

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Portage Community Center Recognition

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. Regular Meeting of December 4, 2018.
 - b. Pre-Council of December 17, 2018.
2. Approval of the Accounts Payable Register of December 18, 2018 as presented.
3. Adopt a resolution for City Council to authorize the formation of the Portage Parks Foundation 501(c)(3) organization.
4. Approve the Third Amendment to the Urban Cooperation Agreement to Establish a Public Art Commission.
5.
 1. Approve one-year contracts with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance;
 2. Maintain current employer/employee cost sharing practices by taking action to exempt the city from requirements of P.A. 152 for the 2019 medical benefits plan year,

and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city.

6. Award a contract to perform design and construction engineering services for the 2019 Utility Installation Project to AR Engineering, LLC, in the amount not to exceed \$107,900 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
7. Approve the purchase of Hewlett-Packard Nimble Network Storage devices in the total amount of \$54,798.69 and authorize the City Manager to execute all documents related to this action on behalf of the City.
8. Approve payment of the annual licensing and software maintenance services fees with BS&A, Incorporated at a total cost of \$51,806 and authorize the City Manager to execute all related documents.
9. Adopt Resolution No. 2 for the Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R, setting a public hearing of necessity on January 8, 2019.
10. Adopt the:
 1. 2019 Freedom of Information Act fees,
 2. 2019 Recreation and Park Facility fees,
 3. 2019 Cemetery fees and charges,
 4. 2019 Community Development fees for Building Permits and
 5. 2019 Special Assessment Rates.
11. Minutes of Boards & Commissions:
 - a. Historic District Commission of November 7, 2018.

- b. Youth Advisory Committee of November 5, 2018.
 - c. Portage Public Schools Board of Education of October 22, November 12 and November 26, 2018.
 - d. Human Services Board of October 4, 2018.
 12. Materials Transmitted from October 23, 2018 & November 20, 2018.
 - B. Petitions and Statements of Citizens:
 - C. Communications:
 1. Calendar of Meetings:
 - Senior Citizen Advisory Board, Wednesday, December 19, 2018 at 2:30 p.m., Senior Center.
 - Planning Commission, Thursday, December 20, 2018 at 7:00 p.m., Council Chambers.
 - Park Board, Wednesday, January 2, 2019 at 6:30 p.m., Department of Public Services Building.
 - Planning Commission, Thursday, January 3, 2019 at 7:00 p.m., Council Chambers.
 - Youth Advisory Committee, Monday, January 7, 2018 at 6:00 p.m., City Hall Room #1.
 - Board and Commission Interview Session, Tuesday, January 8, 2019 at 5:15 p.m., City Hall Room #1.
 - D. Public Hearings:
 1. Subsequent to the public hearing, approve the Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue.
 - 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

Recognition of the Portage Community Center

WHEREAS, For 42 years the Portage Community Center has been the only comprehensive human service organization in the City of Portage; and

WHEREAS, The Portage Community Center helps Portage residents with emergency assistance, youth development, legal assistance, immunizations, tax preparation, blood drives and a variety of other services; and

WHEREAS, The goal of the Portage Community Center is to help residents to improve their present situation, increase a person's ability to meet their own and their family's basic needs, and increase awareness of additional related programs and services available in the community; and

WHEREAS, The Portage Community Center offers youth a variety of programs such as cooking skills, mental health development, community movies, mentoring opportunities, as well as opportunities to develop leadership skills and abilities; and

WHEREAS, The Portage Community Center provides, on an annual basis, food assistance to over 4,000 families, programs for over 800 youth, and personal care items and utility assistance to over 140 families; and

WHEREAS, During the holiday season, the Portage Community Center provides food baskets to families in need and, this holiday season alone, is coordinating the adoption of 85 families to provide holiday gifts to those in need; and

WHEREAS, The Portage Community Center truly is making life better for thousands of Portage residents.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, as Mayor of Portage, do hereby recognize and express gratitude on behalf of the City of Portage for the good work, dedication and commitment of the Portage Community Center to improving the lives of the residents of the City of Portage.

Signed this 18th day of December, 2018.

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM DECEMBER 4, 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 and in recognition of the life of President George H.W. Bush. Representatives of Boy Scout Troop 287 led the audience and City Council in reciting 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, Landscape Bed Maintenance and City Hall Leaf Removal, be removed from the Consent Agenda.

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 November 20 and Pre-Council Meeting of December 3, 2018. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 4, 2018: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of December 4, 2018. Upon a roll call vote, motion carried 7 to 0.

BOARD AND COMMISSION INTERVIEW SESSION: Motion by Reid, seconded by Knapp, to set a Special Meeting on Tuesday, January 8, 2019, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 7 to 0.

HILL 'AN' BROOK CURB AND GUTTER – RESOLUTION NO. 1: Motion by Reid, seconded by Knapp, to adopt Resolution No. 1, accept the City Manager Report and request preparation of Resolution No. 2 for the Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R. Upon a roll call vote, motion carried 7 to 0.

CHARITABLE GAMING LICENSE FOR PORTAGE NORTHERN WOMEN'S BASKETBALL: Motion by Reid, seconded by Knapp, to Adopt the Resolution for Charitable Gaming License recognizing Portage Northern Women's Basketball, Inc. (d.b.a. "Portage Northern Women's Basketball Boosters"), as a nonprofit organization in the City of Portage. 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 Park Board of September 5 and Youth Advisory Committee of October 15, 2018. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Mr. Mark Anthony Martin, 10519 Dandale, expressed several concerns. His concerns included motorists texting while driving, the functionality of the traffic signal at the intersection of Oakland and Shaver, the recent reduction from 4 lanes to 2 lanes along a portion of Portage Road and the need for city employees to treat citizens with respect and dignity in particular employees involved in the management of the Fire Division. Mr. Martin elaborated on each of these topics and shared

that he is a former longtime chair of the Park Board for the City of Portage.

Mr. David Pike of the Portage Northern Women's Basketball Boosters confirmed and thanked City Council for approving the designation of the organization as a Nonprofit in the City of Portage. He inquired and was informed that the signed resolution would be available at the Office of the City Clerk.

Dr. Monifa Jumanne, 6156 Independence Drive, spoke and shared her history and experience as a civil rights activist along with how she came to live in the City of Portage. She explained that her granddaughter inspired her to approach City Council several years ago regarding the need for the city to observe the Martin Luther King, Jr. Holiday. Dr. Jumanne advocated for the city to take steps to honor the contributions of African Americans and to take steps to ensure that all people are treated with equality. She expressed concerns with how she has been treated by city staff and city officials. She also shared that she has not received justice for the treatment she has received. Dr. Jumanne next asked City Council the following questions: 1) what is the African American population of Portage; 2) How many African Americans are in leadership positions with the City of Portage; 3) What are two holidays important to African Americans besides the Martin Luther King, Jr. Holiday and Black History Month; 4) What are two concerns of the African American population in Portage; and 5) When City Councilmembers last attended a cultural event sponsored by, or in community with, African Americans. Dr. Jumanne concluded by stating the focus should be on equality in the City of Portage, not "diversity" and "inclusion."

COMMUNICATIONS:

COMMUNICATION FROM SENIOR SERVICES, INC.: Motion by Ford, seconded by Reid, to receive Communication from Tauhric Brown of Senior Services Inc. expressing support for the capital campaign to build a larger Senior Center in Portage. Upon a roll call vote, motion carried 7 to 0.

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

REGULAR BUSINESS AGENDA:

LANDSCAPE BED MAINTENANCE AND CITY HALL LEAF REMOVAL: Mayor Randall asked Councilmember Reid to begin discussion on this item. Councilmember Reid expressed concern with the increase in the contract cost and with the fact that only one bid was received. She shared her understanding that there was a potential for a second bid but that bid was not received on time. Councilmember Reid then expressed concern with the number of contracts being presented to City Council for which only a single bid was received. She shared her belief that, given the timeframe of the contract and potential for other bidders, this would be a good contract for which to go out for a rebid. Motion by Reid, seconded by Urban, to reject all bids before the City Council and rebid the contract for landscape bed maintenance and leaf removal at City Hall.

In response to an inquiry from Councilmember Urban, Director of Public Services Rod Russell shared that the current vendor was interested but did not submit their bid on time. He continued by speculating that it may be more lucrative for landscaping companies to focus on residential properties. He also informed City Council that the current vendor and proposed vendor were the only two companies that bid on the contract the last time it was offered. In response to a query, he shared that the Department of Public Services has not reached out to other companies to inquire why they did not bid. He explained that such action would be better handled by the Purchasing Division and questioned the amount of time that might be spent looking into why a company did not bid on this project.

City Manager Shaffer raised several concerns should the City Council vote to rebid the

contract. He explained that the outcome would be uncertain and either a higher bid or no bid could be the result. He also shared that it is his understanding landscaping companies are reviewing contracts now to get a schedule created for next year. Mr. Russell commented that this contract included landscaping and not just mowing which may have had an impact on the companies willing to bid.

Councilmember Ford inquired and Mr. Russell confirmed that the last contract for this work was a flat rate and did not include annual increases. He also shared that the late bid was not received and therefore never opened. Councilmember Ford expressed opposition to rebidding the contract given that the bid of the winning vendor is now public information. He then commented that, if the last contract was issued in 2015, a 12% increase seems reasonable given inflation.

Councilmember Burns commented that the same two potential vendors bid the last time and Public Services Director Russell affirmed that Irish Ayres Enterprises has performed similar work for the city after being the low bid for other contracts and is a reliable vendor.

Mayor Pro Tem Pearson commented that the overall cost increase between the current and proposed contract is \$4,000. He continued by pointing out that the last contract was agreed to around 2015 and the proposed contract will not expire until 2021. Given this, he shared his belief that it is not worth the effort to rebid the contract.

Councilmember Reid reiterated her concern that the City has only secured single bidders on several recent contracts. She questioned why this is the case and speculated if there is something amiss in the attractiveness, scope and/or size of the contracts. She concluded by stating that City Council must be good financial stewards and the failure to secure multiple bids is detrimental to this ability.

Mayor Randall pointed out that many landscaping contractors may not be looking for contracts as they have plenty of business. She also shared her understanding that there is a manual labor shortage and vendors may not have the staff needed to handle multiple contracts. Mayor Randall concluded by questioning the fairness to the winning bidders should the city rebid contracts for which only one or two bids are received.

Upon a roll call vote on the motion to reject all bids and rebid the contract for landscape bed maintenance and leaf removal, motion failed with Mayor Randall, Mayor Pro Tem Pearson and Councilmembers Burns, Ford, Knapp and Urban voting no and Councilmember Reid voting yes.

Motion by Pearson, seconded by Ford, to award a three-year contract in the annual amount of \$39,780 for the period of fiscal years 2018-2019 to 2020-2021 to Irish Ayres Enterprises, LLC for landscape bed maintenance of twenty-four city properties and leaf removal at City Hall, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 1 with Councilmember Reid voting no.

STATEMENTS OF CITIZENS: Mr. Mark Anthony Martin, 10519 Dandale, spoke and shared that he is involved in building and trades. He informed City Council that finding general laborers and contractors is difficult at this time. He also shared that he is familiar with the landscaping business and his understanding is that companies are struggling to find enough workers to meet demands. He shared his belief that younger generations are less willing to get involved in manual trades let alone meet and maintain safety requirements.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid thanked Mr. Martin for his insight. She reiterated that she is less concerned about contract costs than with only getting single bids and not knowing whether we are paying too much or too little.

Councilmember Burns shared that he, along with Councilmember Knapp, attended a meeting with Southwest Michigan First at which business site selectors were present. Mr. Burns shared that the site selectors were complimentary of city staff and he expressed optimism as new jobs come online in Portage. He reminded City Council to drop off gifts for the family they adopted so they can be taken to the Portage Community Center (PCC) and invited City Council to participate in a gift wrapping party at PCC.

Councilmember Ford shared that he attended a legislative update sponsored by Southwest Michigan First. He informed City Council that “Small Cell Antennas” and PFAS were topics of discussion. He concluded by sharing that he attended the tree lighting ceremony with his son and complimented city staff on the event.

Mayor Pro Tem Pearson encouraged viewers and the audience to avoid the holiday hustle and bustle and stop by City Hall to check out the holiday train display. He shared that the display is courtesy of Peg Giem, spouse of the late Seth Giem who was responsible for the Train Barn which had been located on the Giem property in Portage.

Mayor Randall reviewed the tree lighting ceremony and thanked Councilmembers Burns, Ford and Knapp for reviewing the “I Love Portage” essays and selecting the winners. Mayor Randall next shared that the city continues with the leaf pickup program despite inclement weather, encouraged residents to check the city website for additional leaf pickup information and thanked the Department of Public Services for their recent leaf pickup and snowplowing efforts. Finally, she informed the public that there is an upcoming “Holiday Market” at the Portage Senior Center and thanked city administration for encouraging such events.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:52 p.m.

Adam Herringa, City Clerk

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF DECEMBER 17, 2018**

Mayor Randall called the meeting to order at 8:00 a.m. Councilmembers Chris Burns, Lori Knapp, Claudette Reid and Mayor Pro Tem Jim Pearson joined via the conference phone line. Councilmembers Richard Ford and Terry Urban were absent with excuse. Also in attendance were City Manager Laurence Shaffer, Deputy City Manager Rob Boulis and City Clerk Adam Herringa.

Mayor Randall opened the meeting and inquired if there were any questions or concerns regarding items on the proposed December 18th Agenda.

With regard to Item A.2, Accounts Payable, Councilmember Knapp inquired as to the “1st Quarter Payment” of \$87,492.68 to Public Media Network (PMN) given that the city’s arrangement with PMN is set to expire. City Manager Shaffer shared that the relationship with PMN will terminate February 1st. Mr. Shaffer indicated that the city makes payments retroactively to PMN and therefore a refund will not be sought. He continued by stating that the terminology “1st Quarter Payment” is misleading but will research and verify the circumstance surrounding the payment.

Mayor Pro Tem Pearson inquired as to the \$250,000 CD Purchase from Old Kent Bank. He asked for details surrounding the rate and duration of the purchase. Mr. Shaffer indicated that the city is getting good rates but will gather and share more specifics.

With regard to Item A.3, Formation of Portage Parks Foundation, Mayor Pro Tem Pearson inquired as to the appropriate title for the organization given that the agenda item references the “Portage Park Foundation” but the resolution references the “Portage Friends of the Park, Inc.” In addition, Mr. Pearson asked that City Council be provided with a copy of the “Articles of Incorporation” for the organization. Mr. Shaffer stated that he would research and respond to both inquiries.

Councilmember Knapp asked for information as to how the Park Board and proposed not-for-profit will coordinate and relate with each other. She also inquired if there would be a common boardmember(s) that would sit on each body. Mr. Shaffer responded that there would not be any shared boardmembers but that each board will keep the other informed as to activities. Mayor Randall inquired as to the appointment process to the not-for-profit and terms of services. Mr. Shaffer commented that appointments are not made by City Council and terms of service would be dictated by the new board. He continued by stating that it will function similar to the “Friends of the Senior Center.” Mr. Shaffer then stated that the Articles of Incorporation would be provided in advance of the City Council Meeting.

With regard to Item A.4, Urban Cooperation Agreement for the Public Art Commission, Councilmember Reid inquired if this was a renewal for the Agreement. Councilmember Knapp explained that it is an update to the current Agreement to reflect today’s environment. She explained that the document had not been thoroughly reviewed and updated since its creation thirty years ago. She offered reassurance that the proposed Agreement does not substantively change the roles and responsibilities of the City of Portage. Mayor Randall inquired as to the

1% financial commitment outlined in the document and Councilmember Knapp stated that this is not for dues and no payment to the Kalamazoo County Public Art Commission is to be made. Rather, she stated, it is an internal commitment for participants to make their “best efforts to commit 1% of its capital expenditures relating to facility expansion, facility renovation, facility improvements, parks development and land improvement, for public art purposes in said facilities and parks.”

With regard to Item A.5, Employee Health Insurance Contracts, Mayor Pro Tem Pearson inquired as to the level of taxes and fees the city is responsible for by exempting the city from P.A. 152. He asked that the city compare current costs with those from 2013 to determine cost increase and/or decreases. Deputy City Manager Boulis shared his understanding that costs are declining this year but he would research and respond. Councilmember Reid inquired why costs might be decreasing and Mr. Boulis replied that it is in response to federal legislative changes.

Mr. Shaffer shared that Councilmember Urban submitted the following question for consideration at the Pre-Council Meeting:

You give the reason for eliminating the \$500/10% plan as the premium increase but the 12/0% has a much higher increase. I understand the out of pocket maximums and cost for prescriptions is much higher in the remaining plan. What portion of retirees have chosen the plan to be eliminated in the past? I don't believe they are eligible for health savings accounts and likely wouldn't choose HDHP plans. With many living out of the area a BCN plan wouldn't be appropriate. I'm concerned elimination of the \$500/10% plan would be a burden to retirees.

Mr. Shaffer shared that the Blue Cross Blue Shield of Michigan plan is proposed for elimination due to what would be a significant financial impact on employees. He continued by stating that the city searched for plans that would cover and best fit financial circumstances of city staff. Deputy City Manager Boulis commented that only a few employees were participants in the plans that are proposed for elimination. He continued by stating that it is difficult for the city to offer and manage 6 plans for only 70 people. He concluded by stating that there are few retirees obtaining health insurance through city. Mr. Shaffer stated that City Administration would further research and respond to the inquiries.

With regard to Item A.9., Special Assessment for Hill ‘An’ Brook, Mayor Randall asked City Manager Shaffer to review the item. Mr. Shaffer explained that the amount of support will be close to the necessary 60%. He informed City Council that a person who signed the original petition has since changed her mind and City Attorney Brown is researching whether such withdrawal is permissible and what impact it may have on the project. Mr. Shaffer indicated that an Opinion from Attorney Brown would be forthcoming either today or tomorrow.

Councilmember Reid questioned whether something like this has happened before and, if so, how it was handled. Mr. Shaffer questioned whether the city has been faced with this particular circumstance and speculated that the petition, as originally presented, will stand. Mr. Shaffer shared his belief that over 50% of the property owners are still in support but this could be changing.

With regard to Item D.1, Public Hearing on Streamsong Tentative Plan Amendment, Mayor Randall inquired if Community Development Director Vicki Georgeau would be making a presentation. Mr. Shaffer responded in the affirmative and agreed with the Mayor's sentiment that the developer is having difficulty selling the original planned units and smaller units are being proposed.

In response to a query, Councilmember Burns indicated that gifts for the family that was adopted via the Portage Community Center should be dropped off in Council Chambers in advance of the meeting.

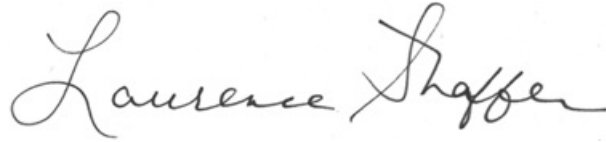
Councilmember Reid stated that she was having difficulty accessing the City Council Agenda via Boardview. City Clerk Herringa suggested she review her "favorites" setting to ensure it was updated to reflect the company change from BoardSync to CivicClerk.

ADJOURNMENT: Following a summary of the meeting, Mayor Randall adjourned the meeting at 8:20 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: Approval of the Accounts Payable Register of December 18, 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 November 25, 2018 through December 9, 2018 and notes \$1,063,257.68 in automated clearing house payments, \$469,758.17 in paper checks and \$67,319.99 in auto-pay payments for a grand total of \$1,600,335.84.

FUNDING: N/A

Attachments: 1. Accounts Payable Register 12-18-2018

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 11/25/2018 To: 12/9/2018

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
11/30/2018	10000(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY CONTRIBUTIONS	522.00
11/30/2018	10001(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL - STUART	302.00
11/30/2018	10002(A)	HURLEY & STEWART, LLC	2018 STORM DRAINAGE	10,726.24
11/30/2018	10003(A)	INDUSCO SUPPLY CO., INC.	BATHROOM SUPPLIES	442.29
11/30/2018	10004(A)	J-AD GRAPHICS, INC	NEWSLETTER PRODUCTION	2,111.00
11/30/2018	10005(A)	K & K SYSTEMS, INC.	MESSAGE BOARD	1,601.38
11/30/2018	10006(A)	KEHOE, EDWARD J	INSTRUCTOR PAYMENT	310.00
11/30/2018	10007(A)	KLINE, MICHAEL	EMPLOYEE TRAINING	225.00
11/30/2018	10008(A)	LANDS END	UNIFORMS - RECORDS	392.50
11/30/2018	10009(A)	LEWIS PAPER PLACE, INC.	COPY PAPER	1,250.00
11/30/2018	10010(A)	LEXISNEXIS RISK SOLUTIONS	MONTHLY ACCURINT	150.00
11/30/2018	10011(A)	MAIL MANAGEMENT, INC.	INK AND LABELS	538.85
11/30/2018	10012(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION MAINTENANCE	2,185.00
11/30/2018	10013(A)	MEJEUR ELECTRIC LLC	REPAIR BATHROOM LIGHT	981.00
11/30/2018	10014(A)	MENARDS, INC	TREE LIGHTS	250.90
11/30/2018	10015(A)	MICHIGAN PAVING & MATERIALS CO.	ROCKFORD ST RECONSTRUCTION	3,448.41
11/30/2018	10016(A)	MICHIGAN PAVING & MATERIALS CO.	2018 LOCAL STREETS PHASE 2	582,315.85
11/30/2018	10017(A)	ONE WAY PRODUCTS	RESTROOM SUPPLIES	612.03
11/30/2018	10018(A)	PCM SALES, INC.	MONITORS AND STANDS	862.53
11/30/2018	10019(A)	PERCEPTIVE CONTROLS, INC.	SCADA MAINTENANCE	2,179.16
11/30/2018	10020(A)	PETERS CONSTRUCTION CO.	CATCH BASIN REPAIR	3,971.00
11/30/2018	10021(A)	PORTAGE FIREFIGHTERS	IAFF DUES FOR NOV 20	1,672.14
11/30/2018	10022(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL DUES	30.00
11/30/2018	10023(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA DUES	574.00
11/30/2018	10024(A)	PREIN & NEWHOF	PROFESSIONAL SERVICE	3,639.80
11/30/2018	10025(A)	PREMIER SAFETY	FIRE SCBA MAINT.	170.57
11/30/2018	10026(A)	PRINTING SERVICES INC	AWARENESS AD	270.36
11/30/2018	10027(A)	R W LAPINE INC.	HVAC ON-CALL SERVICE	4,752.72
11/30/2018	10028(A)	RIDDERMAN & SONS OIL CO. INC.	GASOLINE	21,283.26
11/30/2018	10029(A)	SCHUMACHER, MICHAEL	EMPLOYEE TRAINING	225.00
11/30/2018	10030(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL UPGRADE	186,197.12
11/30/2018	10031(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINT	56.21

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 11/25/2018 To: 12/9/2018

Check Date	Check	Vendor Name	Description	Amount
11/30/2018	10032(A)	SLAVIN, NATHAN	MEALS ADVANCE	115.00
11/30/2018	10033(A)	SNELL, DEBRA	PROGRAM INSTRUCTOR	72.00
11/30/2018	10034(A)	SUEZ WATER ENVIRONMENTAL SERVICES	UTILITY SYSTEM OPERATION	181,435.12
11/30/2018	10035(A)	TACKETT, ANDREA	CRISIS NEGOTIATION	225.00
11/30/2018	10036(A)	TOO CLEAN JANITORIAL	CLEANING MAINTENANCE	910.00
11/30/2018	10037(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW DUES	426.48
11/30/2018	10038(A)	WOLVERINE LAWN SERVICE, INC.	SNOW PLOWING	111.00
11/30/2018	9982(A)	ACCESS EMPLOYER STAFFING SERVICES	NOV GEN TEMP EMPLOYEES	3,198.59
11/30/2018	9983(A)	BYHOLT INC.	2NS SAND DELIVERY	1,145.85
11/30/2018	9984(A)	C C I SOUTH, INC.	FIRE FACILITY MAINT.	143.70
11/30/2018	9985(A)	C D W GOVERNMENT, INC.	LED MONITOR-TS	161.09
11/30/2018	9986(A)	C M P DISTRIBUTORS, INC.	AMMO	3,074.00
11/30/2018	9987(A)	CARSTAR PORTAGE	BODY REPAIRS	1,715.45
11/30/2018	9988(A)	CONTINENTAL LINEN SERVICES	MAT SERVICE	92.07
11/30/2018	9989(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING SERV	97.95
11/30/2018	9990(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK REPAIR	1,624.00
11/30/2018	9991(A)	DOSTER, KYLE	EMPLOYEE TRAINING	225.00
11/30/2018	9992(A)	DOUGLASS SAFETY SYSTEMS LLC	FIRE PPE GEAR	10,454.74
11/30/2018	9993(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM SYSTEM MONITOR	13,877.52
11/30/2018	9994(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,248.90
11/30/2018	9995(A)	FIRE SERVICE MANAGEMENT	FIRE PPE CLEANING	2,117.20
11/30/2018	9996(A)	FISHBECK THOMPSON CARR & HUBER	ENGINEERING SERVICES	4,758.40
11/30/2018	9997(A)	GAIL ANDRUS TRAVEL	TRIP VENDOR PAYMENT	740.00
11/30/2018	9998(A)	GORDON WATER SYSTEMS	WATER COOLER RENTAL	272.30
11/30/2018	9999(A)	GRAHAM FORESTRY SERVICE, INC.	CONSULTANT FORESTRY	768.00
			Total ACH Transactions:	1,063,257.68
Check Type: Paper Check				
11/30/2018	308257	A T & T	TELEPHONE SERVICE	350.50
11/30/2018	308258	ALLEGRA PRINT & IMAGING	MISC PRINTING SERV	112.00
11/30/2018	308259	ALLEN EDWIN HOMES	BOND RELEASE	4,500.00
11/30/2018	308260	ARLIDGE, NANCY C.	6325 CYPRESS ST	43.30
11/30/2018	308261	ARROWHEAD SCIENTIFIC, INC.	LAB SUPPLIES	514.04
11/30/2018	308262	BLOOM SLUGGETT MORGAN, PC	LEGAL SERVICES	625.00

