Manager to execute all documents related to this action on behalf of the City.

The City of Portage telecommunications infrastructure includes 29 analog radio circuits, used by Public Safety and Public Services field personnel dispatching communications. This service is provided under a contract with AT&T at the annual cost of \$71,280, which is set to expire in October, 2018.

The Technology Services Department has been working with AT&T, Kalamazoo County Consolidated Dispatch Authority (KCCDA), Roe-Com, State Systems and Motorola to prepare for an upgrade of this important service to a modern fiber infrastructure, to reduce annual cost and prepare for the transition of Public Safety dispatch to the KCCDA.

AT&T has provided the city with a new five-year MI-Deal special government pricing contract that consolidates the current 29 analog circuits to 14 high-volume Ethernet fiber connections at an annual rate of \$62,160, for a total five-year cost savings of \$45,600 over the current contract. Quotes for similar service were also solicited and received from CTS Telecom and Comcast, but neither vendors is able to provide the service to all locations. Additional undetermined cost savings will be applied to the contract when several of the Ethernet fiber connections are transferred to the KCCDA.

It is recommended that City Council approve a five-year contract with AT&T for the continuation of field personnel radio dispatching communications in an annual amount not to exceed \$62,160 and authorize the City Manager to execute all related documents.

FUNDING: Funds are available in the Fiscal Year 2018-19 Budget.

Attachments: None



MATERIALS TRANSMITTED

Tuesday, August 28, 2018

1. Communication from the City Manager regarding the Monthly Financial Report from Bill Furry, Director of Finance – Information Only
2. Communication from the City Manager regarding Michigan Department of Transportation (MDOT) Funding for Improvements to Zylman Avenue, Lovers Lane, and Idaho Avenue – To Be Added to the Consent Agenda

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

08/20/2018

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 07/31/2018

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
REVENUES					
	Totals for dept 0000 -	23,254,733	23,254,733	2,097,175	9%
	Totals for dept 1501 - District Court	70,000	70,000	17,500	25%
	Totals for dept 1720 - City Manager	500	500	0	0%
	Totals for dept 2053 - Finance Treasury	1,000	1,000	355	36%
	Totals for dept 2415 - City Clerk	64,400	64,400	10,745	17%
	Totals for dept 2491 - City Clerk Elections	25,000	25,000	0	0%
	Totals for dept 2865 - Parks Maintenance	1,000	1,000	2,131	213%
	Totals for dept 2876 - Cemeteries	55,000	55,000	10,648	19%
	Totals for dept 2877 - Parks & Rec - Parks	66,000	66,000	0	0%
	Totals for dept 2882 - Parks & Rec - Team Sports	132,510	132,510	22,793	17%
	Totals for dept 2885 - Parks & Rec - Programs	18,300	18,300	1,377	8%
	Totals for dept 2886 - Parks & Rec - Ramona Park	53,300	53,300	750	1%
	Totals for dept 2887 - Parks & Rec - Special Events	61,200	61,200	31,597	52%
	Totals for dept 2888 - Parks & Rec - Millenium Park	49,500	49,500	0	0%
	Totals for dept 3005 - Police Administration	155,700	155,700	47,950	31%
	Totals for dept 3010 - Police Patrol	1,000	1,000	20	2%
	Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	0	0%
	Totals for dept 3030 - Police Public Safety Dispatch/ts	31,000	31,000	0	0%
	Totals for dept 3035 - Police 911 Cmrs PSAP	40,000	40,000	24,270	61%
	Totals for dept 3050 - Police Drug Law Enforcement	1,000	1,000	0	0%
	Totals for dept 3310 - Fire Admin	1,250	1,250	0	0%
	Totals for dept 3340 - Fire Prevention	900	900	140	16%
	Totals for dept 3710 - Comm Dev Building Services	750,000	750,000	120,658	16%
	Totals for dept 3720 - Comm Dev Planning & Development	50,050	50,050	14,992	30%
	Totals for dept 3730 - Comm Dev Neighborhood Services	193,000	193,000	155,413	81%
	Totals for dept 6720 - Senior Center	157,700	157,700	15,256	10%
	Totals for dept 6721 - Senior Center Trips	300,000	300,000	0	0%
	Totals for dept 6722 - Senior Center Activities	15,000	15,000	0	0%
	Totals for dept 6725 - Aging Mastery Program	1,500	1,500	215	14%
TOTAL REVENUES - GENERAL FUND		25,559,543	25,559,543	2,573,985	10%
EXPENDITURES					
	Totals for dept 1001-City Council	117,300	117,300	631	1%
	Totals for dept 1085-City Council-Human Services	164,687	164,687	14,698	9%
	Totals for dept 1501-District Court	63,000	63,000	9,278	15%