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 11/25/2018 To: 12/9/2018

Check Date	Check	Vendor Name	Description	Amount
11/30/2018	308263	BORGESS CORP FIT	2018-19 HMP SCREENING	2,470.00
11/30/2018	308264	BRISTOL, MARGARET	TRIP REFUND	50.00
11/30/2018	308265	CINTAS CORP.	UNIFORM RENTAL SERV	368.39
11/30/2018	308266	CITY OF PORTAGE	WTAX 9125 PORTAGE RD	522.85
11/30/2018	308267	CLEAN HARBORS ENVIRONMENTAL	BLOCK STATION MAINT	3,130.50
11/30/2018	308268	CONSUMERS ENERGY CEM	ELECTRICAL SERVICE	762.30
11/30/2018	308269	DECAMP, DAN	SOIL EROSION TRAINING	10.00
11/30/2018	308270	DENNIS NEDERHOED	REPLACEMENT CHECK - ACCT CLSD	160.00
11/30/2018	308271	DONALD PEEL	GRAIN ELEVATOR DEPOSIT	150.00
11/30/2018	308272	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	294.50
11/30/2018	308273	ENGINEERING SUPPLY & IMAGING	BOND PAPER	67.35
11/30/2018	308274	FIREFIGHTERS BOOKSTORE	FIRE OPS TRAINING	34.89
11/30/2018	308275	GARY MESCHKE	DEPOSIT AT SCHRIER	150.00
11/30/2018	308276	GETTY IMAGES (US) INC.	STOCK PHOTOS	325.00
11/30/2018	308277	GREATER KALAMAZOO FOP LODGE 98	PPCOA DUES	2,800.92
11/30/2018	308278	HALT FIRE, INC.	FIRE APPARATUS REPAIR	1,003.30
11/30/2018	308279	HEINEMAN, MARK	SANTA APPERANCE	150.00
11/30/2018	308280	HOLOCENE ENVIRONMENTAL LLC	UST AB OPER FEES	13.00
11/30/2018	308281	HOME DEPOT	SUPPLIES - PARKS DIV	779.20
11/30/2018	308282	HOPKINS, KEN	1918 WINTERS DR-OVER	149.45
11/30/2018	308283	KALAMAZOO AREA TRANSPORTATION	KATS MEMBERSHIP DUES	2,615.00
11/30/2018	308284	KALAMAZOO SPORTSWEAR	T-SHIRTS/SWEATSHIRTS	295.50
11/30/2018	308285	KNOX CO.	FIRE MARSHAL SUPPLIES	88.00
11/30/2018	308286	MATTHEW ERVIN	DJ SERVICES - SANTA	350.00
11/30/2018	308287	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	15.00
11/30/2018	308288	MEDULLARY STUDIOS	DISPLAY TABLE	470.00
11/30/2018	308289	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR	314.54
11/30/2018	308290	MIDWEST MUNICIPAL INSTRUMENTATION	FLOW METER	13,890.00
11/30/2018	308291	MILBOCKER & SONS, INC.	SIDEWALK IMPROVEMENT	70,640.90
11/30/2018	308292	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL	6,229.25

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 11/25/2018 To: 12/9/2018

Check Date	Check	Vendor Name	Description	Amount
11/30/2018	308293	MORRISON LANDSCAPE SERVICES LLC	LANDSCAPE SERVICES	7,450.00
11/30/2018	308294	MOSES FIRE EQUIPMENT, INC.	FIRE TRAINING SUPPLIES	256.33
11/30/2018	308295	MOSQUITO CONTROL OF SW MICHIGAN	MOSQUITO SPRAY SERV	218.00
11/30/2018	308296	MOTT, STEVEN E	3537 HOLLOW WOOD DR	133.05
11/30/2018	308297	MRG HOSPITALITY SERVICES, LLC	GINGERBREAD HOUSES	330.00
11/30/2018	308298	NATIONAL MINORITY UPDATE	ONLINE PUBLIC SAFETY	195.00
11/30/2018	308299	NETWORKFLEET, INC.	GPS SERVICES - FLEET	640.35
11/30/2018	308300	NORTHERN TOOL & EQUIPMENT	EQUIPMENT SUPPLIES	207.06
11/30/2018	308301	OFF THE CUFF CATERING	FIRE ADMIN MEETING	315.00
11/30/2018	308302	OFFICE DEPOT, INC.	FIRE OFFICE SUPPLIES	1,377.84
11/30/2018	308304	OLD NATIONAL BANK	CD PURCHASE	250,000.00
11/30/2018	308305	PETTY CASH-DEREK HENSON	REPLENISHMENT CHECK	250.44
11/30/2018	308306	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	353.81
11/30/2018	308307	PORTAGE CENTRAL HIGH SCHOOL	CHOIR FEE	150.00
11/30/2018	308308	PUBLIC MEDIA NETWORK	1ST QTR PAYMENT	87,492.68
11/30/2018	308309	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATER	377.88
11/30/2018	308310	SCHURING JR CO, JOHN	SURETY BOND	60.00
11/30/2018	308311	THAD REEDER AUTOMOTIVE LLC	VEHICLE MAINTENANCE	752.44
11/30/2018	308312	THE UNION LLC	COOKING CLASS	240.00
11/30/2018	308313	TRUGREEN PROCESSING	FALL WEED AND FEED	98.00
11/30/2018	308314	TUINIER, JOYCE	CONFERENCE REIMBURSEMENT	30.00
11/30/2018	308315	UNION STREET HYDRAULICS	TINK CYLINDER REPAIR	520.00
11/30/2018	308316	UNITED PARCEL SERVICE	WEEKLY DELIVERY	13.22
11/30/2018	308317	VANDERVEEN, BRADY	SOIL EROSION TRAINING	10.00
11/30/2018	308318	VERIZON WIRELESS SERVICES, LLC	WIRELESS SERVICES	3,515.63
12/04/2018	308319	BOYLE, M OR TANGE, J	DBOR REFUND 08760-02	7.29
12/04/2018	308320	CHICAGO TITLE	OVER PAYMENT FINAL	28.42
12/04/2018	308321	HOADLEY, JOSHUA	OVERPAYMENT REFUND	51.52
12/04/2018	308322	NILES, VALORIE	UTILITY REFUND	64.53
12/04/2018	308323	ONGLEY, JILL	PHOTO CLASS REFUND	35.00
12/04/2018	308324	SHULER, ZACHERY	EMPLOYEE TRAINING	40.00
12/04/2018	308325	WMU DEPARTMENT OF CIVIL	RAMONA 4/8/18 DEPOSIT	100.00

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 11/25/2018 To: 12/9/2018

Check Date	Check	Vendor Name	Description	Amount
			Total Paper Check:	469,758.17

ACCOUNTS PAYABLE REGISTER

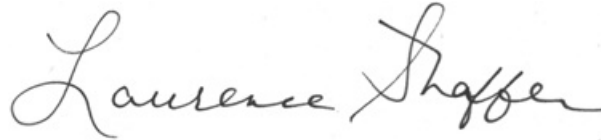
Page 6 of 6

Check Dates From: 11/25/2018 To: 12/9/2018

Check Date	Check	Vendor Name	Description	Amount
Check Type: Auto-Pay Payments				
11/26/2018	7292	CONSUMERS ENERGY	GAS-ELECTRIC	5,975.98
11/29/2018	7305	CONSUMERS ENERGY	GAS-ELECTRIC	247.30
11/29/2018	7306	CITY OF PORTAGE	WATER-SEWER	7,580.25
12/04/2018	7324	CONSUMERS ENERGY	GAS-ELECTRIC	151.48
12/06/2018	7334	CONSUMERS ENERGY	GAS-ELECTRIC	43,677.34
12/07/2018	7346	CONSUMERS ENERGY	GAS-ELECTRIC	9,687.64
			Total Auto-Pay Payments	67,319.99
			Grand Total	1,600,335.84

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Resolution for formation of the Portage Parks Foundation

SUPPORTING PERSONNEL: Kathleen Hoyle, Director of Parks, Recreation & Senior Citizen Services

ACTION RECOMMENDED: Adopt a resolution for the City Council to authorize the formation of the Portage Parks Foundation 501(c)(3) organization.

The Portage Parks Foundation (previously called Friends of the Parks Portage) has prepared Bylaws and Articles of Incorporation for the creation of a nonprofit organization to raise funds for projects and programs for the Portage Parks system. The organization will be focused on smaller projects (\$30,000 or less) and has seven Board Members. The current seven Board Members are:

- Peter Strazdas, President
- Raymond Steadmon, Vice President
- Jeff Ruhland, Treasurer
- Steven Meier, Secretary
- Patti Lent, Board Member
- Charles Thomas, Board Member
- Susan Williams, Board Member

The purposes for which the corporation will be formed are:

1. Provide support and volunteer opportunities for Portage residents to assist with park projects and events that benefit and promote the Portage Park System;
2. Increase the quality of life in Portage and create awareness of the natural park assets in the City and;
3. Develop funding for events and initiatives aligned with projects in the approved City of Portage Recreation & Open Space Plan with approval by the Portage Parks & Recreation Director.

Overall, the Portage Parks Board will only be fundraising toward projects that have been approved by the Council in the current Recreation & Open Space Plan, and with prioritization of projects aligned with the Capital Improvement Plan timetable as determined by the Parks and Recreation Director. Additionally, the Articles of Incorporation state that these purposes may only be amended or repealed by a super majority vote of the Portage Park Foundation Board of Directors, and by the City Manager upon Council approval.

The purposes of the organization are exclusively charitable within the meaning of Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future US Revenue Law. Notwithstanding any other provision of these Articles, the Organization shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future US Revenue law.

It is recommended that City Council approve the resolution to authorize the formation of the Portage Parks Foundation.

FUNDING: Maximum \$1,500, from the Portage Parks Board account to file the Articles of Incorporation; Application for the EIN (Employer ID Number); filing of the Initial Solicitation Registration form; and filing of form 1023 (Application of Recognition of Exemption as a 501 (c)(3) with the IRS).

Attachments:

1. Council Resolution for Portage Parks Foundation
2. Portage Parks Foundation Articles Bylaws 121718

CITY OF PORTAGE, MICHIGAN
RESOLUTION TO AUTHORIZE THE FORMATION OF **PORTAGE PARKS FOUNDATION**, A
MICHIGAN NONPROFIT CORPORATION

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

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER _____ and seconded by:

COUNCILMEMBER _____;

WHEREAS, the City Council, pursuant to MCL 117.4o is authorized to form a nonprofit corporation under the Nonprofit Corporation Act;

WHEREAS, the City Council desires to form a nonprofit corporation under the above cited state law to provide support and volunteer opportunities for Portage residents to assist with park projects and events that benefit and promote the Portage Park System, increase the community's quality of life and create awareness of the City's natural park assets and develop funding programs for events and projects in the approved City of Portage Recreation & Open Space Plan with approval by the Portage Parks & Recreation Director;

WHEREAS, the nonprofit corporation is being formed by the City Council for purposes that are valid public purposes for cities in the State of Michigan;

NOW, THEREFORE, BE IT RESOLVED that the Portage City Council authorizes the formation of **Portage Parks Foundation**, for the purposes set forth in its Articles of Incorporation and authorized by law.

BE IT FURTHER RESOLVED, as provided in its Articles of Incorporation, **Portage Parks Foundation**, shall not carry on any activities not permitted to be carried on by an

organization exempt from federal income tax under Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future US Revenue law;

BE IT FURTHER RESOLVED that **Portage Park Foundation**, shall be subject to all local, state and federal laws or ordinances that would apply to the City of Portage, except that it is not subject to the Municipal Finance Act, 1943 PA 202, MCL 131.1 to 139.3, or its successor act.

BE IT FURTHER RESOLVED that the City Manager or his designee is authorized to execute and file with any state agency, all documents pursuant to this Resolution.

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

ADOPTED:

YEAS: _____

NAYS: _____

ABSENT: _____

Adam Herringa, City Clerk

Approved as to form

Date: 12/12/2018

R
Randall L. Brown, City Attorney

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MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received

AC1

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name

ANDREW C. HORNE (P80097)

Address

610 N. Spruce, P.O. Box 59

City

Vicksburg

State

MI

ZIP Code

49097

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

ARTICLES OF INCORPORATION **For use by Domestic Nonprofit Corporations** (Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

PORTAGE PARKS FOUNDATION

ARTICLE II

The purpose or purposes for which the corporation is formed are:

1) Provide support and volunteer opportunities for Portage residents to assist with park projects and events that benefit and promote the Portage Park System; 2) increase the community's quality of life and create awareness of the City's natural park assets and; 3) develop funding for events and for initiatives aligned with projects in the approved City of Portage Recreation & Open Space Plan with approval by the Portage Parks & Recreation Director. The purposes of the organization are exclusively charitable within the meaning of Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future U Revenue Law. Notwithstanding any other provision of these Articles, the Organization shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future US Revenue law.

ARTICLE III

1. The corporation is formed upon a Nonstock basis.
(Stock or Nonstock)

2. If formed on a stock basis, the total number of shares the corporation has authority to issue is

_____. If the shares are or are to be divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class to the extent that the designations, numbers, relative rights, preferences, and limitations have been determined are as follows:

3. a. If formed on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")
None

b. The description and value of its personal property assets are: (if none, insert "none")
\$10,000.00 - cash

c. The corporation is to be financed under the following general plan:
Contributions, membership dues, donations, gifts and grants

d. The corporation is formed on a Directorship basis.
(Membership or Directorship)

1. The name of the resident agent at the registered office is:
City of Portage Parks & Recreation Director

2. The address of its registered office in Michigan is:
7900 South Westnedge Avenue, Portage, MI 49002, Michigan
 (Street Address) (City) (ZIP Code)

3. The mailing address of the registered office in Michigan if different than above:
 _____, Michigan
 (Street Address or PO Box) (City) (ZIP Code)

[illegible]

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

See Articles VI - XI attached hereto.

I, (We), the incorporator(s) sign my (our) name(s) this _____ day of _____,

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Preparer's Name Andrew C. Horne - GROSSMAN LAW, PC

Business Telephone Number (269) 649-3000

INFORMATION AND INSTRUCTIONS

1. This form may be used to draft your Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
2. Submit one original of this document. Upon filing, the document will be added to the records of the Corporations, Securities & Commercial Licensing Bureau. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.

Since this document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This document is to be used pursuant to the provisions of Act 162, P.A. of 1982, by one or more persons for the purpose of forming a domestic nonprofit corporation.
4. Article II - The purpose for which the corporation is formed must be included. It is not sufficient to state that the corporation may engage in any activity within the purpose for which corporations may be formed under the Act.
5. Article III - The corporation must be formed on a stock or nonstock basis. Complete Article III(2) or III(3) as appropriate, but not both. Real property assets are items such as land and buildings. Personal property assets are items such as cash, equipment, fixtures, etc. The dollar value and description must be included. If there is no real and/or personal property, write in "none".
6. A domestic nonprofit corporation may be formed on either a membership or directorship basis. A membership corporation entitles the members to vote in determining corporate action. If formed on a directorship basis, the corporation may have members but they may not vote and corporate action is determined by the Board of Directors.
7. Article IV - A post office box may not be designated as the address of the registered office.
8. Article V - The Act requires one or more incorporators. Educational corporations are required to have at least three (3) incorporators. The address(es) should include a street number and name (or other designation), city and state.
9. This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
10. The Articles must be signed in ink by each incorporator listed in Article V. However, if there are 3 or more incorporators, they may, by resolution adopted at the organizational meeting by a written instrument, designate one of them to sign the Articles of Incorporation on behalf of all of them. In such event, these Articles of Incorporation must be accompanied by a copy of the resolution duly certified by the acting secretary at the organizational meeting and a statement must be placed in the articles incorporating that resolution into them.
11. FEES: Make remittance payable to the State of Michigan. Include corporation name on check or money order.

FILING AND FRANCHISE FEE.....\$20.00

Veterans: Pursuant to MCL 450.3060(5), if a majority of the initial members of a membership corporation, initial directors of a directorship corporation, or initial shareholders of a stock corporation, as applicable, are, or if applicable the initial members, initial directors, or initial shareholders will be, individuals who served in the armed forces and were separated from that service with an honorable character of service or under honorable conditions (general) character of service, you may contact the Corporations Division regarding a fee waiver.

Submit with check or money order by mail:

Michigan Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Corporations Division
P.O. Box 30054
Lansing, MI 48909

To submit in person:

2501 Woodlake Circle
Okemos, MI
Telephone: (517) 241-6470

Fees may be paid by check, money order, VISA, MasterCard, or Discover when delivered in person to our office.

COFS (Corporations Online Filings System):

This document may be completed and submitted online at www.michigan.gov/corpfilingonline.

Fees may be paid by VISA, MasterCard, or Discover.

Documents that are endorsed filed are available at www.michigan.gov/corponentitysearch. If the submitted document is not fileable, the notice of refusal to file and document will be available at the Rejected Filings Search website at www.michigan.gov/corprejectedsearch.

LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

**PORTAGE PARKS FOUNDATION
ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations
(continued)**

ARTICLE VI

No part of the assets or net earnings of the Organization may inure to the benefit of or be distributable to its Directors, officers, or other private persons; provided, however, that the Organization is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its charitable purposes.

No substantial part of the activities of the Organization will be the carrying on of propaganda or otherwise attempting to influence legislation. The Organization will not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office or ballot question and will not publish or distribute statements relating to political campaigns.

This non-profit corporation is being formed by the legislative body of the City of Portage and is organized only for the purposes that are valid public purposes for cities in this State. The non-profit corporation is subject to all local, state, federal laws or ordinances that apply to the City of Portage. The non-profit corporation is not subject to the Municipal Finance Act, 1943 P.A. 202, MCL 131.12139.3, or its successor Act. The non-profit corporation is a public body for the purposes of Michigan Campaign Finance Act, 1976, P.A. 388, MCL 169.2012169.282.

ARTICLE VII

A. The Board of Directors of this Organization will consist of not less than five (5) nor more than seven (7) persons, as determined from time to time by the Board of Directors. The initial Board of Directors will consist of:

- Steven Meier
- Jeffry Ruhland
- Raymond Steadmon
- Peter Strazdas
- Charles Thomas
- Susan Williams
- Patti Lent

B. Each member of the initial Board of Directors will serve until the first annual meeting of the Organization at which time he or she will cease to be a Director unless elected to a new term. Thereafter, the term of office of any member of the Board will commence upon his or her election or appointment by the affirmative vote of a majority of the Directors then in office and will continue until the next annual meeting of the Organization and thereafter

until said Director's successor is chosen or until his or her death, resignation or removal prior to the next annual meeting.

C. Any Director may resign by written notice to the Organization. The resignation will be effective upon its receipt by the Organization or a subsequent time as set forth in the notice of resignation. Any member of the Board of Directors may be removed, either with or without cause, by the affirmative vote of a majority of the Directors then in office.

D. If a vacancy has occurred among the members of the Board as a result of death, resignation, removal, or otherwise, the vacancy may be filled by the affirmative vote of a majority of the remaining Directors though less than a quorum of the Board of Directors.

E. Upon the death of the last surviving Director without having appointed a successor or successors, the Organization will dissolve and the assets will be distributed in accordance with Article X.

ARTICLE VIII

A. The Organization will distribute its income at a time and in a manner so that it does not become subject to the tax on undistributed income imposed by Section 4942 of the IRC of 1986 or the corresponding provision of any future United States Revenue Law.

B. The Organization will not engage in any act of self-dealing as defined in Section 4941(d) of the IRC of 1986 or the corresponding provision of any future United States Revenue Law.

C. The Organization will not retain any excess business holdings as defined in Section 4943(c) of the IRC of 1986 or the corresponding provision of any future United States Revenue Law.

D. The Organization will not make any investments in a manner as to subject it to tax under Section 4944 of the IRC of 1986 or the corresponding provision of any future United States Revenue Law.

E. The Organization will not make any taxable expenditures as defined in Section 4945(d) of the IRC of 1986 or the corresponding provision of any future United States Revenue Law.

ARTICLE IX

Except as otherwise provided by law, a volunteer Director or volunteer officer of the Organization is not personally liable to the Organization for monetary damages for a breach of the Director's or officer's fiduciary duty.

The Organization assumes all liability to any person other than the Organization for all acts or omissions of a volunteer Director incurred in the good faith performance of his or her duties as a Director other than liability for excise taxes imposed under Chapter 42 of the IRC of 1986 or the corresponding provision of any future United States Revenue Law and liability resulting from claims arising under state law for mismanagement of the Organization's assets.

The Organization assumes the liability for all acts or omissions of a volunteer officer, other than liability for excise taxes imposed under Chapter 42 of the IRC of 1986 or the corresponding provision of any future United States Revenue Law, provided that:

- A. the volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;
- B. the volunteer was acting in good faith;
- C. the volunteer's conduct did not amount to gross negligence or willful or wanton misconduct;
- D. the volunteer's conduct was not an intentional tort; and
- E. the volunteer's conduct was not a tort arising out of the ownership, maintenance or use of a motor vehicle as described in Section 209(e)(v) of the Act.

ARTICLE X

Upon the termination, dissolution or winding up of the Organization, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue IRC of 1986 or the corresponding provision of any future United States Revenue Law, or to the Federal, State, or local government for exclusive public purpose.

ARTICLE XI

These Articles may be amended or repealed by a super majority vote of the Directors of this Organization then in office at any regular or special meeting of the Directors provided that any statutory notice requirements are met, and by the City Manager by Council approval.

I, the Incorporator, sign my name this _____ day of _____, 20____.

By: KATHLEEN HOYLE, as Director of Parks,
Recreation & Senior Citizen Services for the City of
Portage

**PORTAGE PARKS FOUNDATION
ACTION OF THE INCORPORATOR**

The undersigned, being the sole Incorporator of PORTAGE PARKS FOUNDATION, a Michigan Nonprofit Corporation (the "Corporation"), hereby takes the following action:

BE IT RESOLVED, the Articles of Incorporation of the Corporation are hereby adopted; and

BE IT FURTHER RESOLVED, the By-Laws of the Corporation are hereby adopted; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Corporation will consist of not less than five (5) nor more than seven (7) Trustees; and

BE IT FURTHER RESOLVED, that the following persons be, and they hereby are, appointed as Directors of the Corporation, to serve until the next annual meeting or until their successors are elected or appointed or until they have resigned or been removed:

- Steven Meier
- Jeffry Ruhland
- Raymond Steadmon
- Peter Strazdas
- Charles Thomas
- Susan Williams
- Patti Lent

Signed by the Incorporator this _____ day of _____, 20____.