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
Totals for dept 1720-City Manager		673,471	673,471	60,048	9%
Totals for dept 2001-Finance Accounting		438,790	438,790	34,323	8%
Totals for dept 2002-Finance & Budget		295,119	295,119	19,648	7%
Totals for dept 2053-Finance Treasury		146,176	146,176	22,436	15%
Totals for dept 2110-MIS		847,043	847,043	73,132	9%
Totals for dept 2133-MIS Public Information		54,212	54,212	5,667	10%
Totals for dept 2209-Assessor		467,381	467,381	29,732	6%
Totals for dept 2247-Assessor Board Of Review		35,135	35,135	1,902	5%
Totals for dept 2310-Attorney		226,728	226,728	37,620	17%
Totals for dept 2415-City Clerk		168,291	168,291	11,496	7%
Totals for dept 2416-City Clerk Records Management		67,302	67,302	8,800	13%
Totals for dept 2491-City Clerk Elections		192,819	192,819	31,781	16%
Totals for dept 2610-Human Resources		459,857	459,857	37,519	8%
Totals for dept 2733-Purchasing		82,523	82,523	7,245	9%
Totals for dept 2734-Purchasing Risk Management		28,243	28,243	1,491	5%
Totals for dept 2865-Parks Maintenance		1,246,521	1,246,521	99,039	8%
Totals for dept 2876-Cemeteries		65,819	65,819	4,847	7%
Totals for dept 2877-Parks & Rec - Parks		645,690	643,690	51,775	8%
Totals for dept 2878-Parks & Rec - Kalamazoo In Bloom		8,000	8,000	0	0%
Totals for dept 2880-Parks & Rec Rec - Admin		184,711	185,711	19,147	10%
Totals for dept 2882-Parks & Rec Rec - Team Sports		57,500	57,000	11,834	21%
Totals for dept 2885-Parks & Rec - Programs		18,850	19,400	2,959	15%
Totals for dept 2886-Parks & Rec Rec - Ramona Park		97,062	92,962	32,747	35%
Totals for dept 2887-Parks & Rec Rec - Special Events		102,200	107,250	46,853	44%
Totals for dept 2888-Parks & Rec - Ice Rink		93,302	93,302	8,981	10%
Totals for dept 3005-Police Administration		856,415	856,415	85,736	10%
Totals for dept 3006-Police Youth Services		494,984	494,984	38,247	8%
Totals for dept 3007-Police Investigation		692,955	692,955	60,961	9%
Totals for dept 3010-Police Patrol		5,312,798	5,312,798	667,239	13%
Totals for dept 3020-Police Training		196,900	196,900	17,024	9%
Totals for dept 3021-Police Training-Grant Funded		9,000	9,000	0	0%
Totals for dept 3030-Police Public Safety Dispatch/ts		960,377	960,377	246,649	26%
Totals for dept 3031-Police Emergency Sirens		18,676	18,676	0	0%
Totals for dept 3035-Police 911 Cmr's PSAP		205,188	205,188	18,303	9%
Totals for dept 3040-Police Records & PST		473,237	473,237	34,416	7%
Totals for dept 3050-Police Drug Law Enforcement		315,214	315,214	33,868	11%
Totals for dept 3065-Police Facility Management		114,800	114,800	2,756	2%
Totals for dept 3090 - Police KCCDA support		756,793	756,793	378,397	50%

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
	Totals for dept 3310-Fire Admin	669,034	669,034	77,667	12%
	Totals for dept 3320-Fire Operations	4,099,141	4,099,141	374,755	9%
	Totals for dept 3330-Fire On Call Firefighters	95,850	95,850	10,861	11%
	Totals for dept 3331-Fire Emergency Operations	4,700	4,700	0	0%
	Totals for dept 3340-Fire Prevention	139,383	139,383	17,805	13%
	Totals for dept 3350-Fire Training	189,413	189,413	27,789	15%
	Totals for dept 3365-Fire Facility Management	95,150	95,150	946	1%
	Totals for dept 3710-Comm Dev Building Services	532,215	532,215	50,846	10%
	Totals for dept 3720-Comm Dev Planning & Development	314,151	314,151	33,466	11%
	Totals for dept 3730-Comm Dev Neighborhood Services	228,481	228,481	17,612	8%
	Totals for dept 3765-Comm Dev Building Maintenance	218,611	218,611	30,160	14%
	Totals for dept 4210-General Public Services	477,492	477,492	13,047	3%
	Totals for dept 6720-Senior Center	346,415	346,415	28,666	8%
	Totals for dept 6721-Senior Center Trips	310,874	310,874	3,271	1%
	Totals for dept 6725-Aging Mastery Program	1,500	1,500	0	0%
	Totals for dept 9610-Transfers Out	1,286,338	1,286,338	0	0%
	TOTAL EXPENDITURES - GENERAL FUND	26,463,817	26,463,817	2,956,116	11%
202	Major Street Fund - Revenues	4,169,800	4,169,800	684,770	16%
	Major Street Fund - Expenditures	4,223,030	4,223,030	96,284	2%
203	Local Streets Fund - Revenues	1,486,120	1,486,120	210,927	14%
	Local Streets Fund - Expenditures	1,480,456	1,480,456	62,636	4%
204	Municipal Streets Fund - Revenues	1,484,610	1,484,610	168,625	11%
	Municipal Streets Fund - Expenditures	1,640,000	1,640,000	0	0%
223	Curbside Recycling - Revenues	680,100	680,100	76,840	11%
	Curbside Recycling - Expenditures	688,081	688,081	53,139	8%
226	Leaf Pickup/Spring Cleanup - Revenues	744,000	744,000	83,441	11%
	Leaf Pickup/Spring Cleanup - Expenditures	837,813	837,813	13,274	2%
230	CDBG Program Income Fund - Revenues	125,000	125,000	10,662	9%
	CDBG Program Income Fund - Expenditures	125,000	125,000	3,132	3%

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
252	West Lake Weed Mgmt - Revenues	32,120	32,120	0	0%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	0	0%
296	Community Development Block Grant - Rev	210,000	210,000	0	0%
	Community Development Block Grant - Exp	210,000	210,000	3,820	2%
298	Cable Television Fund - Revenues	836,000	836,000	43,491	5%
	Cable Television Fund - Expenditures	867,709	867,709	8,165	1%
400	Capital Improvement General - Revenues*	18,578,000	22,935,563	226,132	1%
	Capital Improvement General - Expenditures*	18,578,000	25,923,197	4,517,011	17%
490	Capital Improvement Sewer - Revenues*	1,020,000	4,030,000	0	0%
	Capital Improvement Sewer - Expenditures*	1,020,000	1,693,348	0	0%
491	Capital Improvement Water - Revenues*	1,325,000	6,213,775	0	0%
	Capital Improvement Water - Expenditures*	1,325,000	5,922,011	0	0%
590	Sewer Fund - Revenues*	9,012,000	9,012,000	1,570,291	17%
	Sewer Fund - Expenditures*	7,149,273	7,149,273	513,895	7%
591	Water Fund - Revenues*	6,719,300	6,719,300	1,105,643	16%
	Water Fund - Expenditures*	5,588,159	5,588,159	982,724	18%
TOTAL REVENUES - ALL FUNDS **		71,981,593	84,237,931	6,754,807	8%
TOTAL EXPENDITURE - ALL FUNDS **		70,228,458	82,844,014	9,210,196	11%

* The Capital Improvement Program uses project-length budgets, original is current fiscal year, amended includes budgets of prior year projects continued.

** Debt Service Funds not included.



MATERIALS TRANSMITTED
August 28, 2018

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

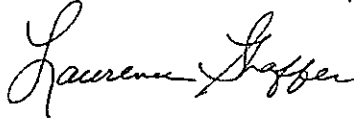
SUBJECT: Michigan Department of Transportation (MDOT) Funding for Improvements to
Zylman Avenue, Lovers Lane, and Idaho Avenue

SUPPORTING PERSONNEL: Kendra Gwin, Finance Director

Attachments: 1. MDOT Resolutions – Zylman Avenue, Lovers Lane & Idaho Avenue

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: MDOT Funding for Improvements to Zylman Avenue, Lover's Lane, and Idaho Avenue

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED:

1. Approve Contract #2018-0770 between the Michigan Department of Transportation and the City of Portage for the completion of the Zylman Avenue Reconstruction Project;
2. Approve Contract #2018-0771 between the Michigan Department of Transportation and the City of Portage for the completion of the Realignment of Lovers Lane north of Ramona Avenue Project;
3. Approve Contract #2018-0772 between the Michigan Department of Transportation and the City of Portage for the completion of the Reconstruction of Idaho Avenue from Oregon to South Westnedge Avenue Project;
4. Adopt Resolutions authorizing the City Manager to sign Contracts #2018-0770, #2018-0771 and #2018-0772; and

authorize the City Manager to sign all other documents related to these projects on behalf of the city.

At the Regular City Council Meeting of June 26, 2018, Michigan State Senator Margaret O'Brien and Michigan State Representative Brandt Iden announced that the State of Michigan Department of Transportation (MDOT) would fund three roadway improvement projects in the City of Portage. Total funding from the State of Michigan for these projects is \$3.25 million and work is anticipated to begin in the 2019 construction season. Contracts #2018-0770, #2018-0771 and #2018-0772 establish the amount of the Legislative Earmark (\$3.25 million) to the City of Portage. City Council authorization for the City Manager to sign the contracts is required by resolution.

The projects being funded by this Legislative Earmark include reconstruction of Zylman Avenue, realignment of Lovers Lane north of Ramona and reconstruction of Idaho Avenue from Oregon to South Westnedge Avenue.

Lovers Lane Realignment Project

Lovers Lane from East Centre Avenue to East Milham Avenue is part of the Kalamazoo Area Transportation Study Map 7 Proposed Bike Commuter Routes. With the increase in traffic and left

turn movements onto Stryker Way, conversion from 4 lanes to 3 lanes with a center turn lane with bike lanes in both directions will facilitate safer left-turn movements. Lovers Lane has a sharp reverse curve where safety is a concern due to drivers having to shift their vehicles abruptly. The grant funding enables implementation of a road diet from East Centre Avenue to East Milham Avenue and the correction of the reverse curve alignment on Lovers Lane. In total, the Lovers Lane project cost is estimated at \$1,250,000, with \$600,000 in state funds and \$650,000 to be funded by the 2018-2019 Capital Improvement Program Major Street Fund.

Idaho Reconstruction Project

The Idaho Avenue Reconstruction Project will be designed to include “complete street” enhancements such as cross walk improvements, curb and gutter and traffic calming measures, which are part of the City of Portage *A Natural Place to Move* initiative. The project also includes replacement of deteriorated water mains. In total, the Idaho Avenue Reconstruction project cost is estimated at \$1,350,000, with \$850,000 in state funds and \$500,000 financed through the 2019-2020 Capital Improvement Program Water Fund for the water main replacement.

Zylman Avenue Reconstruction Project

The Zylman Avenue Reconstruction project design will include “complete street” enhancements such as crosswalk improvements, installation of sections of curb and gutter and storm sewer where none exist, installation of bike lanes, which is part of the *A Natural Place to Move* initiative. In total, the Zylman Avenue Reconstruction project cost is estimated at \$2,050,000, with \$1,800,000 in state funds and \$250,000 financed through the Local Development Finance Authority.