KATHLEEN HOYLE, as Director of
Parks, Recreation & Senior Citizen
Services for the City of Portage,
Incorporator

**PORTAGE PARKS FOUNDATION
ACTION OF THE BOARD OF DIRECTORS BY CONSENT**

The undersigned, being all of the Directors of PORTAGE PARKS FOUNDATION, a Michigan Nonprofit Corporation (the "Corporation"), do hereby consent to the taking of the following action:

WHEREAS, the Incorporator of the Corporation has filed Articles of Incorporation with the Michigan Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS:

ADOPTION OF ARTICLES

RESOLVED, that the Articles adopted by the sole incorporator and as filed with the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau of the State of Michigan and bearing the file stamp and certification of said Department be, and they hereby are, ratified and approved as the Articles of this Corporation and that they be inserted in the Minute Book of this Corporation;

ADOPTION OF BY-LAWS

RESOLVED FURTHER, that the By-Laws of this Corporation as adopted by the sole incorporator in the Certificate be, and they hereby are, ratified and approved as the By-Laws of this Corporation and that such By-Laws and the Certificate be inserted in the Minute Book of this Corporation;

ELECTION OF OFFICERS

RESOLVED FURTHER, that the following officers be, and each of them hereby is, elected as officers of this Corporation to serve until their respective successors are duly elected and qualified:

Title	Name	Address
President:	_____	_____
Vice President:	_____	_____
Treasurer:	_____	_____
Secretary:	_____	_____

DATE, TIME AND LOCATION FOR REGULAR MEETINGS OF THE BOARD

RESOLVED FURTHER, that the Board shall meet at a minimum of one (1) time per year at such time and place as shall be determined by the Board;

MINUTE BOOK

RESOLVED FURTHER, that this Corporation shall maintain as part of its corporate records a Minute Book which shall include, but which shall not be limited to, a record of its Articles and amendments thereto, its By-Laws and amendments thereto, minutes of all meetings of its directors, with the time and place of holding, whether regular or special, and if special how authorized, the notice thereof given and the proceedings thereto;

BANK ACCOUNT

RESOLVED FURTHER, that the President and Treasurer of this Corporation, acting jointly on behalf of this Corporation, are authorized to open, maintain and close accounts at any bank, trust company or similar financial institution as may be necessary or appropriate for the conduct of this Corporation's business, that all resolutions required by such banks, trust companies or other financial institutions with respect to such accounts are hereby adopted, and that the Treasurer or Secretary of this Corporation is authorized to certify to any bank, trust company or similar financial institution the adoption of the resolution in the form used by that bank, trust company or similar financial institution;

RESOLVED FURTHER, that the President and Treasurer of this Corporation be, and each of them hereby is, authorized to deposit, or cause to be deposited, funds of this Corporation in any authorized account of this Corporation, and, in accordance with these resolutions, to withdraw from, or charge to, or cause to be withdrawn from or charged to said account at any time and from time to time funds of this Corporation against checks, notes, drafts, bills of exchange, acceptances, undertakings, or other instruments or orders for the payment of money;

RESOLVED FURTHER, that the signature two directors, listed above, is sufficient to authorize the withdrawal of funds of this Corporation from any authorized account of this Corporation at any time and from time to time against checks, notes, drafts, bills of exchange, acceptances, undertakings, or other instruments or orders for the payment of money, when made, drawn, accepted or endorsed on behalf of this Corporation;

RESOLVED FURTHER, that the foregoing bank resolutions are standing resolutions and will remain in full force and effect until duly modified or rescinded, and that the Secretary or any Assistant Secretary of this Corporation be, and each of them hereby is, authorized and directed to deliver a certified copy of these resolutions to each

bank, trust company or similar financial institution at which an account from which funds can be withdrawn is or will be maintained;

ACCOUNTING YEAR

RESOLVED FURTHER, that this Corporation hereby adopt an accounting year ending June 30th of each year;

COMPLIANCE WITH LOCAL SOLICITATION ORDINANCES

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized to ascertain the legal requirements imposed on organizations soliciting funds for charitable purposes in the appropriate cities and counties;

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to make all necessary filings and obtain all necessary permits authorizing and allowing this Corporation to make public solicitations for contributions for charitable purposes in the appropriate jurisdictions;

ORGANIZATIONAL EXPENSE

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to pay the expenses of incorporation and organization of this Corporation and/or reimburse the sole incorporator therefor;

SOLE INCORPORATOR

RESOLVED FURTHER, that all actions taken or authorized by the sole incorporator of this Corporation in respect of the organization of this Corporation in what was deemed to be in the best interests of this Corporation be, and they hereby are, confirmed and ratified;

RESOLVED FURTHER, that this Corporation shall indemnify and hold the sole incorporator harmless from and against any and all loss, cost, damage, expense (including without limitation attorneys' fees and expenses) or liability caused by, resulting from or arising out of any action taken or authorized by the sole incorporator of this Corporation in respect of the organization of this Corporation;

STATEMENT BY DOMESTIC NONPROFIT CORPORATION

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to prepare any required information statement in compliance with the Michigan Nonprofit Corporation Law and submit it to the Michigan

Secretary of State for filing;

RESOLVED FURTHER, that the Secretary of this Corporation is directed to insert a copy of that statement in the Minute Book following filing of such information statement;

PRINCIPAL OFFICE LOCATION

RESOLVED FURTHER, that the principal office for the transaction of the business of this Corporation shall be located at: 7900 S. Westnedge, Portage, MI 49002, unless and until changed by resolution of this Board;

EXEMPTIONS FROM FEDERAL AND STATE TAXES

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized to consult with legal counsel to ascertain the availability of exemptions from taxation under the federal and state tax laws and, if such exemptions are available, such officers be, and each of them hereby is, authorized and directed to execute and file all necessary applications for exemption from those taxes with the appropriate state and federal tax authorities, and to pay any necessary filing fees;

RESOLVED FURTHER, that the appropriate officers of the Corporation be, and they hereby are, authorized to execute and deliver to the Internal Revenue Service, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code, and to pay the filing fees in connection therewith;

EMPLOYER IDENTIFICATION NUMBER

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to make such filings and applications as are necessary to secure for this Corporation a federal employer identification number;

NONPROFIT MAILING PERMIT

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to make such filings and applications as are necessary to secure for this Corporation a nonprofit mailing permit if deemed necessary or advisable by the officers of this Corporation;

IMPLEMENTATION

RESOLVED FURTHER, that the proper officers of this Corporation be, and each of them hereby is, authorized and directed to execute all documents and to take all such action as they may deem necessary or advisable in order to effectuate the purposes of the foregoing resolutions.

There being no further business, upon motion duly made and seconded, the meeting was adjourned.

Secretary of the Meeting

IN WITNESS WHEREOF, the undersigned have duly executed this document as of the _____ day of _____, 2019.

By: STEVEN MEIER

By: JEFFRY RUHLAND

By: RAYMOND STEADMON

By: PETER STRAZDAS

By: CHARLES THOMAS

By: SUSAN WILLIAMS

By: PATTI LENT

**BY-LAWS OF
PORTAGE PARKS FOUNDATION**

**ARTICLE I
Board of Directors**

Section 1. Directorship. The Corporation is organized upon a directorship basis. The property, business and affairs of the Corporation will be managed by its Board of Directors.

Section 2. Number and Term of Office. The number of Directors and their terms of office will be as specified in the Articles of Incorporation.

Section 3. General Powers as to Negotiable Paper. The Board of Directors may, from time to time, authorize the making, signature or endorsement of checks, drafts, notes and other negotiable paper or other instruments for the payment of money and designate the persons who will be authorized to make, sign or endorse the same on behalf of the Corporation.

Section 4. Powers as to Other Documents. All material contracts, conveyances and other instruments may be executed on behalf of the Corporation by the President or any Vice President, and, if necessary, attested by the Secretary or the Treasurer.

Section 5. Compensation. Directors will serve without compensation but may be provided reasonable per diem compensation and be reimbursed for actual, reasonable and necessary expenses incurred by a Director in his or her capacity as a Director.

**ARTICLE II
Meetings**

Section 1. Annual Meeting. The annual meeting of the Directors of the Corporation will be held at the principal office of the Corporation on the second Tuesday of January of each year, or at any other place and date as designated by the Directors for the purpose of electing Directors and officers for the ensuing year and for the transaction of other business properly brought before the meeting.

Section 2. Regular Meetings. Regular meetings of the Board of Directors may be held without notice if the time and place of the meeting has been determined by resolution of the Board. At least one regular meeting of the Board must be held each year.

Section 3. Special Meetings. Special meetings of the Directors may be called by the President and will be called by the President or Secretary at the direction of not less than two Directors, or as may otherwise be provided by law. Special meetings will be held at the principal office of the Corporation unless otherwise directed by the President or Secretary and stated in the notice of the meeting. Any request for a special meeting by Directors must state the purpose or purposes of the proposed meeting.

Section 4. Notice of Meeting. Except as otherwise provided by these By-Laws or by law, written notice containing the time and place of all meetings of the Board of Directors will be given either personally or by mail to each Director not less than ten days before a regular meeting and not less than two days before a special meeting. Notice of a regular meeting need not state the purpose or purposes of the meeting nor the business to be transacted at the meeting. Notice of a special meeting must state the purpose or purposes of the meeting.

Attendance of a Director at a meeting constitutes a waiver of notice of the meeting, except where the Director attends the meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened.

Section 5. Quorum and Voting. A majority of all the Directors will constitute a quorum at any meeting. The vote of a majority of the Directors present at a meeting at which a quorum is present will constitute the action of the Board of Directors, unless the vote of a larger number is required by law or by other sections of these By-Laws or the Articles of Incorporation.

Section 6. Conduct at Meetings. Meetings of the Directors will be presided over by the President. The Secretary or an Assistant Secretary of the Corporation or, in their absence, a person chosen at the meeting will act as Secretary of the meeting.

Section 7. Action by Unanimous Written Consent. Any action required or permitted to be taken at an annual or special meeting of Directors may be taken without a meeting, without prior notice and without a vote, if all of the Directors consent in writing to the action so taken. Written consents will be filed with the minutes of the proceedings of the Directors.

Section 8. Telephonic Conferences. A Director may participate in a meeting of Directors by conference telephone or similar communications equipment by which all persons participating in the meeting may hear each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

Section 9. Open Meetings Act. The Board of a non-profit created by the City of Portage, such as the Portage Parks Foundation, is subject to all provisions of the Act and since it is a body created by the City it is also specifically subject to the Freedom of Information Act (FOIA) and Open Meeting Act (OMA).

ARTICLE III

Officers

Section 1. Election or Appointment. The Board of Directors will elect a President, a Secretary and a Treasurer of the Corporation at each annual meeting and may elect a

Vice President, Assistant Secretary and Assistant Treasurer. The same person may hold any two or more offices, but no officer will execute, acknowledge or verify any instrument in more than one capacity. The Directors may also appoint any other officers and agents as they deem necessary for accomplishing the purposes of the Corporation.

Section 2. Term of Office. The term of office of all officers will commence upon their election or appointment and will continue until the next annual meeting of the Corporation and until their respective successors are chosen or until their resignation or removal. Any officer may be removed from office at any meeting of the Directors, with or without cause, by the affirmative vote of a majority of the Directors then in office, whenever in their judgment the best interests of the Corporation will be served.

An officer may resign by written notice to the Corporation. The resignation will be effective upon its receipt by the Corporation or at a subsequent time specified in the notice of the resignation.

Section 3. Compensation. Any officer who is an employee of the Corporation will receive reasonable compensation for his or her services as fixed by the Board of Directors.

Section 4. The President. The President will be the chief executive officer of the Corporation and will have general and active management of the activities of the Corporation. The President will see that all orders and resolutions of the Board of Directors are carried into effect. The President will execute all authorized conveyances, contracts or other obligations in the name of the Corporation except where required by law to be otherwise signed and executed and except where the signing and execution is expressly delegated by the Directors to some other person. The President will preside at meetings of the Directors and in his or her absence, the Directors present at the meeting will designate another presiding officer.

Section 5. Vice President. The Vice President will, in the absence or disability of the President, perform the duties and exercise the powers of the President and will perform any other duties prescribed by the Board of Directors or the President.

Section 6. The Secretary. The Secretary will attend all meetings of the Board of Directors and record the minutes of all proceedings in a book to be kept for that purpose. The Secretary will give or cause to be given notice of all meetings of the Directors for which notice may be required and will perform any other duties prescribed by the Board of Directors.

Section 7. The Treasurer. The Treasurer will oversee the financial activities of the Corporation. The Treasurer will perform all duties incident to the office of Treasurer and other administrative duties prescribed by the Board of Directors. All books, papers, vouchers, money and other property of whatever kind belonging to the Corporation which are in the Treasurer's possession or under his or her control must be returned to the Corporation at the time of his or her death, resignation or removal from office.

Section 8. Assistant Secretaries and Assistant Treasurers. The Assistant Secretary and the Assistant Treasurer, respectively, in the absence of the Secretary or Treasurer, as the case may be, will perform the duties and exercise the powers of the Secretary or Treasurer and will perform any other duties prescribed by the Board of Directors.

ARTICLE IV **Indemnification**

Section 1. Indemnification. The Corporation will, to the fullest extent now or hereafter permitted by law and by regulations and rulings issued by the Internal Revenue Service, indemnify any Director or officer of the Corporation (and, to the extent provided in a resolution of the Board of Directors or by contract, may indemnify any volunteer, employee or agent of the Corporation) who was or is a party to or threatened to be made a party to any threatened, pending, or completed action, suit or proceeding by reason of the fact that the person is or was a Director, officer, volunteer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, director, officer, partner, volunteer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, whether for profit or not for profit, against expenses (other than taxes, penalties or expenses of correction) including attorneys' fees (which expenses may be paid by the Corporation in advance of a final disposition of the action, suit or proceeding as provided by law), judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by the person in connection with the action, suit or proceeding if the person acted (or refrained from acting) in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Corporation, and such persons is either successful in his or her defense or the proceeding is terminated by settlement and such person has not acted willfully and without reasonable cause with respect to the corporation duties concerned, and with respect to any criminal action or proceedings, if the person had no reasonable cause to believe his or her conduct was unlawful.

The Corporation may purchase and maintain insurance on behalf of any such person against any liability (including penalties, taxes, expenses of correction, judgments, settlements or expenses) asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under the provisions of this Article or under the provisions of Sections 561 through 565 of the Michigan Nonprofit Corporation Act.

Section 2. Rights to Continue. This indemnification will continue as to a person who has ceased to be a Director or officer of the Corporation. Indemnification may continue as to a person who has ceased to be a volunteer, employee or agent of the Corporation to the extent provided in a resolution of the Board of Directors or in any contract between the Corporation and the person. Any indemnification of a person who was entitled to indemnification after such person ceased to be a Director, officer,

volunteer, employee or agent of the Corporation will inure to the benefit of the heirs and personal representatives of that person.

ARTICLE V

Conflicts of Interest

Section 1. Disclosure. When a member of the Board or an officer is affiliated with an organization seeking to provide services or facilities to the Corporation, or when a member of the Board or officer has any duality of interest or possible conflict of interest, real or apparent, such affiliation or conflict of interest should be disclosed to the Board of Directors and made a matter of record, either when the interest becomes a matter of Board action or as part of a periodic procedure to be established by the Board. An affiliation with an organization will be considered to exist when a Board member or officer or a member of his or her immediate family or close relative is an officer, director, partner, employee or agent of the organization, or has any other substantial interest or dealings with the organization.

Section 2. Voting. Any Board member or officer having a duality of interest or possible conflict of interest on any matter should not vote or use his or her personal influence on the matter, and should not be counted in determining a quorum for the meeting at which the matter is voted upon, even though permitted by law. The Board should obtain and rely on appropriate comparability data, when appropriate. The minutes of the meeting should reflect that the disclosure was made, that the interested Board member abstained from voting, that his or her presence was not counted in determining a quorum, and that comparability data was considered and used as a basis for making the decision.

ARTICLE VI

Miscellaneous

Section 1. Fiscal Year. The fiscal year of the Corporation will end on the last day of June.

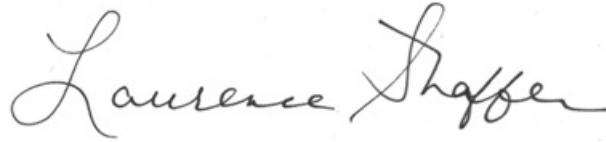
Section 2. Amendments. These By-Laws may be amended or repealed by the affirmative vote of a majority of the Directors of the Corporation then in office, and the City Manager by Council approval

Section 3. Purpose in Perpetuity. The Corporation will remain nonprofit forever.

ADOPTED on the ____ day of _____, 2018

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Third Amendment to Public Art Commission Agreement

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Approve the Third Amendment to the Urban Cooperation Agreement to Establish a Public Art Commission.

The City of Portage joined the Kalamazoo County Public Art Commission (KCPAC) in 1986. The Urban Cooperation Agreement that was entered into was last modified in 2011. Recently the KCPAC has been working with an attorney from Miller Canfield to review the Agreement. The review has concluded and the KCPAC is requesting each participating governmental unit (consisting of Kalamazoo County, the City of Kalamazoo and the City of Portage) to sign the revised Agreement. A copy of the Agreement and summary of the proposed changes is attached. It is recommended that City Council approve the Third Amendment to the Urban Cooperation Agreement to Establish a Public Art Commission.

FUNDING: N/A

Attachments:

1. Summary of Proposed Changes to UCA
2. KCPAC Revised Agreement
3. Redline/Strikeout - Third Amendment to UCA

SUMMARY OF PROPOSED CHANGES

TO: CITY OF KALAMAZOO, COUNTY OF KALAMAZOO, CITY OF PORTAGE

FROM: KRISTEN CHESAK, VICE-CHAIR OF KALAMAZOO COUNTY PUBLIC ART COMMISSION

SUBJECT: SUMMARY OF CHANGES TO URBAN COOPERATION AGREEMENT

DATE: 11/29/2018

CC: KALAMAZOO COUNTY PUBLIC ART COMMISSION MEMBERS

In 1981, Kalamazoo County, and the City of Kalamazoo entered into an Urban Cooperation Agreement to create a Public Art Commission for the purpose of supervising public art projects, and making recommendations to public agencies on the acquisition, maintenance and de-accession of public art.

A second amendment to this agreement was created in 1986 to include the City of Portage.

In the Fall of 2014, all three public entities re-affirmed through resolution the urban cooperation agreement and thus the need for a Public Art Commission to help oversee public art in our community.

We are recommending a third amendment to this agreement that cleans up the language in the document and makes the following changes:

- 1) Paragraphs 5 and 6 refer to the existence of the first two amendments.
- 2) Section one defines the three government agencies entering into the agreement as the “Member Public Agency”
- 3) Section three adds a section b) that allows the Commission to make recommendations to private agencies when art is to be placed in view of the public. This expands the Commissions ability to help corporations and non-profits in the selection and placement of public where and when it could impact the public, but only when directly requested.
- 4) Section four updates the definition of who is to serve on this commission based on the changes that have taken place to the named organizations in the second amendment and reduces the Arts Council of Greater Kalamazoo’s responsibility to seat members of this commission. It also re-states the right of the member agencies to appoint members that are non-voting to this commission.

- 5) Section five moves the terms of membership from this agreement to the bylaws that govern the commission, so they may be more easily adapted as the commission and the member agency's needs change.
- 6) Section six is a new section that states that this commission shall operate under the Open Meeting Act.
- 7) Section ten adds the ability for the member agencies to dissolve this commission about a majority vote.
- 8) Section eleven states that the Public Art Commission's bylaws and rules of procedure shall not conflict with this agreement.
- 9) Section twelve is new – it states that this agreement supersedes all others and can be amended at any time by a majority vote of the member agencies.
- 10) Section thirteen is new and states who is a member agency and states who is to sign this agreement (based on each entity's wishes).

These changes were made with the guidance of Leo Goddeyne of Miller Canfield and have been review by each member agency's legal counsel. Revisions suggested by legal counsel of member agencies have been included in this amendment. The Public Art Commission reviewed this final version and approved it to go to the member agencies in August of 2018.

The Public Art Commission appreciates the member agencies' time and consideration to make this update that enable the commission to continue to move forward and hopefully become a more proactive partner in our community in regard to the use and enjoyment of public art.

THIRD AMENDMENT TO THE
URBAN COOPERATION AGREEMENT
TO ESTABLISH A PUBLIC ART COMMISSION

WHEREAS, the development of the visual and aesthetic environment is a fundamental responsibility and function of public agencies; and

WHEREAS, PA 1967, Extra Session #7, provides that public agencies may provide for inter-local public agreements to carry out their functions and responsibilities; and

WHEREAS, the following public agencies desire to create a Public Art Commission to: supervise all public art projects within the member public agencies; make recommendations to the public agencies as to works of art; recommend methods of selection and commission of artists with respect to design, execution, and placement of works of art for which appropriations have been made; recommend the specific location of works of art; provide recommendations on all phases of each public art project; recommend guidelines on acceptance of gifts and donations of public art works, including recommendations as to whether a gift should be accepted or rejected, or alternative solutions; and recommend guidelines on the disposal of works of art; and

WHEREAS, the following public agencies have determined that the best approach to implement this Public Art Commission is through an Urban Cooperation Agreement establishing a Public Arts Commission (the "Agreement") for all of the public agencies rather than separate Public Art Commissions for each agency; and

WHEREAS, the County of Kalamazoo and the City of Kalamazoo having previously entered into an "Urban Cooperation Agreement to Establish a Public Arts Commission" dated October 20, 1981, and the County of Kalamazoo and the City of Kalamazoo having entered into an Amendment to the Agreement to include the City of Portage as a participant in the Public Arts Commission on May 6, 1981, and the City of Kalamazoo, County of Kalamazoo and City of Portage having approved a Second Amendment to the Agreement to modify the composition of the governing board of the Commission; and

WHEREAS, it is necessary to further amend and restate the Urban Cooperation Agreement to expand its purposes, further modify the composition of the governing board of the Commission and make other amendments, with the intent that this Third Amendment (the "Third Amendment") supersede and replace all prior versions and amendments of the Agreement;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE FOLLOWING PUBLIC PARTIES, as follows:

1. Membership. The following public agencies (referred to individually as a "Member Public Agency" and collectively as the "Member Public Agencies") shall be the members of the Commission and parties to this Urban Cooperation Agreement:

1. County of Kalamazoo
2. City of Kalamazoo

3. City of Portage

2. Name. The name of this Commission shall be the Kalamazoo County Public Art Commission ("Commission").

3. Purpose and Duties. The Commission shall have the following purpose and duties:

- (a) To make recommendations to the member- public agencies as to works of art.
- (b) To make recommendations to private entities, that request assistance, in choosing and/or placing art that will be placed or held in locations where it can be viewed or meant to be viewed by the general public.
- (c) To recommend methods of selection and commissioning of works of art with respect to design, execution, and placement of works of art for which appropriations have been made.
- (d) To recommend the specific location of works of art.
- (e) To provide recommendations on all phases of each public art project.
- (f) To recommend guidelines on acceptance of gifts and donations of public art works, including recommendations as to whether a gift should be accepted or rejected, including possible alternative solutions.
- (g) To recommend guidelines on the disposal, removal and/or relocation of works of art.

4. Governing Board. The Commission shall be governed by a group of individuals who shall act as a group and be known as the Governing Board. The Governing Board shall exercise the powers and duties set forth in this Agreement and in any bylaws, policies and resolutions that may be adopted by the Governing Board or by the Member Public Agencies. The Governing Board shall consist of the following individuals (herein referred to individually as a "Member" and collectively as the "Members"):

- (a) A representative of the Kalamazoo Institute of Arts ("KIA"), who shall be appointed by the KIA.
- (b) A registered architect who is recommended by the American Institute of Architects-Southwest Michigan Chapter and who shall be appointed by the Commission's Board of Commissioners.

- (c) A representative of the Kalamazoo County Convention and Visitors Bureau, Inc. ("KCCVB") who shall be appointed by the KCCVB.
- (d) Three (3) local artists (one of whom shall be an art historian) who are recommended by the Arts Council of Greater Kalamazoo and who shall be appointed by the Commission's Board of Commissioners.
- (e) Three (3) members at-large who shall be appointed by the Commission's Board of Commissioners.

In addition, each of the Member Public Agencies named in Section 1 above shall have the right to appoint a nonvoting representative who can attend meetings of the Governing Board, participate in Governing Board discussions and serve as a liaison between the Commission and such representative's respective Member Public Agency. The nonvoting representatives are not Members of the Governing Board and shall not be counted in determining if a quorum is present for meetings of the Governing Board.

5. Terms of Members. A Member's term of office on the Governing Board shall be for the term stated in the Commission's Bylaws, as amended from time to time, by the Commission's Governing Board.

6. Public Meetings. Meetings of the Members of the Governing Board shall be open to the public (except closed sessions permitted by the Open Meetings Act) and be subject to the requirements of Michigan's Open Meetings Act.

7. Duration of Agreement. This Agreement shall be in effect for so long as two Member Public Agencies desire to be a part of such agreement.

8. Financial. Each Member Public Agency signing this Agreement shall use its best efforts to commit one (1) percent of its capital expenditures relating to facility expansion, facility renovation, facility improvements, parks development and land improvement, for public art purposes in said facilities and parks.

9. Termination. Any Member Public Agency may withdraw from this Agreement by giving 90 days' written notice to the Commission prior to such withdrawal.

10. Dissolution. Upon the affirmative vote of a majority of the Member Public Agencies that are a party to this Agreement, the Commission shall be dissolved. In the event of the dissolution of the Commission, after the Commission has paid or made provision for the payment of the Commission's liabilities, all of the Commission's assets, real and personal, shall be distributed as determined by a majority vote of the Member Public Agencies, but if they are unable to agree on how the assets will be distributed then the assets shall be distributed pro rata to each Member Public Agency based on the amount of their respective contributions to the Commission.

11. By-Laws and Rules of Procedure. The Governing Board shall establish, and may modify and amend from time to time, by-laws and rules of procedure for the Commission and its committees; however, any Bylaws and rules of procedure shall not conflict with the terms of this Agreement. In the event of any conflict between this Agreement and the Bylaws, this Agreement shall control.

12. Restatement and Amendments. This Third Amendment restates in full the terms of the Urban Cooperation Agreement establishing a Public Arts Commission and replaces and supersedes all previous versions and amendments of such Urban Cooperation Agreement, and the terms of this Third Amendment shall prevail in the event of any conflict with a prior version.

This Agreement may be amended at any time by a vote of a majority of the Member Public Agencies. Any amendment to add a new Member Public Agency shall require the unanimous vote of the current Member Public Agencies. Any Amendment shall be filed with the Kalamazoo County Clerk's office and with the Michigan Secretary of State's Office of the Great Seal.

13. Vote by Member Public Agencies. Any matter described in this Agreement that calls for a vote of the Member Public Agencies shall be voted upon by each of the following Member Public Agency's elected governing bodies:

County of Kalamazoo Kalamazoo County Board of Commissioners
City of Kalamazoo Kalamazoo City Commission
City of Portage Portage City Council

Unless a higher vote requirement is established in this Agreement, the vote of a majority of the Member Public Agencies is required to approve any matter.

COUNTY OF KALAMAZOO
PUBLIC AGENCY

By _____
Timothy A. Snow, County Clerk

COUNTY OF KALAMAZOO
PUBLIC AGENCY

By _____
Stephanie Moore, Chair

CITY OF PORTAGE
PUBLIC AGENCY

By _____
Adam Herringa, Clerk

CITY OF PORTAGE
PUBLIC AGENCY

By _____
Patricia M. Randall, Mayor

CITY OF KALAMAZOO
PUBLIC AGENCY

By _____
James K. Ritsema, City Manager
30801797.9\157362-00001

APPROVED AS TO FORM
DATE 11/27/2018

CITY ATTORNEY

~~SECOND~~THIRD AMENDMENT TO THE
URBAN COOPERATION AGREEMENT
TO ESTABLISH A PUBLIC ART COMMISSION

WHEREAS, the development of the visual and aesthetic environment is a fundamental responsibility and function of public agencies; and

WHEREAS, PA 1967, Extra Session #7, provides that public agencies may provide for inter-local public agreements to carry out their functions and responsibilities; and

WHEREAS, the following public agencies desire to create a Public Art Commission to: supervise all public art projects within the member public agencies; make recommendations to the public agencies as to works of art; recommend methods of selection and commission of artists with respect to design, execution, and placement of works of art for which appropriations have been made; recommend the specific location of works of art; provide recommendations on all phases of each public art project; recommend guidelines on acceptance of gifts and donations of public art works, including recommendations as to whether a gift should be accepted or rejected, or alternative solutions; and recommend guidelines on the disposal of works of art; and

WHEREAS, the following public agencies have determined that the best approach to implement this Public Art Commission is through an Urban Cooperation Agreement establishing a Public Arts Commission (the “Agreement”) for all of the public agencies rather than separate Public Art Commissions for each agency; and

WHEREAS, the County of Kalamazoo and the City of Kalamazoo having previously entered into an “Urban Cooperation Agreement to Establish a Public Arts Commission” dated October 20, 1981, and the County of Kalamazoo and the City of Kalamazoo having entered into an Amendment ~~to~~ the Agreement to include the City of Portage as a participant in the Public Arts Commission on May 6, ~~1981~~ 1981, and the City of Kalamazoo, County of Kalamazoo and City of Portage having approved a Second Amendment to the Agreement to modify the composition of the governing board of the Commission; and

WHEREAS, it is necessary to further amend and restate the ~~original~~ Urban Cooperation Agreement to expand its purposes, further modify the composition of the governing board of the Commission and make other amendments, with the intent that this Third Amendment (the “Third Amendment”) supersede and replace all prior versions and amendments of the Agreement;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE FOLLOWING PUBLIC PARTIES, as follows:

1. Membership. The following public agencies ~~shall be~~ (referred to individually as a “Member Public Agency” and collectively as the “Member Public Agencies”) shall be the members of the Commission and parties to this Urban Cooperation Agreement:

1. County of Kalamazoo
2. City of Kalamazoo

3. City of Portage

2. Name. The name of this Commission shall be the Kalamazoo County Public Art Commission (“Commission”).

3. Purpose and Duties. The Commission shall have the following purpose and duties:

(a) To make recommendations to the ~~member-~~ public agencies as to works of art.

(b) To make recommendations to private entities, that request assistance, in choosing and/or placing art that will be placed or held in locations where it can be viewed or meant to be viewed by the general public.

(c) To recommend methods of selection and commissioning of works of art with respect to design, execution, and placement of works of art for which appropriations have been made.

(ed) To recommend the specific location of works of art.

(de) To provide recommendations on all phases of each public art project.

(ef) To recommend guidelines on acceptance of gifts and donations of public art works, including recommendations as to whether a gift should be accepted or rejected, including possible alternative solutions.

(fg) To recommend guidelines on the disposal, removal and/or relocation of works of art.

4. ~~Membership of Commission. The Commission~~Governing Board. The Commission shall be governed by a group of individuals who shall act as a group and be known as the Governing Board. The Governing Board shall exercise the powers and duties set forth in this Agreement and in any bylaws, policies and resolutions that may be adopted by the Governing Board or by the Member Public Agencies. The Governing Board shall consist of the following individuals (herein referred to individually as a “Member” and collectively as the “Members”):

(a) ~~The Director~~A representative of the Kalamazoo Institute of Arts (“KIA”), who shall be appointed by the KIA.

(b) A registered architect who ~~shall be appointed by the local chapter of~~is recommended by the American Institute of Architects-Southwest Michigan Chapter and who shall be appointed by the Commission’s Board of Commissioners.

- (c) A ~~member~~representative of the ~~Board of Discover~~ Kalamazoo County Convention and Visitors Bureau, Inc. ("KCCVB") who shall be appointed by ~~said Board~~the KCCVB.
- (d) Three (3) local artists (one of whom shall be an art historian) ~~appointed~~who are recommended by the Arts Council of Greater Kalamazoo ~~Arts Council~~and who shall be appointed by the Commission's Board of Commissioners.
- (e) Three (3) members at-large ~~to~~who shall be appointed by the ~~above-listed members of the~~Commission's Board of Commissioners.

~~(f) — A liaison (non-voting) member from each of the public agencies joining in this agreement and appointed by each of said public agencies.~~

In addition, each of the Member Public Agencies named in Section 1 above shall have the right to appoint a nonvoting representative who can attend meetings of the Governing Board, participate in Governing Board discussions and serve as a liaison between the Commission and such representative's respective Member Public Agency. The nonvoting representatives are not Members of the Governing Board and shall not be counted in determining if a quorum is present for meetings of the Governing Board.

5. Terms of Membership~~Members~~. A ~~member's term shall be for one (1) year and each member shall be eligible for re-appointment~~Member's term of office on the Governing Board shall be for the term stated in the Commission's Bylaws, as amended from time to time, by the Commission's Governing Board.

6. Public Meetings. Meetings of the Members of the Governing Board shall be open to the public (except closed sessions permitted by the Open Meetings Act) and be subject to the requirements of Michigan's Open Meetings Act.

7. Duration of Agreement. This ~~agreement~~Agreement shall be in effect for so long as two ~~member public agencies~~Member Public Agencies desire to be a part of such agreement.

7.8. Financial. Each ~~public agency~~Member Public Agency signing this ~~agreement~~Agreement shall use its best efforts to commit one (1) percent of its capital expenditures relating to facility expansion, facility renovation, facility improvements, parks development and land improvement, for public art purposes in said facilities and parks.

8.9. Termination. Any ~~member public agency~~Member Public Agency may withdraw from this ~~agreement~~Agreement by giving 90 days' written notice to the Commission prior to such withdrawal.

10. Dissolution. Upon the affirmative vote of a majority of the Member Public Agencies that are a party to this Agreement, the Commission shall be dissolved. In the event of the dissolution of the Commission, after the Commission has paid or made provision for the payment of the Commission's liabilities, all of the Commission's assets, real and personal, shall

be distributed as determined by a majority vote of the Member Public Agencies, but if they are unable to agree on how the assets will be distributed then the assets shall be distributed pro rata to each Member Public Agency based on the amount of their respective contributions to the Commission.

9.11. By-Laws and Rules of Procedure. The ~~Commission~~Governing Board shall establish ~~its own~~, and may modify and amend from time to time, by-laws and rules of procedure to carry out its powers and responsibilities for the Commission and its committees; however, any Bylaws and rules of procedure shall not conflict with the terms of this Agreement. In the event of any conflict between this Agreement and the Bylaws, this Agreement shall control.

12. Restatement and Amendments. This Third Amendment restates in full the terms of the Urban Cooperation Agreement establishing a Public Arts Commission and replaces and supersedes all previous versions and amendments of such Urban Cooperation Agreement, and the terms of this Third Amendment shall prevail in the event of any conflict with a prior version.

This Agreement may be amended at any time by a vote of a majority of the Member Public Agencies. Any amendment to add a new Member Public Agency shall require the unanimous vote of the current Member Public Agencies. Any Amendment shall be filed with the Kalamazoo County Clerk's office and with the Michigan Secretary of State's Office of the Great Seal.

13. Vote by Member Public Agencies. Any matter described in this Agreement that calls for a vote of the Member Public Agencies shall be voted upon by each of the following Member Public Agency's elected governing bodies:

County of Kalamazoo Kalamazoo County Board of Commissioners
City of Kalamazoo Kalamazoo City Commission
City of Portage Portage City Council

Unless a higher vote requirement is established in this Agreement, the vote of a majority of the Member Public Agencies is required to approve any matter.

COUNTY OF KALAMAZOO
PUBLIC AGENCY

By _____
~~Its~~ _____
Timothy A. Snow, County Clerk

COUNTY OF KALAMAZOO
PUBLIC AGENCY

By _____
~~Its~~ _____
Stephanie Moore, Chair

CITY OF PORTAGE
PUBLIC AGENCY

By _____

CITY OF PORTAGE
PUBLIC AGENCY

By _____

~~Its~~ _____ ~~Its~~ _____

Adam Herringa, Clerk Patricia M. Randall,
Mayor

CITY OF KALAMAZOO _____ ~~CITY OF KALAMAZOO~~ _____

PUBLIC AGENCY ~~PUBLIC AGENCY~~

By _____ By _____

~~Its~~ _____ ~~Its~~ _____

James K. Ritsema, City Manager
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Document comparison by Workshare 9.5 on Tuesday, November 27, 2018
2:39:38 PM

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Health Insurance Contract Renewals

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED:

1. Approve one-year contracts with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance;
2. Maintain current employer/employee cost sharing practices by taking action to exempt the city from requirements of P.A. 152 for the 2019 medical benefits plan year,

and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city.

Health insurance is provided by the city to all full-time non-union and union personnel as part of an overall comprehensive benefit package which is key to attracting and retaining quality employees. City employees currently have the opportunity to enroll in one of two city health insurance plans specific to employee groups; Blue Cross Blue Shield (BCBSM) of Michigan Community Blue, or Blue Care Network (BCN).

Current health insurance contracts with BCBSM of Michigan and BCN expire on January 31, 2019. As part of the health insurance contract renewal process for the 2019 plan year, the city was advised of significant increases in premiums for all BCBSM and BCN plans.

Increases to premium (excluding taxes and fees) are as follows:

BCBSM Community Blue	IAFF	13.66%
BCBSM Community Blue \$500/10%	Department Head & Non-Union	13.46%
BCBSM CB 12/0%	Department Head & Non-Union	18.69%
BCN \$500/0%	Department Head & Non-Union	11.38%
BCN \$500/0%	PPCOA and PPOA	11.61%
BCN \$500/0%	UAW	11.61%

The state health insurance premium caps for 2019 increased by 1.9% and taxes and fees will decrease due to suspension of the Federal Insurance Premium Tax.

Current State Insurance Premium Caps		2019 State Insurance Premium Caps	
Single Coverage	\$6,560.52	Single Coverage	\$6,685.17
2 Person Coverage	\$13,720.07	2 Person Coverage	\$13,980.75
Family Coverage	\$17,892.36	Family Coverage	\$18,232.31

City Administration decided to eliminate the BCBSM CB \$500/10% plan currently offered to Department Head & Non-Union employees due to the significant premium increase and offer BCBSM and BCN high deductible health plans (HDHPs) and health savings account (HSA) options.

The city offered all union groups additional health plan options including HDHPs and HSAs in an effort to reduce the impact of the increased premiums received during the renewal process. Each of the union groups elected to keep their existing plans and the IAFF and PPCOA also accepted the option to also offer a BCN HDHP and HSA.

In 2013, the state legislature amended Public Act 152 to expand the definition of “medical benefit plan cost” to include the amounts public employers pay directly or indirectly for taxes and fees associated with health insurance. Based upon this action, the costs for taxes and fees would have had to be passed directly to employees. P.A. 152 also provides that an exemption to the requirements of the act can be exercised for the next succeeding year by a two-thirds vote of the City Council. As such, the Council took action in December 2013 to exempt the city from P.A. 152 beginning with the 2014 plan year permitting the city to continue to pay up to the caps for health insurance premiums and pay the costs associated with taxes and fees. With the exception of not passing along the cost of health care related taxes to employees, all other aspects of P.A. 152 continue to be complied with. This same action has been repeated in successive years.

It is recommended that City Council take action to exempt the city from P.A. 152 for the 2019-2020 plan year and allow the city to pay up to the state caps in premium or in HSA contributions plus the associated taxes and fees. As the premiums for the HDHPs are lower than the state caps, it is the intent of the city to pre-fund a portion of the deductible at the beginning of the plan year to assist employees transitioning to HDHPs. If approved, this action will simply enable a continuation of current practice in conformance with P.A. 152 as originally enacted in 2011.

FUNDING: Funds have been budgeted and are available to support the cost of employee health insurance coverage for the balance of the current fiscal year. Funds will be budgeted for Fiscal Year 2019-2020.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: 2019 Utility Installation Design - Tabulation of Proposals

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to perform design and construction engineering services for the 2019 Utility Installation Project to AR Engineering, LLC, in the amount not to exceed \$107,900 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The 2018-2019 Capital Improvement Program (CIP) budget contains projects for installation of public utilities, which consists of water and sewer extensions in Romence Road, west of Angling Road and water extensions in Portage Road and Willoughby Drive. As part of the sanitary sewer extension project, Romence Road will be reconstructed where the sanitary sewer will be installed, and the remainder of Romence Road west of Angling Road will be resurfaced. The existing storm water system on Romence Road will be evaluated and improvements added to the project as necessary. Also included in this project is 750 feet of new water main along the east side of Portage Road north of East Milham Avenue and 500 feet of new water main along Willoughby Drive north of East Milham Avenue. Due to limited right-of-way on Willoughby Drive, the water main will require replacement of the roadway.

On November 29, 2018, four proposals were received for design and construction engineering services for the project, with bids ranging from \$107,900 to \$170,875. Upon review of the four proposals received, staff determined that the lowest cost proposal from AR Engineering, LLC, of Kalamazoo, MI best fits the needs of the project. AR Engineering, LLC is currently providing engineering design services for the Angling Road and Meredith Street projects planned for construction in 2019 and have met all milestone dates thus far. AR Engineering, LLC has also satisfactorily completed other engineering services for the city.

Therefore, it is recommended that City Council award a contract to AR Engineering, LLC to perform design and construction engineering services for the 2019 Utility Installation Project in the amount not to exceed \$107,900 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are included in the 2018-2019 CIP budget for these utility improvements. The total amount budgeted to the project totals \$590,000.

Attachments: 1. Proposal Tabulation

PROFESSIONAL ENGINEERING SERVICES FOR
2019 UTILITY INSTALLATIONS PROJECT

<u>BIDDER</u>	<u>DESIGN</u>	<u>CONSTRUCTION</u>	<u>TOTAL</u>	<u>BID</u>
AR Engineering, LLC 4664 Campus Drive, Suite 106 Kalamazoo, MI 49008	255	658	913	\$107,900.00
Hurley & Stewart 2800 S. 11th Street Kalamazoo, MI 49009	239	557	796	\$114,500.00
Wightman 433 East Ransom Kalamazoo, MI 49007	391	616	1007	\$135,889.50
Williams & Works 549 Ottawa Ave NW Grand Rapids, MI 49503	561	715	1276	\$170,875.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Hewlett-Packard Nimble Network Storage Devices - Bid Tabulation

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: Approve the purchase of Hewlett-Packard Nimble Network Storage devices in the total amount of \$54,798.69 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The city technology infrastructure includes consolidated network storage devices which were purchased in 2010. The network storage devices are no longer supported and are in need of replacement to maintain dependable operability of core network storage services. This is a planned expenditure as part of the overall Technology Plan.

As part of the research and design process, the Technology Services Department identified the Hewlett-Packard Nimble Network Storage system as providing the best balance of compatibility, reliability and cost efficiency. On November 16, 2018, a bid process was utilized in order to identify the best and lowest replacement equipment and support services. Of five bids submitted, the lowest was submitted by SHI International, of Somerset, NJ, in the total amount of \$54,798.69. The bid price is inclusive of all hardware, software, configuration, installation, testing, warranties and support.

It is recommended that City Council approve the purchase of Hewlett-Packard Nimble Network Storage devices in the total amount of \$54,798.69 and authorize the City Manager to execute all related documents.

FUNDING: Funds are available in the Technology Capital Improvement Plan for this planned expenditure.

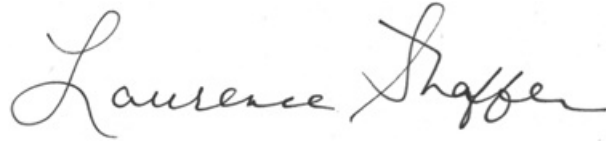
Attachments: 1. HP Nimble Storage Bid Tab

HP NIMBLE NETWORK STORAGE DEVICE

	SHI International	Dat Strategy	PCM Sales, Inc.	Marco Technologies, LLC	Howard Technology Solutions
TOTAL:	\$54,798.69	\$75,883.68	\$81,743.00	\$126,093.49	\$135,111.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Annual BS&A Integrated Municipal Software Licensing and Maintenance Fees

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: Approve payment of the annual licensing and software maintenance services fees with BS&A, Incorporated at a total cost of \$51,806 and authorize the City Manager to execute all related documents.

The BS&A enterprise municipal software system includes 18 integrated applications that include core financials, loans, cemetery management, utility billing, fixed assets, assessing, planning and zoning, permitting and online payment services. The renewal cost of \$51,806 represents no increase as compared to the previous year.

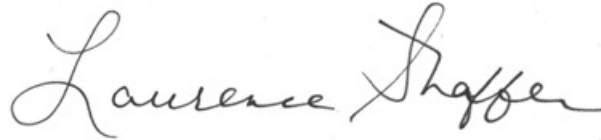
It is recommended that Council approve the annual licensing and maintenance services agreement with BS&A, Incorporated in the amount of \$51,806 and authorize the City Manager to execute all related documents.

FUNDING: Fiscal Year 2018-19 Technology Services operating budget

Attachments: None

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Adopt Resolution No. 2 for the Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R, setting a public hearing of necessity on January 8, 2019.

The 2017-18 Capital Improvement Program budget provides funding for the Local Streets Reconstruction Program which entails “complete street” enhancements, connections of existing sidewalk, storm drainage improvements, Americans with Disabilities Act sidewalk ramps, concrete curb radii at non-curb intersections and asphalt resurfacing. The 2017-18 Local Streets Reconstruction Program includes the reconstruction of Hill ‘An’ Brook Drive from Angling Road to Greenhill Street.

During the design engineering process of the Local Streets Reconstruction Program, a petition was circulated by property owners for the creation of a special assessment district on Hill ‘An’ Brook Drive from Angling Road to Greenhill Street and Merryview Drive from Fleetwood Drive to Brookhaven Drive for the installation of curb and gutter. On July 24, 2018, City Council referred the special assessment petition in favor of creating a special assessment district for curb and gutter on Hill ‘An’ Brook Drive and Merryview Drive to the City Administration for review and report. The petition for curb and gutter on Hill ‘An’ Brook Drive and Merryview Drive was signed by 60% (2,552 feet of 4,250 feet road frontage) of the benefiting parcel owners and meets the adopted goal of City Council regarding public improvements to “continue to improve the infrastructure to meet demonstrated needs.”

As a result, City Council is asked to adopt the second resolution in the special assessment process that tentatively determines the necessity of the improvement project and schedules a public hearing on January 8, 2019.

As previously noted, the estimated cost for this project is \$492,000, which would be funded by a combination of special assessment bonds, capital improvement bonds and the Municipal Street Fund. If approved, the project will commence in the spring of 2019 and be completed by the end of the 2019 construction season.

Attached is Special Assessment Resolution No. 2 for the Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R. Previous Council action relating to this project includes:

- On December 4, 2018, City Council adopted Resolution No. 1 on this project, accepted the City

Manager report and requested preparation of Resolution No. 2.

Therefore it is recommended that City Council adopt Resolution No. 2 for the Hill 'An' Brook Drive and Merryview Drive Curb and Gutter Project #999-R, setting a public hearing of necessity on January 8, 2019

FUNDING: The total estimated cost of the curb and gutter and storm sewer portion of the overall project is \$492,000. These improvements are funded in the Fiscal Year 2017-18 Capital Improvement Program by the utilization of special assessment bonds, capital improvement bonds and Municipal Street millage funds.