It is recommended that City Council approve Contracts #2018-0770; #2018-0771 and #2018-0772, adopt Resolutions authorizing the City Manager to sign Contracts #2018-0770; #2018-0771 and #2018-0772 and authorize the City Manager to sign all other documents related to this project on behalf of the city.

FUNDING: Funding for these projects has been allocated from the State of Michigan in the amount of \$3.25 million, with the balance of the costs being funded by the 2018-2019 CIP Major Street Fund, the 2019-2020 CIP Water Fund and the Local Development Finance Authority.

- Attachments:**
1. MDOT Resolutions - Zylman, Lovers Lane & Idaho
 2. 2018-0770 Contract - Zylman
 3. 2018-0771 Contract - Lovers Lane
 4. 2018-0772 Contract - Idaho

CITY OF PORTAGE

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 _____ day of _____, 2018 at 7:30 p.m., local time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following resolution was offered by Council member _____ and seconded by Councilmember _____.

RESOLVED, the City Council for the City of Portage, does hereby authorize the City Manager, Laurence Shaffer, to sign contract 18-0770 between the City of Portage and Michigan Department of Transportation. This contract is for the completion of the Zylman Avenue Reconstruction Project.

ADOPTED: YEAS:

NAYS:

ABSENT

Adam Herringa, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2018 that the foregoing is a true and complete copy of the original on file in my office.

Adam Herringa, City Clerk

APPROVED AS TO FORM

Date 8/27/2018


City Attorney

CITY OF PORTAGE

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 _____ day of _____, 2018 at 7:30 p.m., local time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following resolution was offered by Council member _____ and seconded by Councilmember _____.

RESOLVED, the City Council for the City of Portage, does hereby authorize the City Manager, Laurence Shaffer, to sign contract 18-0771 between the City of Portage and Michigan Department of Transportation. This contract is for the completion of the realignment of Lovers Lane north of Ramona Avenue Project.

ADOPTED: YEAS:

NAYS:

ABSENT

Adam Herringa, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2018 that the foregoing is a true and complete copy of the original on file in my office.

Adam Herringa, City Clerk

APPROVED AS TO FORM

Date 8/27/2018

R
City Attorney

CITY OF PORTAGE

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 _____ day of _____, 2018 at 7:30 p.m., local time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following resolution was offered by Council member _____ and seconded by Councilmember _____.

RESOLVED, the City Council for the City of Portage, does hereby authorize the City Manager, Laurence Shaffer, to sign contract 18-0772 between the City of Portage and Michigan Department of Transportation. This contract is for the completion of the reconstruction of Idaho Avenue from Oregon to South Westnedge Project.

ADOPTED: YEAS:

NAYS:

ABSENT

Adam Herringa, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2018 that the foregoing is a true and complete copy of the original on file in my office.

Adam Herringa, City Clerk

APPROVED AS TO FORM

Date 8/27/2018

R

City Attorney

MICHIGAN DEPARTMENT OF TRANSPORTATION

CITY OF PORTAGE

CONTRACT

This Contract is made and entered into this date of _____ by and between the Michigan Department of Transportation (MDOT), of 425 West Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909, and the City of Portage (AGENCY) of 7900 S. Westnedge Avenue, Portage, Michigan 49002 in accordance with Article XVII, Section 751 and Article XX, Section 1201 of Public Act 207 of 2018, Fiscal Year 2019 Omnibus Budget Appropriation Act, for the purpose of establishing the amount of the Legislative Earmark (EARMARK) to the AGENCY, and setting forth the services to be provided as a result of such earmark.

The EARMARK is to be expended on construction projects. MDOT is responsible for administering these funds.

MDOT and the AGENCY recognize and affirm that the funds provided under this Contract shall not be used for any purpose other than those provided in Public Act 207 of 2018, and as provided herein.

This Contract sets forth a grant from MDOT to the AGENCY for the completion of the Zylman Avenue Reconstruction Project (PROJECT).

The Parties agree that:

The AGENCY will:

1. Undertake and complete the PROJECT in accordance with the terms and conditions of this Contract.
2. The PROJECT cost will be paid for by EARMARK funds. EARMARK funds will be applied to the PROJECT costs at a participation ratio of 100 percent up to an amount not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00). The AGENCY will be responsible for all costs in excess of the funds shown above.
3. The AGENCY must submit a Request for Payment Form (Exhibit A) prior to the start of the PROJECT and a Project Cost Reporting & Certification Form (Exhibit B) to MDOT upon completion of the PROJECT.

The AGENCY agrees that the costs reported to MDOT for this Contract will represent only those items that are properly chargeable in accordance with this Contract. The AGENCY also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