Attachments:

1. Special Assessment Map
2. Preliminary Special Assessment District Roll
3. Resolution No. 2

Hill 'An' Brook Drive and Merryview Drive Assessment District #999-R



1 inch = 250 feet
Date: 11/20/2018



 Proposed Assessment District Boundary

Hill 'An' Brook Drive and Merryview Drive - District No. 999-R

Tentative Assessment Roll

Residential Rate \$49.85 per Front Foot plus \$1,450.00 per Driveway Approach

Owner	Address	Parcel No.	Class	Actual Frontage	Benefitting Frontage	Rate	Frontage Assessment	Driveway Approach	Total Assessment
SHEETS, SAMUEL & SHANNON	5208 MERRYVIEW DR	03580-027-O*	401	200	50	\$49.85	\$2,492.50	\$1,450.00	\$3,942.50
ZIMMERMAN, PAUL & GRETCHEN	3125 HILL 'AN' BROOK DR	03580-030-O	401	141	119	\$49.85	\$5,932.15	\$0.00	\$5,932.15
VERMEULEN, JAMES R & MARIJEAN	3117 HILL 'AN' BROOK DR	03580-031-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
CWALINA, B & WILBUR, C	3109 HILL 'AN' BROOK DR	03580-032-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
BRADFORD, THOMAS E & S K J	3029 HILL 'AN' BROOK DR	03580-033-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
KACZOROWSKI, NORBERT & MARY ANN	3019 HILL 'AN' BROOK DR	03580-034-O	401	104	104	\$49.85	\$5,184.40	\$1,450.00	\$6,634.40
ATKINSON, WILLIAM & KAREN	3011 HILL 'AN' BROOK DR	03580-035-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
SWOPE, PAUL J & D L	3001 HILL 'AN' BROOK DR	03580-036-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
FITZGERALD, TIMOTHY J & TAMMY L	2921 HILL 'AN' BROOK DR	03580-037-O	401	115	115	\$49.85	\$5,732.75	\$1,450.00	\$7,182.75
BRUCE, STEPHENIE	2911 HILL 'AN' BROOK DR	03580-038-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
NELSON, SUSAN TRUST	2903 HILL 'AN' BROOK DR	03580-039-O	401	100	100	\$49.85	\$4,985.00	\$1,450.00	\$6,435.00
GUCICH, DOUGLAS A	2823 HILL 'AN' BROOK DR	03580-040-O	401	324	174	\$49.85	\$8,673.90	\$1,450.00	\$10,123.90
GIANAKARIS, C J & A	3124 HILL 'AN' BROOK DR	03580-041-O	401	208	197	\$49.85	\$9,820.45	\$1,450.00	\$11,270.45
JOHNCOCK, MICHAEL W & E A	3102 HILL 'AN' BROOK DR	03580-042-O	401	149	149	\$49.85	\$7,427.65	\$1,450.00	\$8,877.65
BATT, DAVID & JENICA	3022 HILL 'AN' BROOK DR	03580-043-O	401	125	125	\$49.85	\$6,231.25	\$1,450.00	\$7,681.25
TODAS, KURT & RASS, MARY LOUISE	3010 HILL 'AN' BROOK DR	03580-044-O	401	125	125	\$49.85	\$6,231.25	\$1,450.00	\$7,681.25
WILLSON, ROBERT G & BETH A	2928 HILL 'AN' BROOK DR	03580-045-O	401	125	125	\$49.85	\$6,231.25	\$1,450.00	\$7,681.25
KELLEY, RONALD W & CHARLOTTE G	2916 HILL 'AN' BROOK DR	03580-046-O	401	125	125	\$49.85	\$6,231.25	\$1,450.00	\$7,681.25
KIBBEY, NANCY R TRUST	2906 HILL 'AN' BROOK DR	03580-047-O	401	125	125	\$49.85	\$6,231.25	\$1,450.00	\$7,681.25
KALLEWARD, JAMES D & B A	5050 MERRYVIEW DR	03580-056-O	401	150	150	\$49.85	\$7,477.50	\$1,450.00	\$8,927.50
HALL, LISA	2824 HILL 'AN' BROOK DR	03580-057-O	401	283	133	\$49.85	\$6,630.05	\$1,450.00	\$8,080.05
MACKIE, LESLIE	2805 HILL 'AN' BROOK DR	03580-058-O	401	280	130	\$49.85	\$6,480.50	\$1,450.00	\$7,930.50
DELEO, ANTHONY M	5139 MERRYVIEW DR	03580-059-O	401	115	115	\$49.85	\$5,732.75	\$1,450.00	\$7,182.75
BAKER, ZACHARY & HEIDI	5149 MERRYVIEW DR	03580-060-O	401	115	115	\$49.85	\$5,732.75	\$1,450.00	\$7,182.75
WOLF, JOSEPH A	2812 FLEETWOOD DR	03580-061-O*	401	115	0	\$49.85	\$0.00	\$0.00	\$0.00
CRAVEN, J & VANDENBOSS, K	5049 MERRYVIEW DR	03582-093-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
DEVRIES, KEVIN J	5103 MERRYVIEW DR	03582-094-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
GARNETT, WILLIAM C & LISA L	2726 HILL 'AN' BROOK DR	03582-095-O	401	274	124	\$49.85	\$6,181.40	\$1,450.00	\$7,631.40
ROMANO, ANTHONBY R & JEAN M TRUST	2712 HILL 'AN' BROOK DR	03582-096-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
RESIDENTIAL OPPORTUNITIES, INC	2702 HILL 'AN' BROOK DR	03582-097-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
PURNELL, COLE & DONNA K	2620 HILL 'AN' BROOK DR	03582-098-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
OLDS, RICHARD A & N O	2610 HILL 'AN' BROOK DR	03582-099-O	401	120	120	\$49.85	\$5,982.00	\$1,450.00	\$7,432.00
FECKER, PAIGE L TRUST	2723 HILL 'AN' BROOK DR	03582-101-O	401	106	106	\$49.85	\$5,284.10	\$1,450.00	\$6,734.10
PIERRARD, DAVID & MARY	2713 HILL 'AN' BROOK DR	03582-102-O	401	106	106	\$49.85	\$5,284.10	\$1,450.00	\$6,734.10
HEMKER, LEILA & ALEX	2705 HILL 'AN' BROOK DR	03582-103-O	401	106	106	\$49.85	\$5,284.10	\$1,450.00	\$6,734.10
POEL, ROBERT H & M J	2623 HILL 'AN' BROOK DR	03582-104-O	401	106	106	\$49.85	\$5,284.10	\$1,450.00	\$6,734.10
BAUMGART, LAWRENCE A & M L	2615 HILL 'AN' BROOK DR	03582-105-O	401	106	106	\$49.85	\$5,284.10	\$1,450.00	\$6,734.10
37 Properties				5148	4250				\$262,612.50

*Included in 702-R

Updated 11-20-2018 MRR

CITY OF PORTAGE
SPECIAL ASSESSMENT RESOLUTION NO. 2
HILL 'AN' BROOK AND MERRYVIEW DRIVE, CURB AND GUTTER, DISTRICT #999-R

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 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and seconded by:

Councilmember: _____.

WHEREAS, pursuant to a petition initiated by property owners at a meeting in the District adhering to the requirements of City Ordinance, the City Council has adopted the initial resolution commencing special assessment proceedings for the construction and financing of the hereinafter described public improvement; and

WHEREAS, the City Council of the City of Portage has caused to be prepared by the City Manager, the report called for in Section 62-2 of the City Ordinances; and

WHEREAS, the same has been received and reviewed by the City Council; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The City Council tentatively determines that the improvement hereinafter described and also described in the City Manager's report is necessary.

2. The City Council determines that the nature of the improvement is:

Install approximately 6,240 feet of curb and gutter appurtenances in Hill 'An' Brook Drive from Angling Road to Greenhill Street and Merryview Drive from Fleetwood Drive to Brookhaven Drive to include the installation of concrete driveways and storm drainage improvements.

and that the expected useful life of said improvement is 10 years.

3. The City Council determines that the properties within the special assessment district will receive the special benefits and, further, determines that the total estimated cost of the improvement will not exceed \$492,000.00, of which total cost the sum of \$262,612.50 shall be assessed against the special assessment district and the sum of \$229,387.50 shall be borne by the City-at-Large.

4. The City Council hereby designates the special assessment district against which all or a part of the cost of said improvement is to be assessed, as consisting of the following described land, to wit:

Unplatted Land: None.

Platted Land: Lots 27, 30 through 47, and 56 through 61 originally recorded in the Plat of Hill 'N' Brook Village; and Lots 93 through 99 and 101 through 105 as originally recorded in the Plat of Hill 'N' Brook Village No. 2.

5. The City Council determines that the cost of the benefits is to be assessed by frontage abutting on said improvement.

6. The City Council hereby accepts and approves the City Manager's report and directs that it, along with the resolution, be filed with the City Clerk and be made available for public inspection.

7. The City Council will meet at the City Hall located at 7900 South Westnedge Avenue in the City of Portage, on the 8th day of January, 2019, at 7:00 p.m., or as soon thereafter as may be heard, at which time and place the City Council will hear all interested parties with respect to the necessity of the improvement, and to the special assessment district therefor.

8. The City Clerk is hereby ordered to cause notice of such hearing to be published once prior to said hearing in the KALAMAZOO GAZETTE, a newspaper in general circulation in the City, said publication to be at least ten (10) days before the time of hearing, and shall cause notice of said hearing to be mailed by first class mail to all owners or persons with interest in the

property in the special assessment district, as shown on the current assessment roll of the City, at least ten (10) days before the date of said hearing. Said notice shall conform substantially to Exhibit "A" attached hereto and incorporated herein.

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

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

ADAM HERRINGA, City Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF KALAMAZOO)

I, the undersigned 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 in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this ____ day of _____, 2018.

ADAM HERRINGA, City Clerk

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002
(269) 323-8812

Approved as to Form:
Date: 12/12/2018
By: [Signature]
City Attorney

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EXHIBIT "A"

**CITY OF PORTAGE, MICHIGAN
NOTICE OF PUBLIC HEARING ON THE NECESSITY OF A
SPECIAL ASSESSMENT IMPROVEMENT BY THE CITY OF PORTAGE
HILL 'AN' BROOK AND MERRYVIEW DRIVE, CURB AND GUTTER, DISTRICT #999-R**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY AND ALL OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that the City Council of the City of Portage has declared its intention to construct the following public improvement:

Install approximately 6,240 feet of curb and gutter appurtenances in Hill 'An' Brook Drive from Angling Road to Greenhill Street and Merryview Drive from Fleetwood Drive to Brookhaven Drive to include the installation of concrete driveways and storm drainage improvements.

and has designated the special assessment district against which all, or a part of the cost of said improvement is to be assessed, as consisting of all the following described land, to wit:

Unplatted Land: None.

Platted Land: Lots 27, 30 through 47, and 56 through 61 originally recorded in the Plat of Hill 'N' Brook Village; and Lots 93 through 99 and 101 through 105 as originally recorded in the Plat of Hill 'N' Brook Village No. 2.

A report concerning said improvement has been prepared and is on file with the City Clerk for public examination.

TAKE FURTHER NOTICE that the City Council will meet on the 8th day of January, 2019, at 7:00 p.m. or as soon thereafter as may be heard, at the City Hall, 7900 South Westnedge Avenue, in the City of Portage, for the purpose of hearing all interested parties concerning the necessity of said improvement and the special assessment district therefor.

TAKE FURTHER NOTICE that if, prior to the adoption of the resolution to proceed with the improvement, written objections have been filed by either 1) a majority of owners of property in the district, or 2) owners in the district who will be required to pay more than fifty percent (50%) of the cost of the public improvement, the affirmative vote of five (5) or more members of the Council is needed to proceed with the improvement.

PLEASE TAKE FURTHER NOTICE that the owner or any person having an interest in property that is specially assessed may file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the special assessment roll. However, appearance and protest at the public hearing are required in order to appeal the special assessment to the Michigan Tax Tribunal. An owner or other party in interest or his or her agent may (1) appear in person at the hearing to protest the special assessment or (2) file his or her appearance or protest by letter before the close of the hearing. The City Council shall maintain a record of

parties who appear to protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was recorded shall be considered to have protested the special assessment in person.

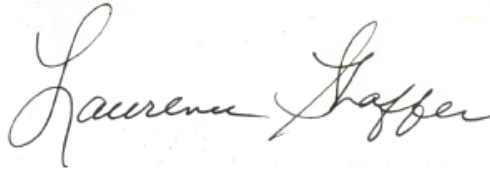
DATED: _____, 2018

ADAM HERRINGA,
City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: 2019 Fee Schedules



SUPPORTING PERSONNEL: Adam Herringa, City Clerk
Rod Russell, Director of Public Services
Vicki Georgeau, Director of Community Development
Nicholas Arnold, Director of Public Safety Police / Fire Chief
Kendra Gwin, Director of Transportation & Utilities
Kathleen Hoyle, Director of Parks, Recreation & Senior Citizen Services

ACTION RECOMMENDED: Adopt the:

1. 2019 Freedom of Information Act fees,
2. 2019 Recreation and Park Facility fees,
3. 2019 Cemetery fees and charges,
4. 2019 Community Development fees for Building Permits, and
5. 2019 Special Assessment Rates.

Service, permit and activity fees have historically been updated and implemented on a calendar year basis, following an annual administrative review of fees for various city services and activities, as well as special assessment rates. Proposed fee modifications for the 2019 calendar year are recommended to facilitate continued service provision and to comply with the Council adopted goal to “*Maintain the financial health of the city.*” Recommended fee modifications for 2019 are based on service cost considerations. Complete details for recommended fee modifications are shown in the enclosed tables / charts and attachments.

Freedom of Information Act Fees

Under the Freedom of Information Act 442 of 1976, municipalities are permitted to recover costs incurred in providing certain documents for public purchase. Fees for Freedom of Information Act (FOIA) requests are periodically revised to reflect actual costs for providing materials. A review of fees has recently been completed, with only a few changes proposed. **Exhibit 1 identifies the proposed fee changes, as summarized below:**

- Under the City Clerk section, “Qualified Voter Information,” will only be provided now via e-mail or other electronic means (such as Google Dropbox). Such information is free of charge.
- Under the City Clerk section, the addition of a fee for the City of Portage flag is proposed that simply covers the cost of the flag. The Office of the City Clerk has long sold City of Portage flags but the fee has never been formally established.
- Under the Information Technology section, fees for USB drives are now recommended. Compact disks and DVDs are less common means of storing and sharing data.

Recreation and Park Facility Fee Schedule

Fee schedules for recreation programs and park facilities are reviewed yearly to ensure that programs offered are able to meet public demand in a cost-effective manner and continue to promote the quality of life within the community. A scholarship program, in cooperation with the Portage Community Center, is in place to provide subsidies for qualified residents to ensure program access for most activities. A limited number of fees were last modified in 2018.

Minimal changes to the existing recreation and park facility fees are recommended for 2019. Any fee changes are primarily to provide consistent fee rates across all facilities. **Exhibit 2 identifies the proposed fee changes, as summarized below:**

- *Softball Leagues:* A late-registration fee is proposed for the fall softball leagues to be consistent with the summer leagues, and as an incentive for teams to register by the published deadline.
- *South Westnedge Skate Park:* A damage deposit was added to be consistent with other facility usage requirements.

Senior Center Class and Facility Fee Schedule

Fee schedules for Senior Center programs and services are reviewed on an annual basis and several revisions were last implemented in 2014. The current fee system for classes identifies member and nonmember rates, providing an incentive for older adults to join and become members of the Senior Center. A scholarship program through the Friends of the Portage Senior Center is in place to provide assistance to seniors of low income and to ensure program access to all older adults in the community. The Senior Center also has published rental rates, consistent with City of Portage park facilities. **No changes to the existing Senior Center class and facility fees are recommended for 2019.**

Cemetery Fees and Charges

City cemetery fees are reviewed annually to ensure the General Fund subsidy for this operation remains at or below \$50,000. Fees were last modified in 2015. A review revealed only one recommended change, as shown **Exhibit 3**. The fee for purchase of an infant grave is currently \$400. It is recommended that this fee remain the same but expand the age range from infant only, to infant up to eight years of age.

Community Development Fees for Service

The annual review for Community Development service fees (Planning, Development and Neighborhood Services, and Building and Housing Services) has been accomplished. In 2017, a three percent (3%) increase to planning and zoning fees was accomplished, and the base fee for residential and commercial construction permits was increased by five dollars (\$5.00). **Given the fee increases implemented in 2017, no increase in fees is recommended for 2019.**

Additionally, an adjusted fee (reduction) is proposed for commercial shell building permits. Building permit fees are based upon the valuation of the project. For consistency, the project valuation for new commercial buildings and additions is calculated on the type of construction and occupancy classification (use) as derived from the International Code Council's Building Valuation Data Table. The project valuation, however, does not take into consideration whether the building is fully finished inside or is constructed as a "shell only" building to be finished at a later date or by a different contractor. In these instances, contractors submit their project valuation for the interior finish of the building. **It is recommended that a fee calculation for new commercial shell only buildings be reduced by 20 percent, which is consistent with the guidelines established by the International Code Council.**

Public Safety Department Fees

Fire Division:

- A review of Fire Division fees, including fees for false fire alarms, campfire permits, firework permits and follow-up business inspection fees, has been accomplished. Fees were last modified in 2015, which included a radio amplification system testing fee and a compliance check fire inspection fee. **No changes to the existing Fire Division fees are recommended for calendar year 2019.**

Police Division:

- Article 2, Section 78-66 of the Portage Code of Ordinances allows the city to impose emergency response fees upon individuals who have been adjudicated guilty of any state law pertaining to the act of impaired driving. The fees are based on the cost of the response of public safety personnel to these incidents and were last modified in December 2008. **No changes to the existing emergency response fees are recommended for calendar year 2019.**
- Michigan Compiled Laws (MCL) 765.12a gives the Department of Public Safety authority to collect a fee from persons arrested pursuant to a warrant issued by a court. The arrest warrant processing fee may be collected to defray the expense of receiving, depositing and delivering bail or bond money to the court, which Portage police officers accomplish on a daily basis. **No changes to the existing fees associated with Michigan Compiled Laws are recommended for calendar year 2019.**

Right-of-Way and Excavation Permits

Chapter 66 – Streets, Sidewalks and Other Public Places of the Code of Ordinances sets the requirements and procedures for performing excavations and other work in the public rights-of-way of the city. Persons proposing to perform any such work shall first obtain a permit from the Transportation & Utilities Department. The fee, insurance and bonding requirements are to be set by resolution of the City Council and were last modified in 2013. A review of the costs associated with permit processing, plan review and site inspection was recently completed. **No changes to existing right-of-way and excavation permit fees are recommended for 2019.**

Soil Erosion and Sediment Control Permits

Part 91, Soil Erosion and Sediment Control (SESC), of the Natural Resources and Environmental Protection Act, 1994 PA 451 is the State of Michigan law regulating construction activities, including earth changes to ensure that any earth change is accomplished in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation. The City of Portage acts as the local municipal enforcement agency for projects involving earth changes within the city limits. Persons proposing to perform any such work shall first obtain a permit from the Transportation & Utilities Department, the fees for which were last modified in 2013. A review of the costs associated with permit processing, plan review and site inspection was recently completed. **No changes to existing soil erosion and sediment control permit fees are recommended for 2019.**

Special Assessment Rates

On May 21, 1991, City Council adopted a Special Assessment Policy Resolution that established funding ratios for utility and street construction projects. The policy also provided for periodic review and amendment of special assessment rates by resolution of the Council. Through the practice of special assessment, a share of project costs is charged to property owners receiving the primary benefit of the improvement. The practice of special assessment is a critical component of Portage city financing and has been a primary factor in the continued excellent financial health of the city.

On November 7, 2006, Portage voters approved a street millage proposal which eliminated street special assessments on projects initiated by City Council. Street assessments will still be levied on street projects petitioned by affected and benefiting property owners. Approval of the street millage proposal also eliminated the street reconstruction portion of the special assessment rate for installation of new sanitary sewers. Any street improvement project or sanitary sewer project approved prior to November 7, 2006, whether it was a special assessment district or an extension district, was not affected by approval of the street millage proposal.

Special assessment rates are updated using a variety of factors: actual construction cost for comparable city projects; national construction cost indexes and applicable construction cost data from the Kalamazoo Builders Exchange, a local clearing house for public and private construction cost information. Recent improvement in the local economy has resulted in significant price increases for construction projects during 2018. Each special assessment rate was analyzed separately so that the recommended 2019 rates also properly reflect the City Council policy on property owner cost-sharing of needed infrastructure improvements. Due to increasing complexity of city projects, the city has experienced not only an increase in material prices, but higher construction labor and engineering design costs as well. Special Assessment rates were calculated based primarily on the actual bid history of completed 2017 and 2018 projects. Thus, rates of some construction items such as street improvements, increase at a difference rate than that of utility improvements. **A Special Assessment Rate Resolution reflecting the proposed rates for 2019 is provided (attached) for the consideration of Council.**

Therefore, it is recommended that City Council adopt:

1. 2019 Freedom of Information Act fees,
2. 2019 Recreation and Park Facility fees,
3. 2019 Cemetery Fees and Charges,
4. 2019 Community Development Fees for Building Permits, and
5. 2019 Special Assessment Rates.

FUNDING: N/A

ATTACHMENTS:

1. Resolution Establishing Fees for Grave Openings and Closings
2. Resolution Establishing Fees for Building Permits
3. Resolution Establishing Special Assessment Rates

CITY OF PORTAGE PROPOSED 2019 CHARGES FOR DOCUMENTS (FOIA FEES)

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT CHARGE	PROPOSED CHARGE	ONLINE AVAILABILITY
Finance	Budget (Paper copy)*	\$.10/pg + *		Available Online
		Plus Mailing		
	Budget CD ROM*	\$0.38		Available Online
		Plus Mailing		
	Comprehensive Audit (Paper Copy)	\$.10/pg + *		Available Online
		Plus Mailing		
	Comprehensive Audit CD (upon availability)	\$0.38		Available Online
		Plus Mailing		
	Full Copy of Electronic Property Tax File	\$50.00		Not Available Online
	Tax Payment Receipts (duplicates requested other than time of payment)	No Charge		Available Online
	Individual Parcel Look-up Online	No Charge		Available Online
	Special Assessment/Tax History on computer (since 2004)	No Charge		Available Online
	Special Assessment/Tax History not on computer (prior to 2004)	No Charge		Not Available Online
	Utility Bill History Information (upon availability)	No Charge		Not Available Online
	Property Appraisal Card/Owner of Record	No Charge		Not Available Online
	Property Appraisal Card/Non-Property Owner	\$.10/pg + *		Not Available Online
	Additional Cards	\$.10/pg + *		Not Available Online
	Data Sales Report	\$.10/pg + *		Not Available Online
	Annual Database download for Realtors Assn.	\$.10/pg + *		Not Available Online
Purchasing				
	Bid Specifications (First copy)	No Charge		Available Online
	Contract Conditions & Specifications	No Charge		Available Online
	Additional Copy	\$.10/pg + *		
City Clerk	City Charter	\$2.40		Available Online
	Precinct Maps (Color)	\$6.00		GIS Mapping Service Available Online
	Council Minutes and Agendas	No charge		Prior Year Available Online
	Council Agenda Packets	\$.10/pg + *		Prior Year Available Online
	Advisory Board Minutes	No Charge		Prior Year Available Online
	Advisory Board Agenda Packets	\$.10/pg + *		Prior Year Available Online
	Qualified Voter Information-Electronic Only	\$.38/CD	No Charge	Not Available Online
	City of Portage Flag	\$40	\$40 (New Addition to List)	Not Available Online

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT CHARGE	PROPOSED CHARGE	ONLINE AVAILABILITY
Human Resources	Employee Records - If Available to employee or designee			Not Available Online
	1st Copy	No Charge		
	2nd copy	\$.10/pg + *		
	To non-employee	\$.10/pg + *		
Fire				
	EMS Reports	\$.10/pg + *		Not Available Online
	Environmental Impact Statements	\$.10/pg + *		Not Available Online
	NFIRS Reports	\$.10/pg + *		Not Available Online
	Research	*		Not Available Online
	Digital Photos to Disc	*		Not Available Online
Police				
	POLICE REPORTS:			Not Available Online
	Minor Incident Report	\$.10/pg + *		
	Up to 20 pages	\$.10/pg + *		
	From 21-40 pages	\$.10/pg + *		
	From 41-60 pages	\$.10/pg + *		
	Accident Reports:			Not Available Online
	UD-10 Form	\$.10/pg + *		Not Available Online
	w/supplemental Info up to 20 pages	\$.10/pg + *		
	From 21-40 pages	\$.10/pg + *		
	From 41-60 pages	\$.10/pg + *		
	Over 60 pages	\$.10/pg + *		
	Police Reports Facsimile Charge	No Charge		Not Applicable
	Photographs			Not Available Online
	Booking Photo	\$.38 + *		Not Available Online
	Booking Room Videos, Lobby Videos, Interview Videos, Evidence Videos and Mobile Video Digital Recordings	\$.38 + *		Not Available Online
	*Digital Photos to Disc	\$.38 + *		Not Available Online
	Visa Clearance	\$11.00		Not Available Online
	Audio Tapes	\$.38 + *		Not Available Online
	Non-criminal Fingerprints			
	Resident or Portage Business	\$8.00/card		
	Non-resident	\$15.00/card		
	Application to Set Aside Conviction Permit	Through Court		Not Available Online
	Bond Fee	\$10.00		

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT CHARGE	PROPOSED CHARGE	ONLINE AVAILABILITY
Community Development (Maps, plans, tracings, plats, etc.)	PAPER FORMAT - IN COLOR:			
	8 x 11 ("A" size) without Aerial	\$1.00		Available as part of GIS Mapping Service
	11 x 17 ("B" size) without Aerial	\$2.00		Available as part of GIS Mapping Service
	18 x 24 ("C" size) without Aerial	\$3.00		Available as part of GIS Mapping Service
	24 x 36 ("D" size) without Aerial	\$5.00		Available as part of GIS Mapping Service
	30 x 30 ("E" size) without Aerial	\$10.00		Available as part of GIS Mapping Service
	8 x 11 ("A" size) with Aerial	\$2.00		Available as part of GIS Mapping Service
	11 x 17 ("B" size) with Aerial	\$5.00		Available as part of GIS Mapping Service
	18 x 24 ("C" size) with Aerial	\$10.00		Available as part of GIS Mapping Service
	24 x 36 ("D" size) with Aerial	\$20.00		Available as part of GIS Mapping Service
	30 x 30 ("E" size) with Aerial	\$25.00		Available as part of GIS Mapping Service
	Building Plan/Site Plan (24x36)	\$5.00/sheet		Not Available Online
	(copyright restrictions may apply)			
	Planning and Zoning Code with Land Development Regulations	\$ 10/pg + *		Available Online
	Zoning Map, Future Land Use Map (11x17)	\$5.00		Available as part of GIS Mapping Service
	Zoning Map, Future Land Use Map (24x36)	\$10.00		Available as part of GIS Mapping Service
	Subdivision and Land Division Regulations	\$ 10/pg + *		Available Online
	Comprehensive Master Plan	\$ 10/pg + *		Available Online
	Comprehensive Master Plan - CD ROM	\$ 38 + *		Available Online
	Major Thoroughfare Plan Status update	\$ 10/pg + *		Available Online
	Capital Improvement Program (CIP)	\$ 10/pg + *		Available Online
	Capital Improvement Program (CIP) - CD ROM	\$ 38 + *		Available Online
	Property Notification Address List	\$20.00		Available Online
	CDBG Consolidated Plan	\$ 10/pg + *		Available Online
	CDBG Annual Action Plan	\$ 10/pg + *		Available Online
	Analysis of Impediments to Fair Housing Study	\$ 10/pg + *		Available Online
	DIGITAL FORMAT:			
	Digital Aerial Photo of City	\$40/section		Available as part of GIS Mapping Service
	(one foot pixel resolution)			
	Digital Aerial Photo of Entire City - All Sections	\$750.00		Available as part of GIS Mapping Service
	Digital Topographic Maps	\$25/quarter section		Available as part of GIS Mapping Service
	All 36 Sections	\$1,500.00		Available as part of GIS Mapping Service
	Digital (GIS) Map Layers (streets, hydrology, zoning, etc.)	\$100/layer		Available as part of GIS Mapping Service

ORIGINATING DEPARTMENT	DOCUMENT TITLE	CURRENT CHARGE	PROPOSED CHARGE	ONLINE AVAILABILITY
Community Development (cont'd)	Digital (GIS) Parcel Map Layer	\$.10/parcel		Available as part of GIS Mapping Service
		\$25 minimum		
		\$750 maximum		
	Custom Mapping	*		Available as part of GIS Mapping Service
	Building/Site Plan e-mailed (copyright restrictions may apply)	*		Not Available Online
Information Technology	Compact Disk	\$.38 + *		Not Applicable
	DVD Productions (copy of)	\$.38 + *		Not Applicable
	USB Flash Drive - 16GB	New	\$8 + *	Not Applicable
	USB Flash Drive - 32GB	New	\$13 + *	Not Applicable
	USB Flash Drive - 64GB	New	\$20 + *	Not Applicable
	Computer Research	*		

* NOTE: Charge per document is \$.10/page, labor costs and up to 50% of the hourly wage for benefit costs of lowest paid individual capable of performing the work, plus mailing costs. For requests involving in excess of 15 minutes of staff time, the charge will be based on the nearest quarter-hour increment after the first quarter hour rounded down.