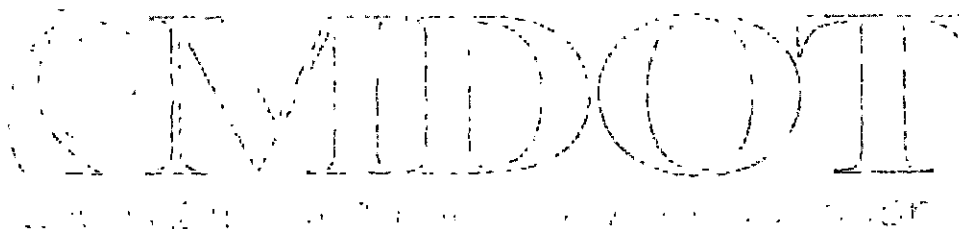
4. Submit a copy of Exhibit B to MDOT for review and approval.
5. Certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtain all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
6. Ensure that any unspent above-mentioned funds at PROJECT completion are lapsed back to the EARMARK Fund.
7. For auditing processes, all records, including executed contracts, are to be maintained for three years from the date of the project completion date. MDOT, or its representative, may inspect, copy, or audit the Records at any reasonable time after giving reasonable notice.
8. If the construction of the PROJECT is to be contracted, certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances. Selection of Consultants and subcontracts will be in conformance with the AGENCY's contracting process.
9. If the construction of the PROJECT is to be contracted, ensure the contractor who is awarded the contract for the construction of the PROJECT has the appropriate bonds/liability insurance.

MDOT will:

10. Make payments on a milestone basis, with lump sum payments to be made upon the accomplishment of defined milestones, as set forth below, and will not exceed the maximum amount in Section 2.

	Milestones	
Receipt of Exhibit A (Initial Payment)	\$900,000.00	50%
Evidence of Project Advertisement (Final Payment)	\$900,000.00	50%
<u>Total</u>	<u>\$1,800,000.00</u>	<u>100%</u>

18. This Contract may be terminated at such time as may be agreed upon by both parties or by either party giving thirty (30) days written notice to the other party. Furthermore, it may be modified at any time as agreed upon by both parties. In the event, the AGENCY terminates this Contract; it will make full repayment to MDOT.
19. Failure to submit all required forms and/or failure to comply with Contract terms may result in withholding of future Act 51 funds.
20. In case of any discrepancies between the body of this Contract and any exhibits hereto, the body of this Contract will govern.



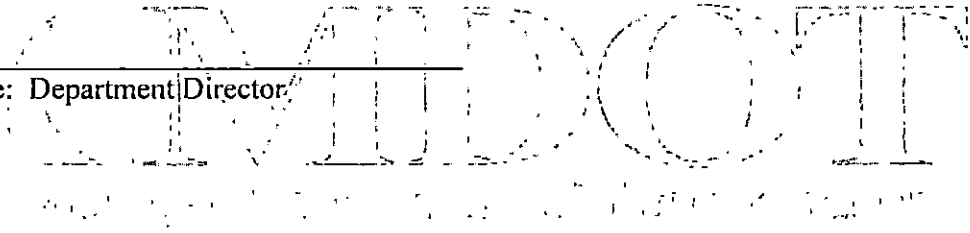
21. This Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Contract, as applicable.

CITY OF PORTAGE

By: _____
Title:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Title: Department Director



REQUEST FOR PAYMENT - EXHIBIT A LOCAL AGENCY PROGRAMS

In order to receive payment, this form must be completed and returned to MDOT Local Agency Programs. Send completed form to **Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909**, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	
ESTIMATED CONSTRUCTION COMPLETION DATE	
APPROVED GRANT AMOUNT (for this request)	

CERTIFICATIONS

I certify that the PROJECT complies with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed; and further, that all permits, licenses, and other authorizations required for the performance of the PROJECT will be obtained. Please provide a progress schedule with the completed Exhibit A.

FOR CONTRACTED PROJECTS: I certify that the construction contracting procedures followed for the PROJECT will be based on an open competitive bid process; and further, that the construction contract for the PROJECT will be publicly advertised and awarded based on the lowest responsive and responsible bid, in accordance with applicable State and local statutes, regulations, and ordinances.

If this PROJECT will be contracted, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE
☐ INITIAL PAYMENT		☐ FINAL PAYMENT	

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
RECEIVED BY MDOT CONTRACT SERVICES DIVISION ADMINISTRATOR	DATE

PROJECT COST REPORTING AND CERTIFICATION - EXHIBIT B LOCAL AGENCY PROGRAMS

Complete and return this form annually by November 1st AND within 30 days of completion of the project and final payment of construction costs. Send completed form to *Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909*, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	
PROJECT TERMINI	
FROM	
TO	
A. ANNUAL COST OF WORK FOR FISCAL YEAR _____	
(1) Total Eligible Project Costs	\$
(2) Total Grant Amount	\$
(3) Unspent Balance of Grant	\$
B. ACTUAL CONSTRUCTION COMPLETION DATE _____	
C. FINAL COST OF ELIGIBLE WORK	
(1) Total Eligible Project Costs	\$
(2) Total Grant Amount	\$
(3) Total Unspent Funds To Be Returned To MDOT (Total original grant amount <u>minus</u> the total eligible costs.)	\$
D. PROJECT DESCRIPTION (Provide a detailed description of services completed)	

CERTIFICATIONS

(1) I certify that the PROJECT is being or has been constructed in accordance with the PROJECT plans, specifications, and construction contract.

(2) I certify that the final costs reported with this form are accurate and that all items for which payment has been requested are eligible for payment with the grant funds.

(3) If construction of the project was contracted, I certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this project was constructed by force account, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
--	------

COPIES: MDOT Transportation Service Center and MDOT Contract Services Division.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

MICHIGAN DEPARTMENT OF TRANSPORTATION
CITY OF PORTAGE
CONTRACT

This Contract is made and entered into this date of _____ by and between the Michigan Department of Transportation (MDOT), of 425 West Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909, and the City of Portage (AGENCY) of 7900 S. Westnedge Avenue, Portage, Michigan 49002 in accordance with Article XVII, Section 751 and Article XX, Section 1201 of Public Act 207 of 2018, Fiscal Year 2019 Omnibus Budget Appropriation Act, for the purpose of establishing the amount of the Legislative Earmark (EARMARK) to the AGENCY, and setting forth the services to be provided as a result of such earmark.