RECOMMENDED 2019 RECREATION & PARK FACILITY FEES
(Revisions indicated in bold)

ACTIVITY	CURRENT	2019 (Proposed)
Adult Softball Leagues-Summer (12 games)	\$560	Same
Non-resident fee per person	\$20	Same
Non-resident team fee	\$700	Same
Late registration fee	\$50	Same
Over 50 teams	\$680	Same
Doubleheader teams	\$1070	Same
Team conduct violation	\$20	Same
Adult Softball Leagues-Fall (7 games)	\$400	Same
Late registration fee	\$0	\$25
Ramona Park Vehicle Permits		
Non-resident Daily pass	\$10	Same
Non-resident Annual pass	\$45	Same
Daily Bus pass	\$50	Same
The Ice Rink @ Millennium Park		
Skate fee per person	\$5	Same
Skate Rental	\$3	Same
Skate Sharpening	\$5	Same
10 Skate Discount Card	\$25	Same
Group Rental – 1 ½ hours	\$110	Same
Food Truck Permit Fee	\$200/Year	Same
Events	\$100 Large	Same
	\$50 Small/New	Same
Tournaments	\$100	Same
Park Site Spot	\$25	Same
FOOTBALL & SOCCER FIELDS		
Weekend Tournaments		
Field/Day non-profit	\$210	Same
Field/Day profit	\$325	Same
Deposit	\$100	Same
Camps and Clinics		
Field per 4 hrs non-profit	\$80	Same
Additional hourly fee non-profit	\$10	Same
Field per 4 hrs profit	\$130	Same
Additional hourly fee profit	\$20	Same
Team Practice Reservation Fee		
Non-profit per hour fee	\$10	Same
Profit per hour fee	\$20	Same

SOFTBALL FIELDS		
Slow Pitch Softball Tournaments		Same
Field/Day – Non-Profit	\$75	Same

Field/Day – Profit	\$90	Same
Field Prep	\$65	Same
Deposit	\$100	Same
Fast Pitch Softball Tournaments		
Field/Day – Non-Profit	\$75	Same
Field/Day – Profit	\$90	Same
Field Prep	\$80	Same
Deposit	\$100	Same
Practice Field Reservation		
Per hour	\$10	Same
SCHRIER PARK RENTAL		
Rental Fee – first 3 hrs.	\$200	Same
Additional hourly fee	\$50	Same
Daily maximum fee	\$400	Same
Non-Profit Meetings per hour	\$25	Same
Damage deposit	\$150	Same
OPEN PAVILION RENTAL		
Rental Fee (Mon – Sun)	\$110	Same
Central Park		
Lakeview Park #1 & #2		
Ramona Park #1 & #2		
Westfield Park		
Schrier Park		
SOUTH WESTNEDGE SKATEPARK		
Special Event Rental – 4 hrs	\$150	Same
Damage Deposit	0	\$150
CELERY FLATS RENTAL		
Schoolhouse Classroom daily fee	\$50	Same
Damage deposit	\$50	Same
Gazebo Rental (Included with Hayloft Rental)	\$65/3 hrs	No Charge
Grain Elevator		
Group Rental – first 3 hrs	\$125	Same
Additional hourly fee	\$30	Same
Daily Rental	\$250	Same
Damage deposit	\$150	Same

Hayloft Theatre *		
Group Rental – first 5 hrs	\$400	Same
Additional hourly fee	\$60	Same
Daily maximum	\$770	Same
Wedding fee	\$770	Same
Friday Rehearsal option	\$100	Same
Outside Performance - evening	\$300	Same

Rental fee – Chairs	\$120	Same
Chair Setup/Teardown	N/A	Same
Damage deposit	\$150	Same
Stuart Manor *		
Group Rental – first 3 hrs	\$140	Same
Additional hourly fee	\$30	Same
Daily Rental	\$260	Same
Damage deposit	\$150	Same
Amphitheatre *		
Rental – first 3 hrs	\$180	Same
Additional hourly fee	\$30	Same
Daily Rental	\$300	Same
Damage Deposit	\$150	Same
OVERLANDER BANDSHELL		
Non-Profit Group – first 3 hrs	\$140	Same
Additional hourly fee	\$40	Same
Damage deposit	\$150	Same
<i>*Extra Fees: 15% of gross receipts plus applicable fees for additional staff, special equipment, rehearsals</i>		
WALK-RUN FUNDRAISING EVENTS		
Base fee	\$450	Same
Early Set-Up	\$100	Same
Additional Staff Charges (per hour) 5K & 10K Only	\$50	\$100
Damage/deposit reservation	\$150	Same
Late Fee	\$50	Same

RECOMMENDED 2019 CEMETERY FEES
(Revisions indicated in bold)

ACTIVITY	2018 FEES	2019 FEES
Burial Rights Fees:		
Residents		
Flush/Mixed Marker Section	\$950	Same
Upright Marker Section	\$1,075	Same
Non-Residents		
Flush/Mixed Marker Section	\$1,300	Same
Upright Marker Section	\$1,450	Same
*Youth (infant to 8 years - youth size vault only)		
Residents	\$400	Same
Non-Residents	\$650	Same
Cremains Only Section		
Residents	\$650	Same
Non-Residents	\$900	Same
*Expanded to include youth gravesites		
Grave Opening & Closing Charges:		
Adults	\$950	Same
Youth	\$700	Same
Ashes	\$450	Same
Infants	\$400	Same
Overtime Fee (Saturday burial)	\$350	Same
Foundations for Markers		
6 to 8-inch depth	\$0.55 / sq inch	Same
Over 8-inch depth	N/A	Same

**CITY OF PORTAGE
RESOLUTION ESTABLISHING CEMETERY FEES FOR GRAVE OPENING AND CLOSINGS**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2018 at 7:00 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and supported by:

Councilmember: _____.

WHEREAS, the City Council pursuant to Section 18-22 establishes the following fees;

NOW, THEREFORE, BE IT RESOLVED THAT:

The fees effective 1/1/2019 for the establishment of youth burial rights and grave openings and closings are hereby established as contained in Exhibit A entitled "2019 Cemetery Fees" which is attached to this Resolution and incorporated herein.

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

EFFECTIVE DATE: _____, 2018.

Adam Herringa City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of this resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on _____, 2018, the original of which is in the official proceedings of the City Council.

Adam Herringa, City Clerk

S:\ResolutionforFeeSchedule18.12-12.doc

APPROVED AS TO FORM
DATE 12/12/2018
PM
CITY ATTORNEY

2019 CEMETERY FEES
RECOMMENDED UPDATES
 (Revisions indicated in bold)

ACTIVITY	2018 FEES	2019 FEES
Burial Rights Fees:		
Residents		
Flush/Mixed Marker Section	\$950	Same
Upright Marker Section	\$1,075	Same
Non-Residents		
Flush/Mixed Marker Section	\$1,300	Same
Upright Marker Section	\$1,450	Same
*Youth (infant to age 8 – youth size vault only)		
Residents	\$400	Same
Non-Residents	\$650	Same
Cremains Only Section		
Residents	\$650	Same
Non-Residents	\$900	Same
*Expanded to include youth gravesites		
Grave Opening & Closing Charges:		
Adults	\$950	Same
Youth	\$700	Same
Ashes	\$450	Same
Infants	\$400	Same
Overtime Fee (Saturday burial)	\$350	Same
Foundations for Markers		
6 to 8-inch depth	\$0.55 per square inch	Same
Over 8-inch depth	N/A	

**CITY OF PORTAGE
RESOLUTION ESTABLISHING FEES FOR BUILDING PERMITS**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2018 at 7:00 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and supported by:

Councilmember: _____.

WHEREAS, under the Building Code for the City of Portage, it is necessary for the Council to establish by resolution fees for permits;

NOW, THEREFORE, BE IT RESOLVED: That the following fees are hereby established for building permits in the City of Portage:

PERMIT FEES:

(Residential)¹

Total Valuation:

Fee:

Up to \$2,000

Minimum fee of \$50.00

\$2,001 to \$25,000

Minimum fee of \$50.00 or \$31.41 for the first \$2,000 plus \$5.45 for each additional \$1,000 or fraction thereof, to and including \$25,000

\$25,001 to \$50,000

\$156.76 for the first \$25,000 plus \$4.02 for each additional \$1,000 or fraction thereof, to and including \$50,000

\$50,001 to \$100,000

\$257.26 for the first \$50,000 plus \$2.80 for each additional \$1,000 or fraction thereof, to and including \$100,000

\$100,001 to \$500,000	\$397.26 for the first \$100,000 plus \$2.24 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$1,293.26 for the first \$500,000 plus \$1.89 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$2,238.26 for the first \$1,000,000 plus \$1.47 for each additional \$1,000 or fraction thereof

(Commercial)¹

Up to \$2,000	Minimum fee of \$65.00 or \$26.82 for the first \$500 plus \$3.49 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$79.17 for the first \$2,000 plus \$16.02 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$447.63 for the first \$25,000 plus \$11.55 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$736.38 for the first \$50,000 plus \$8.01 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$1,136.88 for the first \$100,000 plus \$6.41 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,700.88 for the first \$500,000 plus \$ 5.44 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$6,420.88 for the first \$1,000,000 plus 4.18 for each additional \$1,000 or fraction thereof

¹The building permit fee is based upon the Building Valuation Data from the International Code Council. A deduction of 20% shall be granted to shell only commercial building construction.

(Other Construction Related Permits)

Residential Driveway, Curb Cut, and Sidewalk Permits	\$25.00
Commercial Driveway, Curb Cut, and Sidewalk Permits	\$40.00
Irrigation in right-of-way	\$25.00
Swimming Pools	\$55.00
Use of outside consultants for plan checking, inspections, etc.	Actual cost
Application to Construction Board of Appeals (Building, Mechanical, Electrical, Plumbing)	\$105.00
Inspections for which no fee is specifically indicated (1 hour minimum)	\$63.00/hr.
Certificate of Occupancy Fee (for changes in occupancy classification per Building Code when no plan review is required)	\$155.00
Building Plan Review (for commercial projects with a valuation over \$10,000.00)	\$210.00 or .02 per sq. ft., whichever is greater
Reinspection fees assessed (assessed when inspection requested and work not completed - 1 hour minimum).	\$63.00/hr
Inspection outside normal business hours	\$75.00/hr. (1-hr. minimum)

Investigation fee

Whenever work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. The investigation fee shall be in addition to the permit fee and shall be based upon the staff investigation time required to ensure code compliance, charged at the hourly inspection rate. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

EFFECTIVE DATE: _____, 20__.

Adam Herringa, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of this resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on _____, 2016, the original of which is in the official proceedings of the City Council.

Adam Herringa, City Clerk

T:\COMMDEV\2018-2019 Department Files\Subject Files\F\Fees 2019\Building Permit Fees Resolution 2019 (Proposed).docx

APPROVED AS TO FORM
DATE 12/12/2018
R
CITY ATTORNEY

**CITY OF PORTAGE
SPECIAL ASSESSMENT RATE
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 7:00 p.m., local time.

PRESENT:

ABSENT:

The following resolution was offered by:

Councilmember: _____, and seconded by:

Councilmember: _____.

WHEREAS, the Portage Charter gives Council the power to make public improvements within the City; and

WHEREAS, MCL 117.4(d) AND Chapter 9 of the Portage City Charter also empower Council to defray the cost of public improvements "which are of such a nature as to benefit especially any property or properties within a district" by special assessment upon such property in proportion to the benefit derived or to be derived; and

WHEREAS, Council is of the opinion that it is fair and equitable to special assess for certain public improvements which specially benefit properties; and

WHEREAS, such special assessment process allows for the continued expansion and preservation of the infrastructure, to the benefit of the residents; and

WHEREAS, Council adopted a "Special Assessment Policy Resolution" as amended at the regular meeting of said Council on the 21st day of May, 1991; and

connected to public water), the street lead charge (service line from the sanitary sewer main to the property line), and the front footage charge based on the current special assessment rates for unassessed sewers. The sewer trunk and branch fee, street lead charge, and sewer meter charge (when applicable) must be paid in full at the time of issuance of the sewer use permit but the front footage charge may be spread over twenty years.

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

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

Adam Herringa, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy a resolution adopted a regular meeting of the City Council of said city, held on the ____ day of _____ 2018, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature this ____ day of _____, 2018.

Adam Herringa, City Clerk

APPROVED AS TO FORM
DATE 11/27/2018
RM
CITY ATTORNEY

Attachment "A"
SPECIAL ASSESSMENT RATES 2019

	Residential			Commercial/Industrial		
	2018	Proposed for 2019	% Change	2018	Proposed for 2019	% Change
Water	\$39.93	\$39.93	0.00%	\$52.16	\$52.16	0.00%
Sewer	\$45.08	\$45.08	0.00%	\$48.90	\$48.90	0.00%
Unassessed Sewer*	\$80.26	\$80.26	0.00%	\$98.26	\$98.26	0.00%
Petitioned Street Reconstruction with Curb & Gutter (including new storm sewer)	\$90.85	\$95.39	5.00%	\$100.24	\$105.25	5.00%
Petitioned Street Reconstruction with Curb & Gutter (existing adequate storm sewer)	\$68.42	\$69.72	1.90%	\$73.23	\$75.15	2.62%
Petitioned Curb and Gutter (including new storm sewer done in conjunction with either street reconstruction or sanitary sewer installation)	\$49.85	\$52.34	5.00%	\$54.43	\$57.15	5.00%
Petitioned Curb and Gutter without storm sewer (existing adequate storm sewer done in conjunction with street reconstruction)	\$24.17	\$25.38	5.00%	\$27.41	\$28.78	5.00%
Petitioned Street Reconstruction	\$36.64	\$38.47	5.00%	\$42.25	\$44.36	5.00%
Petitioned Storm Sewer (done separate from street reconstruction)	\$31.48	\$33.05	5.00%	\$34.37	\$36.09	5.00%
Sidewalk	\$34.76	\$35.20	1.27%	\$39.14	\$40.41	3.25%
Drive Approach	\$1,450.00	\$1,455.00	0.35%	\$1,450.00	\$1,455.00	0.35%
Sewer Lead	\$1,680.95	\$1,680.95	0.00%	\$1,680.95	\$1,680.95	0.00%
3/4-in. Water Service	\$984.00	\$984.00	0.00%	\$984.00	\$984.00	0.00%
1-in. Water Service	\$1,160.00	\$1,160.00	0.00%	\$1,160.00	\$1,160.00	0.00%
1 1/4-in. Water Service	\$1,235.00	\$1,235.00	0.00%	\$1,235.00	\$1,235.00	0.00%

* This rate will apply to sewer extension districts initiated prior to 11-7-06.

Minutes of Boards & Commissions

City of Portage
Historic District Commission
Wednesday, November 7, 2018

Meeting Called to Order: 8:20 A.M.

Members Present: Forrest, Custer, Duniphin, Lopez, vanLonkhuyzen, Maytnier, Barton, Grunert.

Members Excused: Nemeth

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): None

Approval of Minutes: Lopez moved, seconded by Custer, to approve the October 03, 2018 meeting minutes. Motion approved 8-0.

Old Business: None

Announcement:

- a. Mucha informed the Commission that the District Modification of 2663 Mandigo Avenue went before Portage City Council on November 6, 2018 for a first reading. No comments were presented at this meeting. City Council is scheduled to vote on the modification at the November 20, 2018 regularly scheduled meeting.
- b. Mucha informed the Commission that The Beacon Club, 5830 Portage Road, has submitted an application for a new free standing sign on the property. Mucha inquired if the Commission has ever taken action on a sign application in the past regarding a historic property.

vanLonkhuyzen indicated no action came to mind. vanLonkhuyzen expressed the opinion that a sign would be no different than fencing and landscaping on a property, which is not regulated under the Historic District Commission. vanLonkhuyzen stated that the Portage Historic District Commission has no guidelines nor precedent to regulate signage on a historic property.

Barton opinioned that, should the sign be mounted to the building, the Historic District Commission may want to review the proposed artwork/graphics. Mucha informed Commissioner Barton, and the Commission at large, that content is not regulated, however placement and size of signs are under the zoning ordinance.

Lopez moved, seconded by Maytnier, to not regulate signage under the Historic District Commission, and to treat signage as landscaping due to Portage Zoning Ordinance already having established regulations for placement, size and other stipulations. Motion passed 8-0.

New Business:

- a. 5720 Oakland Drive: Barn Deconstruction: Mr. Vergunst was not present to discuss his application to deconstruct the barn located at 5720 Oakland Drive. Mucha informed the Commission Mr. Vergunst was seeking to renew a previously issued Certificate of Appropriateness (approved October 2017). Discussion followed.

vanLonkhuyzen commented that salvage of barn material is preferred compared to outright disposal.

Lopez opinioned that Mr. Vergunst could rebuild the barn at a later date, and was supportive of salvaging wood from the barn.

Duniphin commented that other properties in the district might benefit from salvaged material at a future date.

Grunert opinioned that a more detailed reconstruction plan, as stipulated in the October 19 2017 letter to Mr. Vergunst, should be required prior to any approval. Grunert advocated that the Commission stand by the stipulations set forth previously, not only for 5720 Oakland, but for all historic properties.

Grunert moved, seconded by vanLonkhuyzen, to not approve the Certificate of Appropriateness for 5720 Oakland Drive barn deconstruction and storage of salvaged material until the property owner provides the reconstruction plan as stipulated in the October 19, 2017 letter. Motion passed 8-0.

Community Outreach: Duniphin informed the Commission that the December city event – Traditional Holiday - at Celery Flats, is looking for volunteers. Duniphin inquired if any Commission members would be interested in volunteering at the Traditional Holiday event.

Duniphin provided general information regarding the May 2019 Historical Preservation Event. Duniphin stated Mr. Mick Lynch has volunteered his property at 10209 Portage Road. Duniphin indicated the proposed date is May 18, 2019 from 12pm – 4pm. Duniphin inquired about ticket prices and if they should be changed from \$5.00 to a higher amount. No action taken on ticket price increase.

Member Comments: Commissioner Forrest indicated the January regularly scheduled meeting is set for Wednesday, the 2nd of January. Forrest inquired if the meeting should be moved one week back, to Wednesday, January 9. Barton moved, seconded by Forrest, to move the January 2019 meeting from the 2nd to 9th. Motion passed 8-0. Notice to be posted on website & in City Hall.

Adjournment: There being no further comments or business, vanLonkhuyzen adjourned the Historic District at 9:27 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kyle Mucha".

Kyle Mucha
Zoning & Codes Administrator

Youth Advisory Committee Minutes

November 5, 2018 6:00 P.M

- I. Call to Order
- II. Introduction and Attendance
- III. Accepted October 15 Youth Advisory Committee Meeting Minutes
- IV. KMetro Bus Presentation with the Amazing Kathy Schultz, Planning and Developing Manager
 - Introduce Herself
 - Brought Route Maps and explained in detail
 - Encourages Bus Riding
 - KMetro Website: *kmetro.com*
 - Showed how to use "Track My Bus" feature on website
 - Would like to offer "Warming Station Bus" for the upcoming Snow Party

FOLLOW UP WITH KATHY
- V. Reports from Liaisons
 - Parks wants to know what we think about The City of Portage Parks

Why do we like Parks?

 - *Quality of Parks*

Changes?

 - Update drinking Fountains
 - Cleaner Bathrooms

#WELOVEOURPARKS
- VI. YAC T-Shirt Designs
 - VOTE: 2nd T-Shirt Design
- VII. YAC Social Media Sub-Committee Update
 - DONE NOTHING
 - New Member: Riya Chaudhary
- VIII. Goals
 - Legalize Roosters?
 - Create Yoga on the Beach

VOLUNTEER OPPORTUNITY: Receptionist at Portage Community Center

(Answer phone and help where needed)

- Interested? Contact Erica

IX. Upcoming YAC Events

Snow Party: Saturday, February 2

Green-A-Thon: Saturday, April 13

Thanksgiving Food Basket Assistance: Monday, November 19 (1-4 p.m)

Adopt a Family gift drop off: December 18, 19, and 20 (YAC shift starts at 3 p.m)

NEXT MEETING: Monday, December 3 at 6:00 P.M in Portage City Hall

Date Approved

--Secretary Fill-in: James Asher

Vice Chair of YAC of Portage

**PORTAGE PUBLIC SCHOOLS
BOARD OF EDUCATION
REGULAR BUSINESS MEETING**

October 22, 2018

REGULAR BUSINESS MEETING

The Regular Business Meeting of the Board of Education of Portage Public Schools held on Monday, October 22, 2018, was called to order at 6:30 p.m. by President Van Antwerp in Conference Room #1 of the Administration Building, 8107 Mustang Drive. He welcomed the audience and the Pledge of Allegiance was recited.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Randy Van Antwerp, Joanne Willson

Board Trustees Absent: Celeste Shelton-Harris, Bo Snyder

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Mr. Droppers, that the Board of Education approve the agenda as amended to add an action item, Approve Asphalt Paving.

Motion carried unanimously.

REPORTS

Superintendent's Report

CommuniTeen Update. Northern High Media Specialist Ms. Jeanna Walker accompanied by Central High Social Studies teacher, Mr. Kent Baker, and representatives from the Portage District Library, Ms. Olivia Pennebaker and Ms. Katharyn Jones, updated the Board about their work, including developing a mission and vision statement. They reviewed past CommuniTeen Read authors and titles, and introduced this year's author and book selection - The Testing by Joelle Charbonneau. Members of the Board were given a copy of the book. The CommuniTeen Read event will take place in March 2019; details will be forthcoming. Ms. Walker thanked the Board for their support and responded to questions from Trustees.

Energy Program Update. Mr. Steve Phelps, Maintenance Coordinator and Energy Specialist, provided this annual update, which covered cumulative cost avoidance, cost avoidance trends, energy saving projects completed and current/future energy saving projects. Mr. Phelps addressed questions from the Board.

Bond Project Update. This evening's report came from North Middle School Industrial Technology teacher Matt Swanson and a student. North Middle School eighth grade students had representatives from the new NMS construction site come to their classes. Students had a hands-on presentation and a tour of the area. Students learned about masonry work, teamwork, etc. They answered questions from Trustees.

Mr. Bielang stated the Board could expect a similar type of report each month through the school year, as a new element to the bond project update. Each report will be provided by either Mr. Swanson or

Ms. Amy Franks, Central Middle Industrial Technology teacher, with the assistance of students. The skilled trade area of focus will vary by report. Mr. Cade Damen, OAK Construction Manager, Mr. Swanson and Ms. Frank have collaborated to make this possible – a great way to give students good exposure to the skilled trades.