The EARMARK is to be expended on construction projects. MDOT is responsible for administering these funds.

MDOT and the AGENCY recognize and affirm that the funds provided under this Contract shall not be used for any purpose other than those provided in Public Act 207 of 2018, and as provided herein.

This Contract sets forth a grant from MDOT to the AGENCY for the completion of the reconstruction of Idaho Avenue from Oregon to South Westnedge Avenue (PROJECT).

The Parties agree that:

The AGENCY will:

1. Undertake and complete the PROJECT in accordance with the terms and conditions of this Contract.
2. The PROJECT cost will be paid for by EARMARK funds. EARMARK funds will be applied to the PROJECT costs at a participation ratio of 100 percent up to an amount not to exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00). The AGENCY will be responsible for all costs in excess of the funds shown above.
3. The AGENCY must submit a Request for Payment Form (Exhibit A) prior to the start of the PROJECT and a Project Cost Reporting & Certification Form (Exhibit B) to MDOT upon completion of the PROJECT.

The AGENCY agrees that the costs reported to MDOT for this Contract will represent only those items that are properly chargeable in accordance with this Contract. The AGENCY also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

4. Submit a copy of Exhibit B to MDOT for review and approval.
5. Certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtain all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
6. Ensure that any unspent above-mentioned funds at PROJECT completion are lapsed back to the EARMARK Fund.
7. For auditing processes, all records, including executed contracts, are to be maintained for three years from the date of the project completion date. MDOT, or its representative, may inspect, copy, or audit the Records at any reasonable time after giving reasonable notice.
8. If the construction of the PROJECT is to be contracted, certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances. Selection of Consultants and subcontracts will be in conformance with the AGENCY's contracting process.
9. If the construction of the PROJECT is to be contracted, ensure the contractor who is awarded the contract for the construction of the PROJECT has the appropriate bonds/liability insurance.

MDOT will:

10. Make payments on a milestone basis, with lump sum payments to be made upon the accomplishment of defined milestones, as set forth below, and will not exceed the maximum amount in Section 2.

	<u>Milestones</u>	
Receipt of Exhibit A (Initial Payment)	\$425,000.00	50%
Evidence of Project Advertisement (Final Payment)	\$425,000.00	50%
<u>Total</u>	<u>\$850,000.00</u>	<u>100%</u>

11. May conduct a follow-up review of work activity.

IT IS FURTHER AGREED THAT:

12. Public Act 533 of 2004 requires that payments under this Contract be processed by electronic funds transfer (EFT). The AGENCY is required to register to receive payments by EFT at SIGMA Vendor Self Service (VSS) website (www.michigan.gov/SIGMAVSS).
13. Each party to this Contract will remain responsible for any claims arising out of the performance of this Contract, as provided by this Contract or by law.

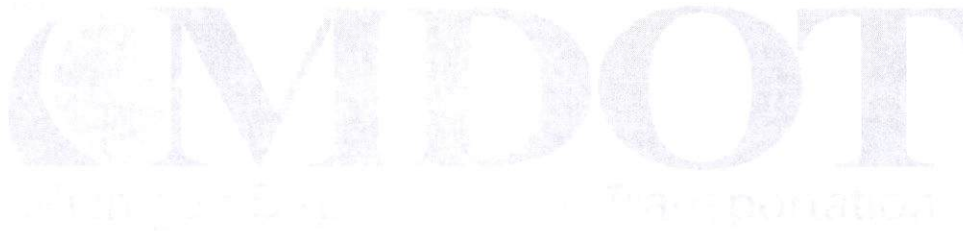
This Contract is not intended to increase or decrease either party's liability for or immunity from tort claims.

This Contract is not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this Contract.

MDOT will not be subject to any obligations or liabilities by contractors of the AGENCY or their subcontractors, or any other person not a party to the Contract without its specific consent and notwithstanding its concurrence with or approval of the award of any contract or subcontract or the solicitation thereof.

14. The parties will consider the PROJECT to be complete when certified by the agency. This certification is not intended to nor does it relieve the AGENCY of any of its obligations and responsibilities herein.
15. This Contract will be in effect from the date of award through the estimated construction completion date on Exhibit A. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.
16. Prior to expiration, the time for completion of performance under this Contract may be extended by MDOT upon written request and justification from the AGENCY. Upon approval and authorization by MDOT, a written time extension amendment will be prepared and issued by MDOT. Any such extension will not operate as a waiver by MDOT of any of its rights herein set forth.
17. In connection with the performance of SERVICES under this Contract, the AGENCY (hereinafter in Appendix A referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, dated June 2011. This provision will be included in all subcontracts relating to this Contract.

18. This Contract may be terminated at such time as may be agreed upon by both parties or by either party giving thirty (30) days written notice to the other party. Furthermore, it may be modified at any time as agreed upon by both parties. In the event, the AGENCY terminates this Contract; it will make full repayment to MDOT.
19. Failure to submit all required forms and/or failure to comply with Contract terms may result in withholding of future Act 51 funds.
20. In case of any discrepancies between the body of this Contract and any exhibits hereto, the body of this Contract will govern.



21. This Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Contract, as applicable.

CITY OF PORTAGE

By: _____
Title:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Title: Department Director

MICHIGAN DEPARTMENT OF TRANSPORTATION

REQUEST FOR PAYMENT - EXHIBIT A LOCAL AGENCY PROGRAMS

In order to receive payment, this form must be completed and returned to MDOT Local Agency Programs. Send completed form to **Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909**, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	
ESTIMATED CONSTRUCTION COMPLETION DATE	
APPROVED GRANT AMOUNT (for this request)	

CERTIFICATIONS

I certify that the PROJECT complies with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed; and further, that all permits, licenses, and other authorizations required for the performance of the PROJECT will be obtained. Please provide a progress schedule with the completed Exhibit A.

FOR CONTRACTED PROJECTS: I certify that the construction contracting procedures followed for the PROJECT will be based on an open competitive bid process; and further, that the construction contract for the PROJECT will be publicly advertised and awarded based on the lowest responsive and responsible bid, in accordance with applicable State and local statutes, regulations, and ordinances.

If this PROJECT will be contracted, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE
☐ INITIAL PAYMENT		☐ FINAL PAYMENT	

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
RECEIVED BY MDOT CONTRACT SERVICES DIVISION ADMINISTRATOR	DATE

PROJECT COST REPORTING AND CERTIFICATION - EXHIBIT B LOCAL AGENCY PROGRAMS

Complete and return this form annually by November 1st AND within 30 days of completion of the project and final payment of construction costs. Send completed form to **Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909**, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	

PROJECT TERMINI	
FROM	
TO	

A. ANNUAL COST OF WORK FOR FISCAL YEAR _____	
(1) Total Eligible Project Costs	\$ _____
(2) Total Grant Amount	\$ _____
(3) Unspent Balance of Grant	\$ _____
B. ACTUAL CONSTRUCTION COMPLETION DATE _____	
C. FINAL COST OF ELIGIBLE WORK	
(1) Total Eligible Project Costs	\$ _____
(2) Total Grant Amount	\$ _____
(3) Total Unspent Funds To Be Returned To MDOT (Total original grant amount <u>minus</u> the total eligible costs.)	\$ _____
D. PROJECT DESCRIPTION (Provide a detailed description of services completed)	

CERTIFICATIONS

(1) I certify that the PROJECT is being or has been constructed in accordance with the PROJECT plans, specifications, and construction contract.

(2) I certify that the final costs reported with this form are accurate and that all items for which payment has been requested are eligible for payment with the grant funds.

(3) If construction of the project was contracted, I certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this project was constructed by force account, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
--	------

COPIES: MDOT Transportation Service Center and MDOT Contract Services Division.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

MICHIGAN DEPARTMENT OF TRANSPORTATION
CITY OF PORTAGE
CONTRACT

This Contract is made and entered into this date of _____ by and between the Michigan Department of Transportation (MDOT), of 425 West Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909, and the City of Portage (AGENCY) of 7900 S. Westnedge Avenue, Portage, Michigan 49002 in accordance with Article XVII, Section 751 and Article XX, Section 1201 of Public Act 207 of 2018, Fiscal Year 2019 Omnibus Budget Appropriation Act, for the purpose of establishing the amount of the Legislative Earmark (EARMARK) to the AGENCY, and setting forth the services to be provided as a result of such earmark.

The EARMARK is to be expended on construction projects. MDOT is responsible for administering these funds.

MDOT and the AGENCY recognize and affirm that the funds provided under this Contract shall not be used for any purpose other than those provided in Public Act 207 of 2018, and as provided herein.

This Contract sets forth a grant from MDOT to the AGENCY for the completion of the realignment of Lovers Lane north of Ramona Avenue (PROJECT).

The Parties agree that:

The AGENCY will:

1. Undertake and complete the PROJECT in accordance with the terms and conditions of this Contract.
2. The PROJECT cost will be paid for by EARMARK funds. EARMARK funds will be applied to the PROJECT costs at a participation ratio of 100 percent up to an amount not to exceed Six Hundred Thousand Dollars (\$600,000.00). The AGENCY will be responsible for all costs in excess of the funds shown above.
3. The AGENCY must submit a Request for Payment Form (Exhibit A) prior to the start of the PROJECT and a Project Cost Reporting & Certification Form (Exhibit B) to MDOT upon completion of the PROJECT.

The AGENCY agrees that the costs reported to MDOT for this Contract will represent only those items that are properly chargeable in accordance with this Contract. The AGENCY also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

4. Submit a copy of Exhibit B to MDOT for review and approval.
5. Certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtain all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
6. Ensure that any unspent above-mentioned funds at PROJECT completion are lapsed back to the EARMARK Fund.
7. For auditing processes, all records, including executed contracts, are to be maintained for three years from the date of the project completion date. MDOT, or its representative, may inspect, copy, or audit the Records at any reasonable time after giving reasonable notice.
8. If the construction of the PROJECT is to be contracted, certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances. Selection of Consultants and subcontracts will be in conformance with the AGENCY's contracting process.
9. If the construction of the PROJECT is to be contracted, ensure the contractor who is awarded the contract for the construction of the PROJECT has the appropriate bonds/liability insurance.

MDOT will:

10. Make payments on a milestone basis, with lump sum payments to be made upon the accomplishment of defined milestones, as set forth below, and will not exceed the maximum amount in Section 2.