Change Order / Bond Budget Update. Mr. Dan Rathburn, Project Manager from OAK, detailed change order work by construction change directive for Central Natatorium, Northern AEF, North Middle School, Central AEF and Central Middle School. Mr. Dan Rathburn addressed questions from the Board.

Mr. Dan Rathburn reviewed a financial update for work committed through Bond Change Order 14 and responded to questions from Trustees.

Financial Report. Ms. Paula Johnson, Director of Finance, reviewed details of the financial report for the three-month period ending September 30, 2018. Ms. Johnson also shared recent areas of focus in the Business Office – report work, audit completion, working on FID, and finalizing count day. Ms. Johnson answered questions from the Board.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting, and there being no public comment, he opened the floor for Board comments.

Mrs. Willson shared positive comments regarding recent meetings she attended and thanked Ms. Paul Johnson for her work on the audit.

Mr. Bielang shared several items of interest. He thanked board members for attending the recent Natatorium Dedication. The first Elementary Facility Planning Steering Committee meeting is October 24th, which will be facilitated by Dr. Bill DeJong. This Thursday is STEM night at Lake Center Elementary beginning at 6:00 p.m. This Friday at Northern High is the Lunches for Lives Program. Both of our high school football teams are in the playoffs and will compete against each other this Friday evening at Huskie Stadium at 7:00 p.m. Leadership work continues with Studer Education on November 1-2, to include administrators, staff from the Administration Building and district secretaries. The Employee Engagement survey just wrapped up. The District Services Survey will be administered in early November.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: approve meeting minutes for the September 24, 2018 Policy Governance Retreat and Regular Business Meeting, the September 24, 2018 Closed Session, and the October 8, 2018 Committee of the Whole Work Session; approve changes to Ends Policy 1.1 as follows: 1.1 Students demonstrate a mastery level of core curriculum standards greater than in prior years, with the long-term goal of approaching or exceeding the highest performing comparable communities; and approve changes to Bylaw 0144.2 as follows: A. Devote sufficient time, thought and study to the performance of the duties and responsibilities of a member of the board and consider resignation from the Board for any extended absence from the District (6 months or more).

There being no objection to the items, the motion carried unanimously.

ACTION ITEMS

Approve Lounsbury Excavating Contract Change

Motion by Mr. Droppers, seconded by Mr. Rathburn, that the Board of Education approve an increase in the Central Athletic Event Facility excavation contract with Lounsbury Excavating for additional underground detention and storm sewer relocation required by the City of Portage in the amount of \$273,810, the funds for which will come from 2016 Bond Fund – Proposal #1 Unallocated Contingency, as presented.

Mr. Dan Rathburn and Mr. Bielang addressed questions from the Board.

The motion carried unanimously.

Red Ribbon Week Proclamation

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education approve the Red Ribbon Week Proclamation, as presented.

Mrs. Novaria read the proclamation.

The motion carried unanimously.

Approve Asphalt Paving

Motion by Mrs. Willson, seconded by Mr. Droppers, that the Board of Education authorize Owen-Ames-Kimball Co. to issue Notices of Pending Award, in the amounts indicated for the Central Athletic Event Facilities – Asphalt Paving to Michigan Paving and Materials for \$238,500, pending confirmation that all requirements of the Contract Documents have been met. Furthermore, that upon receipt by Owen-Ames-Kimball Co. of the appropriate documentation, contracts will be awarded to this contractor by Portage Public Schools, as presented.

Mr. Bielang reviewed the background on this item. Mr. Dan Rathburn addressed questions from Trustees.

The motion carried unanimously.

DISCUSSION ITEMS

There were no discussion items on the agenda.

With no further business to come before the Board, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Barb Atkinson
Recording Secretary

PROCLAMATION RED RIBBON WEEK October 23-31, 2018

WHEREAS, tobacco, alcohol, prescription drug abuse and other drug usage among young people is a serious concern; and

WHEREAS, it is imperative that a visible and unified effort of education and prevention be continued to reduce the demand for drugs; and

WHEREAS, children of parents who talk to their teens about drugs are 42% less likely to use drugs than those who don't; and

WHEREAS, Portage Public Schools works in partnership with the Portage Department of Public Safety to offer Red Med boxes for the safe disposal of unwanted prescription medication to reduce access to prescription drug abuse; and

WHEREAS, the National Federation of Parents for Drug-Free Youth, the Kalamazoo County Substance Abuse Task Force, and the Portage Public Schools are sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

WHEREAS, the National Red Ribbon Campaign will be celebrated in communities throughout America during "**Red Ribbon Week**", October 23-31, 2018; and

WHEREAS, business, government, law enforcement, schools, religious institutions, service organizations, youth, physicians, senior citizens, the military, sports teams, and individuals will demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this week-long campaign; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Portage Public Schools does hereby proclaim October 23-31, 2018 as **RED RIBBON WEEK**, and encourage Portage citizens to participate in drug prevention education activities, showing our commitment to a drug-free community through education about the dangers of drug abuse, and by setting a good example.

BE IT FURTHER RESOLVED, that the Board of Education of the Portage Public Schools encourages all citizens to pledge: **The future is key, so stay drug free.**

Proclaimed this 22nd day of October, 2018
Portage Public Schools Board of Education

**PORTAGE PUBLIC SCHOOLS
BOARD OF EDUCATION
COMMITTEE OF THE WHOLE WORK SESSION MEETING**

November 12, 2018

The Committee of the Whole Work Session of the Board of Education of Portage Public Schools held on Monday, November 12, 2018, was called to order at 6:31 p.m. by President Van Antwerp in Conference Room #1 of the Administration Building, 8107 Mustang Drive. He welcomed the audience and the Pledge of Allegiance was recited.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp, Joanne Willson (Mrs. Willson participated via speaker phone.)

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mr. Droppers, seconded by Dr. Shelton-Harris, that the Board of Education approve the agenda as printed.

The motion carried unanimously.

REPORTS

Superintendent's Report

2017-18 Audit Presentation. Ms. Paula Johnson, Director of Finance, shared introductory comments regarding the 2017-18 Audit and introduced Mr. Kim Lindsay, Auditor from Rehmann Robson. Mr. Lindsay shared the District received a "clean" audit opinion with no findings or reportable conditions and complimented Ms. Johnson and her staff for their work. Mr. Lindsay reviewed details of the 2017-18 Comprehensive Annual Financial Report, Single Audit Act Compliance Report, and Management Letter and addressed questions from Trustees.

Bond Project / Budget Update. Mr. Ron Herron, Assistant Superintendent of Operations, provided a brief update on the status of bond work. The Central Natatorium is now certified, allowing us to host large (state) events. At the Northern AEF discus fencing is going in this week. At the North Middle School site work continues to enclose the building, temporary heat to be installed, and trades are working above the ceilings with fine finishes to start soon. At the Central Middle School site work includes: pouring concrete floors and rough-in of mechanical/electrical. At Central AEF work includes: parking lot curb work, shoring up work of existing locker rooms, inside demolition of some mechanical/electrical/plumbing, and masonry blocks are up at the concession stand. Mr. Herron added January promises to be a busy month for bids.

Mr. Herron invited board members to a tour of the North Middle School site on December 10, 2018.

Mr. Herron responded to questions from the Board.

2020 Field Trip to France. Dr. Michael Pascoe, Assistant Superintendent of Instruction and Assessment, introduced Ms. Rachel Flachs, Central High French Teacher. Ms. Flachs detailed plans for a student trip to France in 2020 and responded to Trustee questions.

Monitoring Report 1.1, Global Ends (State). Superintendent Mark Bielang provided introductory remarks. Mr. Mike Huber, Director of Curriculum, detailed the report, which focused on State Measures – the M-STEP Assessment. Mr. Huber highlighted data comparisons with comparable communities and trends. Mr. Huber addressed questions from the Board.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting. Dr. Shelton-Harris read the guidelines for public participation.

Sarah Beuker addressed the Board regarding the health impact of student vaping, juuling, and e-cigarettes. President Van Antwerp thanked Ms. Beuker for her comments.

Judi Santek congratulated the re-elected board members and addressed the Board regarding parking and parking signage. President Van Antwerp thanked Ms. Santek for her comments.

President Van Antwerp opened the floor for Trustee comments.

Dr. Shelton-Harris expressed her appreciation for the sympathy card she received from the Board and Superintendent.

Mr. Rathburn commented on student vaping and expressed pride in our schools and our students.

Mrs. Novaria applauded our Marching Band, the student performances of *Clue* and *Les Miserables*, and commented on student vaping.

Mr. Snyder congratulated the re-elected board members and thanked them for their service. Mr. Snyder also commented on student vaping.

Mr. Van Antwerp thanked Trustees for completion of their self-assessment, shared there is a new sense of pride and positive energy at Portage Northern since the new stadium opened, informed Trustees that Youth for Christ purchased a trailer at Colonial Acres with the intent of transforming it into an after-school facility for students. Mr. Van Antwerp also commented the Board's Audit Committee met today.

CONSENT AGENDA

There were no items on the Consent Agenda.

ACTION ITEMS

Acceptance of 2017-18 Audit

Motion by Mr. Droppers, seconded by Mrs. Novaria, that the Board of Education accept the 2017-18 Comprehensive Annual Financial Report, Single Audit Act Compliance Report, and Management Letter, as presented.

Upon a roll call vote, the motion carried unanimously.

Acceptance of Monitoring Report 2.2, Treatment of Staff

Motion by Mrs. Novaria, seconded by Mr. Snyder, that the Board of Education accept as presented the Monitoring Report on 2.2, Treatment of Staff, as a reasonable interpretation and evidence of compliance with policy.

Mr. Bielang shared highlights of Monitoring Report 2.2.

Upon a roll call vote, the motion carried unanimously.

Acceptance of Monitoring Report 2.3, Compensation and Benefits

Motion by Mr. Snyder, seconded by Mr. Rathburn, that the Board of Education accept as presented the Monitoring Report on 2.3, Compensation and Benefits, as a reasonable interpretation and evidence of compliance with policy.

Mr. Bielang briefly reviewed his report.

Upon a roll call vote, the motion carried unanimously.

Approve Parent Advisory Committee Nomination

Motion by Dr. Shelton-Harris, seconded by Mrs. Novaria, that the Board of Education approve the nomination of Kendall Newhouse to the Special Education Parent Advisory Committee at KRESA, as presented.

Superintendent Bielang shared background information on the Parent Advisory Committee and their role.

Upon a roll call vote, the motion carried unanimously.

DISCUSSION ITEMS

Recommendation for 2020 Field Trip to France

Details of the trip were shared under the Superintendent's Report portion of the minutes.

Summer Tax Collection Resolution

Ms. Johnson reviewed background information and purpose for the resolution and responded to Trustee questions.

Operational Policy Revisions

Mr. Bielang briefly reviewed the bylaw and operational policy changes received from NEOLA. Trustees shared comments.

Recommendation for NHS Auditorium Roof Repair

Mr. Herron reviewed background information and the recommendation for this item. Mr. Herron responded to questions from the Board.

With no further business to come before the Board, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Barb Atkinson
Recording Secretary

**PORTAGE PUBLIC SCHOOLS
BOARD OF EDUCATION
POLICY GOVERNANCE RETREAT AND
REGULAR BUSINESS MEETING**

November 26, 2018

The Policy Governance Retreat meeting of the Board of Education of the Portage Public Schools held on Monday, November 26, 2018, was called to order at 4:00 p.m. by President Van Antwerp in the Superintendent's Conference Room at the Administration Building, 8107 Mustang Drive.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp and Joanne Willson (Mrs. Willson arrived at 4:45 p.m.)

Board Trustees Absent: None

Administration Present: Mark Bielang, Superintendent

Others Present: Gary Goscenski of Perspectives Consulting

POLICY GOVERNANCE RETREAT

Motion offered by Mrs. Novaria, seconded by Mr. Snyder, that the Board of Education approve the agenda as printed.

The motion carried unanimously.

Mr. Goscenski facilitated Board discussion, which covered middle school enrollment, board self-assessment review, Centennial Celebration, and the Board's role in supporting high expectations.

The Policy Governance Retreat adjourned at 6:25 p.m.

REGULAR BUSINESS MEETING

The Regular Business Meeting of the Board of Education of Portage Public Schools held on Monday, November 26, 2018, was called to order at 6:31 p.m. by President Van Antwerp in Conference Room #1 of the Administration Building, 8107 Mustang Drive. He welcomed the audience and the Pledge of Allegiance was recited.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp, Joanne Willson

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the agenda as amended to remove agenda item III.d., Science Standards Report/Update.

The motion carried unanimously.

REPORTS

Superintendent's Report

Bond Project Update. Mr. Ron Herron, Assistant Superintendent of Operations, provided an update on bond work projects. Progress continues on all projects. Most of the North Middle School is now enclosed; finish work continues inside. Central Middle School is partially enclosed.

A student report is expected at the December meeting. Students will share their experience learning from the skilled trades.

Change Order Summary / Bond Budget Update. Mr. Dan Rathburn, Project Manager from OAK, provided a financial update for bond work committed through Bond Change Order 15. Mr. Rathburn also detailed change order work by construction change directive for the Central Natatorium, Northern AEF, North Middle School, Central AEF, and Central Middle School.

Mr. Herron shared an update on road construction work to take place along Oregon and Idaho Avenues in the spring with completion before school starts in the fall.

Mr. Herron and Mr. Rathburn responded to questions from Trustees.

Financial Report. Ms. Paula Johnson, Director of Finance, detailed the financial report for the four-month period ending October 31, 2018.

Ms. Johnson also shared unaudited fall student count figures. The budgeted FTE was 8,813; actual reported count was 8,866.

Ms. Johnson addressed questions from Trustees.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting. Dr. Shelton-Harris reviewed the guidelines for public participation.

Mr. Michael Williams addressed the Board on behalf of the Portage Aquatic Club regarding timeline/accessibility issues to District training facilities and their desire to work out a resolution with the District.

Ms. Michelle O'Neill echoed Mr. Williams' comments.

Ms. Patti Chen addressed the Board in support of the Portage Aquatic Club.

President Van Antwerp thanked Mr. Williams, Ms. O'Neill and Ms. Chen for their comments and opened the floor to Board comments.

Mr. Snyder shared he is a former Portage Aquatic Club parent and is hopeful a solution can be reached with Administration.

Mrs. Novari echoed Mr. Snyder's comments.

Dr. Shelton-Harris stated she is hopeful the Administration will come up with a solution regarding the Portage Aquatic Club's concerns.

President Van Antwerp reminded Trustees of the tour of North Middle School scheduled for 4:30 p.m. on December 10, and asked Trustees to turn in their monitoring report evaluation forms.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: approve meeting minutes from the October 22, 2018 Regular Business Meeting and the November 12, 2018 Committee of the Whole/Work Session; that the Board of Education approve the Portage Central High School's French Club trip to France set for June 22-July 1, 2020, as presented; that the Board of Education approve the proposed new, revised and replacement Operational Policies as prepared by NEOLA, as presented; and that the Board of Education approve as presented, a construction contract to Hoekstra Roofing of Kalamazoo, Michigan for the Northern High School Auditorium Roof Repair Project, a total project cost of \$44,000 to be paid with an insurance claim through the 2018-19 General Fund.

There being no objection to the items, the motion carried unanimously.

REQUIRED ACTION ITEMS

Approve Summer Tax Collection Resolution

Motion offered by Mrs. Novaria, seconded by Dr. Shelton-Harris, that the Board of Education approve the Summer Tax Collection Resolution, as presented.

Upon a roll call vote, the motion carried unanimously.

DISCUSSION ITEMS

WMS Switchgear Purchase Recommendation

Mr. Dan Vomastek, Director of Information Systems and Assessments, reviewed the recommendation to purchase switches and related items for West Middle School.

President Van Antwerp thanked Trustees for a successful retreat and Ms. Susan Livingston for providing dinner for the Board.

With no further business to come before the Board, the meeting was adjourned at 7:02 p.m.

Respectfully submitted,

Barb Atkinson
Recording Secretary

PORTAGE PUBLIC SCHOOLS
RESOLUTION ON SUMMER TAX COLLECTIONS

WHEREAS, this Board of Education by resolution on **December 11, 1995**, determined to impose a summer tax levy to collect all of school property taxes, including debt service, upon property located within the district, beginning with 1996 and continuing from year to year until specifically revoked by this Board of Education.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board of Education pursuant to 1976 PA 451, as amended (the "School Code"), hereby invokes its previously adopted ongoing resolution imposing a summer tax levy of all school property taxes, including debt service, upon property located within the district and continuing from year to year until specifically revoked by this Board of Education and requests each city and/or township in which this districts located to collect those summer taxes.

2. The Superintendent, or his/her designee, is authorized and directed to forward to the governing body of each city and/or township in which this district is located a copy of this Board's resolution imposing a summer property tax levy on an ongoing basis and a copy of this resolution requesting that each such city and/or township agree to collect the summer tax levy for 2019 in the amount as specified in this resolution. Such forwarding of the resolution and the request to collect the summer tax levy shall be sent so that they are received by the appropriate governing bodies before January 1, 2019.

3. Pursuant to and in accordance with Section 1613(1) of the School Code, the Superintendent or his/her designee is authorized and directed to negotiate on behalf of this district with the governing body of each city and/or township in which the district is located for the reasonable expenses for collection of the district's summer tax levy that the city and/or township may bill under MCLA 280.1611 or MCLA 280.1612. Any such proposed agreement shall be brought before this Board for its approval or disapproval.

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

Resolved this 26th day of November, 2018.

Upon a roll call vote, the resolution passed unanimously.

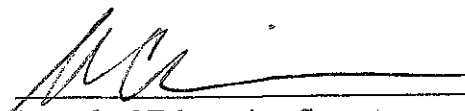
AYES: Members: Kurt Droppers, Joanne Willson, Rusty Rathburn, Celeste
Shelton-Harris, Randy Van Antwerp, Terri Novaria, Bo Snyder

NAYS: Members: None

ABSENT: Members: None

Portage Public Schools
Resolution on Summer Tax Collections
Page 2

The Resolution on Summer Tax Collections is declared adopted this 26th day of November 2018 by the Portage Public Schools Board of Education.



Board of Education Secretary

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting October 4, 2018

CALL TO ORDER: 6:30 p.m.

MEMBERS PRESENT: Nadeem Mirza, Fiorella Spalvieri, Stephanie Upshaw, Elma (Pat) Maye

MEMBERS ABSENT: Diane Durian, Alice Mwanda, Effie Kokkinos

STAFF PRESENT: Tom McCoy, Neighborhood Program Specialist

APPROVAL OF MINUTES: Spalvieri moved and Mirza supported approval of the September 6, 2018 minutes. Motion passed 4-0.

OLD BUSINESS:

NEW BUSINESS:

Homelessness in Kalamazoo County and Portage: Kathy Roberts and Benjamin Leverette from the Kalamazoo County Continuum of Care (CoC) presented information about their organization and the activities that are undertaken by the CoC, facilitated by the Local Initiative Support Corporation (LISC), intended to address homelessness in Kalamazoo County. Information about services available from local housing agencies funded through the Kalamazoo County CoC was also summarized. Leverette discussed the local agency application/funding process and emphasized the accountability aspect as a critical element in evaluating applicants going forward. Spalvieri commented on the value of the materials presented in relation to the annual funding process that is undertaken by the Human Services Board. Roberts commented that the number of homeless individuals overall in Kalamazoo County has decreased over the last ten years and that the demographics of homeless individuals have changed from primarily single men to more families and single women. She continued to state that there is a shortage of affordable housing in the area due to market and economic conditions and that homelessness is a complicated issue that requires programs tailored to individual specific needs. Maye commented that in her capacity at the Fair Housing Center she was familiar with most of the local issues affecting affordable housing and that in her opinion there is a need for an education component as part of any housing assistance provided. Mirza inquired if the representatives were aware of any programs and services offered in other communities that have been demonstrated to be effective that could potentially be implemented here. Leverette responded that successful programs use a Housing First model, which focuses on housing homeless persons first and then following up with supportive services and this model is used in Kalamazoo County. However, many other communities typically have a year-round, stable funded Public Housing Authority to provide affordable rental units, which does not currently exist here in our area. Spalvieri commented that she is aware of existing mental health models that have been successful to an extent here in Kalamazoo County. Roberts provided information regarding the activities that LISC administers that are intended to facilitate a variety of different kinds of affordable housing in partnership with commercial developers including the use of

Low Income Housing Tax Credits (LIHTC), some of which are being applied to local developments at this time and in process for other proposed developments in the greater Kalamazoo area, including Selinon Park in Portage. Upshaw inquired about the process of funding statewide and the types of organizations who are typically involved. Roberts provided the names of several developers and agencies and relayed the steps that are involved in the application and approval process for LIHTC assisted developments. Chris Buckley, Director of the Portage Community Center was also in attendance during the presentation and offered information and insight regarding services available to residents of Portage at their facility and recounted information about one homeless Portage resident who has received supportive services through the Portage Community Center. Roberts and Leverette continued their presentations confirming that HUD priorities have shifted away from emergency and transitional housing to a permanent supportive housing model. Upshaw inquired about an individual who was promoting transitional housing at area motels and Roberts responded that while that may be possible with private funding, the long term success of that strategy has not been shown to be a desirable option since many persons will need support services past the limited time period normally associated with that type of temporary assistance. Roberts distributed a summary chart of area resources to the board and explained that there are a number of local agencies who are attempting to address homeless issues. Spalvieri inquired about one other proposed housing development on Alcott Street in Kalamazoo and Leverette responded that the proposed project was currently not moving forward. Buckley asked Roberts and Leverette about a specific individual who is experiencing adverse housing/credit related circumstances and they suggested that they contact legal aide. Roberts and Leverette concluded their presentation with information regarding housing choice vouchers which are another form of housing assistance for low income individuals that are furnished by the Michigan State Housing Development Authority.

Kalamazoo Transit Authority LAC Update-McCoy: No update available at this time. McCoy inquired whether there was a Board member who was willing to volunteer to replace former Board Chair Woodin as Kalamazoo Transit Authority liaison and Upshaw volunteered. Contact information and September meeting agenda was conveyed to Upshaw and McCoy will inform Portage City Clerk and Kalamazoo Transit Authority of appointment.

Red Ribbon Week activities: Maye reported that the Kalamazoo Country Day School has been busy getting ready for Red Ribbon Week including planning to wear red ribbons and coordinated clothing to recognize and support this national initiative to offer citizens the opportunity to demonstrate their commitment to a drug-free lifestyle. Students from the school will accompany Maye at the October 23rd City Council meeting and read a proclamation declaring the period of time from October 23 through October 31, 2018 as Red Ribbon Week and proclaiming support for this initiative from the Mayor and City Council.

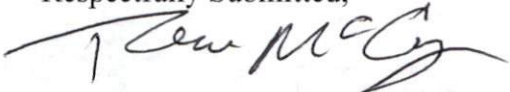
Election of Officers: Mirza moved and Spalvieri supported motion to nominate Maye as Board Chairperson. Motion passed 4-0. Fiorelli moved to nominate Durian as Vice Chair and herself as Secretary and agreed to alternately assume the Vice Chair position if it was not the desire of Durian to serve in that function. Motion passed 4-0.

STATEMENTS: McCoy shared information from Community Development Director Vicki Georgeau regarding two upcoming events that may be of interest to Board member and the public. Mirza suggested that the Board send a letter of appreciation to recently departed Board members

Woodin and LaPoint, thanking them for their service. Spalvieri volunteered to compose the letter and email to McCoy who agreed to put on letterhead and forward to both.

ADJOURNMENT: Mirza moved and Spalvieri supported adjournment at 7:50 p.m. Motion passed 4-0.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Tom McCoy", written over a horizontal line.

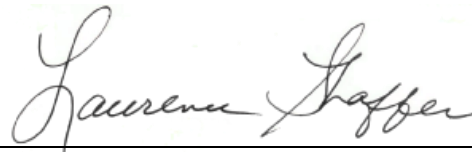
Tom McCoy, Neighborhood Program Specialist

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MATERIALS TRANSMITTED

Tuesday, November 20, 2018

1. Communication from the City Manager regarding the October, 2018 Monthly Financial Report, **Agenda Item A.7.** – Information Only



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: Bill Furry, Finance Director

Prudent practices require that the governing body be periodically apprised of the ongoing financial status of city operations. Attached is a report of revenue and expenditure levels as compared to budget for the most recently completed month.