	Milestones	
Receipt of Exhibit A (Initial Payment)	\$300,000.00	50%
Evidence of Project Advertisement (Final Payment)	\$300,000.00	50%
<u>Total</u>	<u>\$600,000.00</u>	<u>100%</u>

11. May conduct a follow-up review of work activity.

IT IS FURTHER AGREED THAT:

12. Public Act 533 of 2004 requires that payments under this Contract be processed by electronic funds transfer (EFT). The AGENCY is required to register to receive payments by EFT at SIGMA Vendor Self Service (VSS) website (www.michigan.gov/SIGMAVSS).
13. Each party to this Contract will remain responsible for any claims arising out of the performance of this Contract, as provided by this Contract or by law.

This Contract is not intended to increase or decrease either party's liability for or immunity from tort claims.

This Contract is not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this Contract.

MDOT will not be subject to any obligations or liabilities by contractors of the AGENCY or their subcontractors, or any other person not a party to the Contract without its specific consent and notwithstanding its concurrence with or approval of the award of any contract or subcontract or the solicitation thereof.

14. The parties will consider the PROJECT to be complete when certified by the agency. This certification is not intended to nor does it relieve the AGENCY of any of its obligations and responsibilities herein.
15. This Contract will be in effect from the date of award through the estimated construction completion date on Exhibit A. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.
16. Prior to expiration, the time for completion of performance under this Contract may be extended by MDOT upon written request and justification from the AGENCY. Upon approval and authorization by MDOT, a written time extension amendment will be prepared and issued by MDOT. Any such extension will not operate as a waiver by MDOT of any of its rights herein set forth.
17. In connection with the performance of SERVICES under this Contract, the AGENCY (hereinafter in Appendix A referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, dated June 2011. This provision will be included in all subcontracts relating to this Contract.

18. This Contract may be terminated at such time as may be agreed upon by both parties or by either party giving thirty (30) days written notice to the other party. Furthermore, it may be modified at any time as agreed upon by both parties. In the event, the AGENCY terminates this Contract; it will make full repayment to MDOT.
19. Failure to submit all required forms and/or failure to comply with Contract terms may result in withholding of future Act 51 funds.
20. In case of any discrepancies between the body of this Contract and any exhibits hereto, the body of this Contract will govern.

MDOT
Michigan Department of Transportation

21. This Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Contract, as applicable.

CITY OF PORTAGE

By: _____
Title:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Title: Department Director

MICHIGAN DEPARTMENT OF TRANSPORTATION

REQUEST FOR PAYMENT - EXHIBIT A LOCAL AGENCY PROGRAMS

In order to receive payment, this form must be completed and returned to MDOT Local Agency Programs. Send completed form to **Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909**, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	
ESTIMATED CONSTRUCTION COMPLETION DATE	
APPROVED GRANT AMOUNT (for this request)	

CERTIFICATIONS

I certify that the PROJECT complies with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed; and further, that all permits, licenses, and other authorizations required for the performance of the PROJECT will be obtained. Please provide a progress schedule with the completed Exhibit A.

FOR CONTRACTED PROJECTS: I certify that the construction contracting procedures followed for the PROJECT will be based on an open competitive bid process; and further, that the construction contract for the PROJECT will be publicly advertised and awarded based on the lowest responsive and responsible bid, in accordance with applicable State and local statutes, regulations, and ordinances.

If this PROJECT will be contracted, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE
☐ INITIAL PAYMENT		☐ FINAL PAYMENT	

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
RECEIVED BY MDOT CONTRACT SERVICES DIVISION ADMINISTRATOR	DATE

PROJECT COST REPORTING AND CERTIFICATION - EXHIBIT B LOCAL AGENCY PROGRAMS

Complete and return this form annually by November 1st AND within 30 days of completion of the project and final payment of construction costs. Send completed form to **Michigan Department of Transportation (MDOT), Local Agency Programs, Attn: Tracie Leix, P.O. Box 30050, Lansing, Michigan 48909**, or by email to LeixT@michigan.gov.

CONTRACT NUMBER	
GRANTEE	
ROUTE NAME	
LOCATION DESCRIPTION	

PROJECT TERMINI	
FROM	
TO	

A. ANNUAL COST OF WORK FOR FISCAL YEAR _____	
(1) Total Eligible Project Costs	\$
(2) Total Grant Amount	\$
(3) Unspent Balance of Grant	\$

B. ACTUAL CONSTRUCTION COMPLETION DATE _____	
---	--

C. FINAL COST OF ELIGIBLE WORK	
(1) Total Eligible Project Costs	\$
(2) Total Grant Amount	\$
(3) Total Unspent Funds To Be Returned To MDOT (Total original grant amount <u>minus</u> the total eligible costs.)	\$

D. PROJECT DESCRIPTION (Provide a detailed description of services completed)	

CERTIFICATIONS

(1) I certify that the PROJECT is being or has been constructed in accordance with the PROJECT plans, specifications, and construction contract.

(2) I certify that the final costs reported with this form are accurate and that all items for which payment has been requested are eligible for payment with the grant funds.

(3) If construction of the project was contracted, I certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this project was constructed by force account, initial here _____.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		PRINTED NAME & TITLE	
AGENCY FEDERAL ID NUMBER	EMAIL	PHONE	DATE

FOR MDOT USE ONLY

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
--	------

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011