Attachments: 1. October 2018 Financial Report

11/02/2018

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 10/31/2018

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	18,346,025	79%
	Totals for dept 1501 - District Court	70,000	70,000	35,000	50%
	Totals for dept 1720 - City Manager	500	500	0	0%
	Totals for dept 2053 - Finance Treasury	1,000	1,000	885	89%
	Totals for dept 2110 - Technology Services	0	0	0	0%
	Totals for dept 2415 - City Clerk	64,400	64,400	43,679	68%
	Totals for dept 2491 - City Clerk Elections	25,000	25,000	0	0%
	Totals for dept 2865 - Parks Maintenance	1,000	1,000	2,193	219%
	Totals for dept 2876 - Cemeteries	55,000	55,000	17,792	32%
	Totals for dept 2877 - Parks & Rec - Parks	66,000	66,000	6,425	10%
	Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom	0	0	0	0%
	Totals for dept 2882 - Parks & Rec - Team Sports	132,510	132,510	28,843	22%
	Totals for dept 2885 - Parks & Rec - Programs	18,300	18,300	4,988	27%
	Totals for dept 2886 - Parks & Rec - Ramona Park	53,300	53,300	25,151	47%
	Totals for dept 2887 - Parks & Rec - Special Events	61,200	61,200	34,850	57%
	Totals for dept 2888 - Parks & Rec - Millenium Park	49,500	49,500	0	0%
	Totals for dept 3005 - Police Administration	155,700	155,700	72,738	47%
	Totals for dept 3010 - Police Patrol	1,000	1,000	4,120	412%
	Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	4,926	55%
	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	14	1%
	Totals for dept 3340 - Fire Prevention	900	900	345	38%
	Totals for dept 3710 - Comm Dev Building Services	750,000	750,000	286,819	38%
	Totals for dept 3720 - Comm Dev Planning & Development	50,050	50,050	28,038	56%
	Totals for dept 3730 - Comm Dev Neighborhood Services	193,000	193,000	172,430	89%
	Totals for dept 6720 - Senior Center	157,700	165,900	32,535	20%
	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	335	22%
TOTAL REVENUES - GENERAL FUND		25,559,543	25,567,743	19,172,401	75%

11/02/2018

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 10/31/2018

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
EXPENDITURES					
	Totals for dept 1001-City Council	117,300	117,300	15,127	13%
	Totals for dept 1085-City Council-Human Services	164,687	164,687	28,161	17%
	Totals for dept 1501-District Court	63,000	63,000	20,454	32%
	Totals for dept 1720-City Manager	673,471	673,471	174,944	26%
	Totals for dept 2001-Finance Accounting	438,790	438,790	110,293	25%
	Totals for dept 2002-Finance & Budget	295,119	295,119	67,585	23%
	Totals for dept 2053-Finance Treasury	146,176	146,176	49,943	34%
	Totals for dept 2110-MIS	847,043	847,043	255,410	30%
	Totals for dept 2133-MIS Public Information	54,212	54,212	16,876	31%
	Totals for dept 2209-Assessor	467,381	467,381	111,423	24%
	Totals for dept 2247-Assessor Board Of Review	35,135	35,135	5,998	17%
	Totals for dept 2310-Attorney	226,728	226,728	75,240	33%
	Totals for dept 2415-City Clerk	168,291	168,291	47,812	28%
	Totals for dept 2416-City Clerk Records Management	67,302	67,302	19,984	30%
	Totals for dept 2491-City Clerk Elections	192,819	192,819	71,620	37%
	Totals for dept 2610-Human Resources	459,857	459,857	118,036	26%
	Totals for dept 2733-Purchasing	82,523	82,523	23,831	29%
	Totals for dept 2734-Purchasing Risk Management	28,243	28,243	6,037	21%
	Totals for dept 2865-Parks Maintenance	1,246,521	1,246,521	398,211	32%
	Totals for dept 2876-Cemeteries	65,819	65,819	17,510	27%
	Totals for dept 2877-Parks & Rec - Parks	645,690	643,690	170,868	27%
	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	56,886	31%
	Totals for dept 2882-Parks & Rec Rec - Team Sports	57,500	57,000	28,343	50%
	Totals for dept 2885-Parks & Rec - Programs	18,850	19,400	11,643	60%
	Totals for dept 2886-Parks & Rec Rec - Ramona Park	97,062	92,962	55,582	60%
	Totals for dept 2887-Parks & Rec Rec - Special Events	102,200	107,250	68,124	64%
	Totals for dept 2888-Parks & Rec - Ice Rink	93,302	93,302	17,274	19%
	Totals for dept 3005-Police Administration	856,415	856,415	252,477	29%
	Totals for dept 3006-Police Youth Services	494,984	494,984	136,485	28%
	Totals for dept 3007-Police Investigation	692,955	692,955	206,015	30%
	Totals for dept 3010-Police Patrol	5,312,798	5,299,798	1,638,593	31%
	Totals for dept 3020-Police Training	196,900	209,900	(33,762)	-16%
	Totals for dept 3021-Police Training-Grant Funded	9,000	9,000	1,545	17%
	Totals for dept 3030-Police Public Safety Dispatch/ts	960,377	960,377	429,963	45%

11/02/2018

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 10/31/2018

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
	Totals for dept 3031-Police Emergency Sirens	18,676	18,676	0	0%
	Totals for dept 3035-Police 911 Cmrs PSAP	205,188	205,188	59,101	29%
	Totals for dept 3040-Police Records & PST	473,237	473,237	124,951	26%
	Totals for dept 3050-Police Drug Law Enforcement	315,214	315,214	100,746	32%
	Totals for dept 3065-Police Facility Management	114,800	114,800	16,238	14%
	Totals for dept 3090 - Police KCCDA support	756,793	756,793	378,397	50%
	Totals for dept 3310-Fire Admin	669,034	669,034	204,021	30%
	Totals for dept 3320-Fire Operations	4,099,141	4,099,141	1,156,304	28%
	Totals for dept 3330-Fire On Call Firefighters	95,850	95,850	23,134	24%
	Totals for dept 3331-Fire Emergency Operations	4,700	4,700	1,125	24%
	Totals for dept 3340-Fire Prevention	139,383	139,383	39,741	29%
	Totals for dept 3350-Fire Training	189,413	189,413	34,338	18%
	Totals for dept 3365-Fire Facility Management	95,150	95,150	13,600	14%
	Totals for dept 3710-Comm Dev Building Services	532,215	532,215	155,354	29%
	Totals for dept 3720-Comm Dev Planning & Development	314,151	314,151	93,561	30%
	Totals for dept 3730-Comm Dev Neighborhood Services	228,481	228,481	62,172	27%
	Totals for dept 3765-Comm Dev Building Maintenance	218,611	218,611	79,003	36%
	Totals for dept 4210-General Public Services	477,492	477,492	136,982	29%
	Totals for dept 6720-Senior Center	346,415	354,615	101,287	29%
	Totals for dept 6721-Senior Center Trips	310,874	310,874	11,213	4%
	Totals for dept 6725-Aging Mastery Program	1,500	1,500	0	0%
	Totals for dept 6740 - Fundraising	0	0	6,522	0%
	Totals for dept 9610-Transfers Out	1,286,338	1,286,338	0	0%
	TOTAL EXPENDITURES - GENERAL FUND	26,463,817	26,472,017	7,472,321	28%
202	Major Street Fund - Revenues	4,169,800	4,169,800	1,080,050	26%
	Major Street Fund - Expenditures	4,223,030	4,223,030	679,013	16%
203	Local Streets Fund - Revenues	1,486,120	1,486,120	232,288	16%
	Local Streets Fund - Expenditures	1,480,456	1,480,456	351,367	24%
204	Municipal Streets Fund - Revenues	1,484,610	1,484,610	1,413,616	95%
	Municipal Streets Fund - Expenditures	1,640,000	1,640,000	0	0%
223	Curbside Recycling - Revenues	680,100	680,100	647,436	95%
	Curbside Recycling - Expenditures	688,081	688,081	165,802	24%

11/02/2018

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 10/31/2018

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
226	Leaf Pickup/Spring Cleanup - Revenues	744,000	744,000	706,008	95%
	Leaf Pickup/Spring Cleanup - Expenditures	837,813	837,813	88,510	11%
230	CDBG Program Income Fund - Revenues	125,000	125,000	28,610	23%
	CDBG Program Income Fund - Expenditures	125,000	125,000	42,176	34%
252	West Lake Weed Mgmt - Revenues	32,120	32,120	91	0%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	1,500	5%
296	Community Development Block Grant - Rev	210,000	214,000	43,644	20%
	Community Development Block Grant - Exp	210,000	214,000	46,727	22%
298	Cable Television Fund - Revenues	836,000	836,000	226,197	27%
	Cable Television Fund - Expenditures	867,709	867,709	80,372	9%
400	Capital Improvement General - Revenues*	18,578,000	26,184,078	5,842,518	22%
	Capital Improvement General - Expenditures*	18,578,000	28,975,327	7,421,085	26%
490	Capital Improvement Sewer - Revenues*	1,020,000	4,030,000	851,837	21%
	Capital Improvement Sewer - Expenditures*	1,020,000	1,693,348	32,006	2%
491	Capital Improvement Water - Revenues*	1,325,000	6,213,775	0	0%
	Capital Improvement Water - Expenditures*	1,325,000	5,948,761	233,247	4%
590	Sewer Fund - Revenues	9,012,000	9,012,000	4,046,183	45%
	Sewer Fund - Expenditures	7,149,273	7,149,273	1,885,184	26%
591	Water Fund - Revenues	6,719,300	6,719,300	3,381,191	50%
	Water Fund - Expenditures	5,588,159	5,588,159	1,692,774	30%
TOTAL REVENUES - ALL FUNDS **		71,981,593	87,498,646	37,672,070	43%
TOTAL EXPENDITURE - ALL FUNDS **		70,228,458	85,935,094	20,192,084	23%

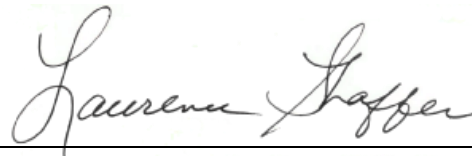
* The Capital Improvement Program uses project-length budgets, original is current fiscal year, amended includes budgets of prior year projects continued.

** Debt Service and Internal Service Funds not included.

MATERIALS TRANSMITTED

Tuesday, October 23, 2018

1. Communication from the City Manager regarding the September, 2018 Monthly Financial Report, **Agenda Item A.8.** – Information Only



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: Bill Furry, Finance Director

Prudent practices require that the governing body be periodically apprised of the ongoing financial status of city operations. Attached is a report of revenue and expenditure levels as compared to budget for the most recently completed month.

Attachments: 1. September 2018 Financial Report

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	16,168,624	70%
	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	782	78%
	Totals for dept 2110 - Technology Services	0	0	0	0%
	Totals for dept 2415 - City Clerk	64,400	64,400	10,763	17%
	Totals for dept 2491 - City Clerk Elections	25,000	25,000	0	0%
	Totals for dept 2865 - Parks Maintenance	1,000	1,000	2,193	219%
	Totals for dept 2876 - Cemeteries	55,000	55,000	14,345	26%
	Totals for dept 2877 - Parks & Rec - Parks	66,000	66,000	0	0%
	Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom	0	0	0	0%
	Totals for dept 2882 - Parks & Rec - Team Sports	132,510	132,510	24,612	19%
	Totals for dept 2885 - Parks & Rec - Programs	18,300	18,300	2,002	11%
	Totals for dept 2886 - Parks & Rec - Ramona Park	53,300	53,300	615	1%
	Totals for dept 2887 - Parks & Rec - Special Events	61,200	61,200	32,850	54%
	Totals for dept 2888 - Parks & Rec - Millenium Park	49,500	49,500	0	0%
	Totals for dept 3005 - Police Administration	155,700	155,700	59,048	38%
	Totals for dept 3010 - Police Patrol	1,000	1,000	4,100	410%
	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	14	1%
	Totals for dept 3340 - Fire Prevention	900	900	280	31%
	Totals for dept 3710 - Comm Dev Building Services	750,000	750,000	253,152	34%
	Totals for dept 3720 - Comm Dev Planning & Development	50,050	50,050	21,995	44%
	Totals for dept 3730 - Comm Dev Neighborhood Services	193,000	193,000	170,012	88%
	Totals for dept 6720 - Senior Center	157,700	165,900	30,413	18%
	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	335	22%
TOTAL REVENUES - GENERAL FUND		25,559,543	25,567,743	16,837,905	66%
EXPENDITURES					
	Totals for dept 1001-City Council	117,300	117,300	14,934	13%
	Totals for dept 1085-City Council-Human Services	164,687	164,687	28,161	17%
	Totals for dept 1501-District Court	63,000	63,000	16,379	26%

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	110,152	16%
Totals for dept 2001-Finance Accounting		438,790	438,790	70,089	16%
Totals for dept 2002-Finance & Budget		295,119	295,119	39,680	13%
Totals for dept 2053-Finance Treasury		146,176	146,176	36,181	25%
Totals for dept 2110-MIS		847,043	847,043	183,483	22%
Totals for dept 2133-MIS Public Information		54,212	54,212	11,075	20%
Totals for dept 2209-Assessor		467,381	467,381	64,707	14%
Totals for dept 2247-Assessor Board Of Review		35,135	35,135	3,577	10%
Totals for dept 2310-Attorney		226,728	226,728	56,430	25%
Totals for dept 2415-City Clerk		168,291	168,291	34,929	21%
Totals for dept 2416-City Clerk Records Management		67,302	67,302	13,706	20%
Totals for dept 2491-City Clerk Elections		192,819	192,819	48,887	25%
Totals for dept 2610-Human Resources		459,857	459,857	74,736	16%
Totals for dept 2733-Purchasing		82,523	82,523	15,167	18%
Totals for dept 2734-Purchasing Risk Management		28,243	28,243	2,981	11%
Totals for dept 2865-Parks Maintenance		1,246,521	1,246,521	256,348	21%
Totals for dept 2876-Cemeteries		65,819	65,819	8,851	13%
Totals for dept 2877-Parks & Rec - Parks		645,690	643,690	113,051	18%
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	36,416	20%
Totals for dept 2882-Parks & Rec Rec - Team Sports		57,500	57,000	23,919	42%
Totals for dept 2885-Parks & Rec - Programs		18,850	19,400	9,909	51%
Totals for dept 2886-Parks & Rec Rec - Ramona Park		97,062	92,962	55,453	60%
Totals for dept 2887-Parks & Rec Rec - Special Events		102,200	107,250	59,922	56%
Totals for dept 2888-Parks & Rec - Ice Rink		93,302	93,302	14,385	15%
Totals for dept 3005-Police Administration		856,415	856,415	164,907	19%
Totals for dept 3006-Police Youth Services		494,984	494,984	80,371	16%
Totals for dept 3007-Police Investigation		692,955	692,955	121,956	18%
Totals for dept 3010-Police Patrol		5,312,798	5,299,798	1,204,137	23%
Totals for dept 3020-Police Training		196,900	209,900	38,443	18%
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	332,198	35%
Totals for dept 3031-Police Emergency Sirens		18,676	18,676	0	0%
Totals for dept 3035-Police 911 Cmrs PSAP		205,188	205,188	35,572	17%
Totals for dept 3040-Police Records & PST		473,237	473,237	72,348	15%
Totals for dept 3050-Police Drug Law Enforcement		315,214	315,214	66,161	21%
Totals for dept 3065-Police Facility Management		114,800	114,800	12,179	11%
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	126,736	19%
	Totals for dept 3320-Fire Operations	4,099,141	4,099,141	741,736	18%
	Totals for dept 3330-Fire On Call Firefighters	95,850	95,850	18,744	20%
	Totals for dept 3331-Fire Emergency Operations	4,700	4,700	1,125	24%
	Totals for dept 3340-Fire Prevention	139,383	139,383	27,335	20%
	Totals for dept 3350-Fire Training	189,413	189,413	23,622	12%
	Totals for dept 3365-Fire Facility Management	95,150	95,150	12,359	13%
	Totals for dept 3710-Comm Dev Building Services	532,215	532,215	99,187	19%
	Totals for dept 3720-Comm Dev Planning & Development	314,151	314,151	63,052	20%
	Totals for dept 3730-Comm Dev Neighborhood Services	228,481	228,481	37,198	16%
	Totals for dept 3765-Comm Dev Building Maintenance	218,611	218,611	62,591	29%
	Totals for dept 4210-General Public Services	477,492	477,492	136,596	29%
	Totals for dept 6720-Senior Center	346,415	354,615	68,235	19%
	Totals for dept 6721-Senior Center Trips	310,874	310,874	6,310	2%
	Totals for dept 6725-Aging Mastery Program	1,500	1,500	0	0%
	Totals for dept 6740 - Fundraising	0	0	0	0%
	Totals for dept 9610-Transfers Out	1,286,338	1,286,338	0	0%
	TOTAL EXPENDITURES - GENERAL FUND	26,463,817	26,472,017	5,335,003	20%

202	Major Street Fund - Revenues	4,169,800	4,169,800	845,964	20%
	Major Street Fund - Expenditures	4,223,030	4,223,030	312,203	7%
203	Local Streets Fund - Revenues	1,486,120	1,486,120	138,259	9%
	Local Streets Fund - Expenditures	1,480,456	1,480,456	140,739	10%
204	Municipal Streets Fund - Revenues	1,484,610	1,484,610	1,300,113	88%
	Municipal Streets Fund - Expenditures	1,640,000	1,640,000	0	0%
223	Curbside Recycling - Revenues	680,100	680,100	592,435	87%
	Curbside Recycling - Expenditures	688,081	688,081	155,740	23%
226	Leaf Pickup/Spring Cleanup - Revenues	744,000	744,000	643,324	86%
	Leaf Pickup/Spring Cleanup - Expenditures	837,813	837,813	39,882	5%
230	CDBG Program Income Fund - Revenues	125,000	125,000	26,975	22%
	CDBG Program Income Fund - Expenditures	125,000	125,000	21,428	17%

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	86	0%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	1,500	5%
296	Community Development Block Grant - Rev	210,000	214,000	0	0%
	Community Development Block Grant - Exp	210,000	214,000	32,042	15%
298	Cable Television Fund - Revenues	836,000	836,000	185,054	22%
	Cable Television Fund - Expenditures	867,709	867,709	54,562	6%
400	Capital Improvement General - Revenues*	18,578,000	26,184,078	5,465,725	21%
	Capital Improvement General - Expenditures*	18,578,000	28,975,328	6,224,804	21%
490	Capital Improvement Sewer - Revenues*	1,020,000	4,030,000	0	0%
	Capital Improvement Sewer - Expenditures*	1,020,000	1,693,348	(23,752)	-1%
491	Capital Improvement Water - Revenues*	1,325,000	6,213,775	0	0%
	Capital Improvement Water - Expenditures*	1,325,000	5,948,761	127,205	2%
590	Sewer Fund - Revenues	9,012,000	9,012,000	3,175,170	35%
	Sewer Fund - Expenditures	7,149,273	7,149,273	1,430,982	20%
591	Water Fund - Revenues	6,719,300	6,719,300	2,521,578	38%
	Water Fund - Expenditures	5,588,159	5,588,159	1,465,499	26%
TOTAL REVENUES - ALL FUNDS **		71,981,593	87,498,646	31,732,588	36%
TOTAL EXPENDITURE - ALL FUNDS **		70,228,458	85,935,095	15,317,837	18%

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

** Debt Service and Internal Service Funds not included.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Tentative Plan Amendment for Streamsong Planned Development

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, approve the Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue.

In March 2017, City Council approved the PD rezoning and tentative plan/narrative for the Streamsong Planned Development project that included 102 single-family residential dwelling units (detached and attached) across 39 acres in four phases. Residential condominium units were proposed to include two and three-bedroom floor plans ranging between 1,550 and 1,850 square feet in floor area, excluding any basement area, with an attached two-car garage.

In August 2017, City Council approved the Final Plan for construction of Phase I of the Streamsong Planned Development which included a total of 29 condominium units (3 two-unit dwellings and 23 one-unit dwellings), a clubhouse and internal private street network on approximately 9.26 acres. Construction of infrastructure within the first phase has been completed, while construction of condominium dwellings is ongoing.

The tentative plan amendment submitted by Mike Seelye of SDV Development, LLC proposes to reduce the original plan of a minimum dwelling-unit floor area from between 1,550 and 1,850 square feet to 1,218 and 1,499 square feet for 40% of the condominium units (41 units), with the remaining condominiums ranging between 1,500 and 2,000 square feet. No additional changes from the previously approved tentative plan/narrative involving the overall number of condominium units, type of condominium units, access arrangement, internal private street network, storm water design or natural area/open space preservation are proposed.

In a report dated October 26, 2018, the Department of Community Development recommended the approval of Tentative Plan Amendment for Streamsong Planned Development. Subsequently, the Planning Commission convened a public hearing during the November 1, 2018 meeting to consider the Tentative Plan Amendment. Mike Seelye of SDV Development, LLC was present to support the application and explain the development project. No additional citizens spoke during the public hearing and no written communications were received from area residents or interested citizens. At the conclusion of the public hearing, the Commission voted unanimously to also recommend City Council approve the Tentative Plan Amendment for Streamsong Planned Development.

FUNDING: Not applicable.

Attachments: 1. Planning Commission transmittal dated November 8, 2018

2. Planning Commission meeting minutes dated November 1, 2018
3. Department of Community Development staff report dated October 26, 2018
with attachments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: November 8, 2018

SUBJECT: Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue

The Planning Commission convened a public hearing during the November 1, 2018 meeting to consider the tentative plan amendment involving the Streamsong Planned Development. Mr. Mike Seelye of SDV Development, LLC was present to support the application and explain the development project. No additional citizens spoke during the public hearing and no written communications were received from area residents or interested citizens.

After careful consideration, a motion was made by Commissioner Patterson, seconded by Commissioner Place, to recommend to City Council that the Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue, be approved as detailed in the revised narrative submittal received on October 16, 2018. The motion was unanimously approved 8-0.

Sincerely,


Wayne Stoffer
Chairman

S:\2018-2019 Department Files\Memos\City Council\2018 11 08 PC Streamsong Planned Development, 715 West Osterhout Avenue- tentative plan amendment.doc

PLANNING COMMISSION

November 1, 2018

 **DRAFT**

The City of Portage Planning Commission meeting of November 1, 2018 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eight citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the roll: Pezzoli (yes); Baldwin (yes); Harrell-Page (yes); Place (yes); Joshi (yes); Stoffer (yes); Corradini (yes); and Patterson (yes). A motion was then made by Commissioner Joshi, seconded by Commissioner Harrell-Page, to approve the Roll excusing Commissioner Schimmel. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the October 18, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Baldwin, seconded by Commissioner Place, to approve the minutes as submitted. The motion was unanimously approved 8-0.

PUBLIC HEARING:

1. Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue. Mr. Forth summarized the staff report dated October 26, 2018 regarding the request by Mike Seelye of SDV Development, LLC to amend the previously approved tentative plan for the Streamsong Planned Development. Mr. Forth indicated the tentative plan amendment proposes to reduce the minimum dwelling unit floor area from 1,550-1,850 square feet (originally approved) to 1,218-1,499 square feet for 40% of the condominium units (41 units). Mr. Forth stated no additional changes from the originally approved tentative plan/narrative were proposed and the overall number of condominium units, type of condominium units, access arrangement, internal private street network, storm water design and natural area/open space preservation would remain unchanged from the 2017 approved PD rezoning/tentative plan approval.

Mr. Mike Seelye of SDV Development, LLC was present to support the proposed tentative plan amendment. Mr. Seelye discussed the difficulties encountered selling condo units within the first phase of Streamsong and indicated that offering a slightly small floor plan would make the condominium dwellings more affordable and broaden the market for potential residents. Mr. Seelye indicated that allowing for up to 40% of the units to be constructed between 1,218-1,499 square feet would allow these condominiums to be sold in the \$250,000-\$300,000 range. The public hearing was opened by Chairman Stoffer. No citizens spoke regarding the proposed tentative plan amendment. A motion was made by Commissioner Harrell-Page, seconded by Commissioner Baldwin, to close the public hearing. The motion was unanimously approved 8-0.

After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Place, to forego the second meeting due to no public comment received and no major changes involved with the proposal and recommend to City Council that the Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue, be approved as detailed in the revised narrative submittal received on October 16, 2018. The motion was unanimously approved 8-0.

TO: Planning Commission

DATE: October 26, 2018

FROM: Vicki Georgeau,  Director of Community Development

SUBJECT: Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue

I. APPLICATION INFORMATION:

An application to amend the previously approved tentative plan for the Streamsong Planned Development (PD) has been received. The tentative plan amendment proposes to reduce the minimum dwelling unit floor area for 40% of the condominium units. Please refer to the attached letter from Mike Seelye dated October 15, 2018 and the revised narrative and tentative plan for additional details regarding the proposed amendment.

Applicant	Property Address	Description	Zoning
Mike Seeley, SDV Development, LLC	715 West Osterhout Avenue	39 acre tract of land (detached/attached residential condominium)	PD, planned development (2017)

The Streamsong PD involves a 39 acre tract of land located along the south side of West Osterhout Avenue, opposite Lloy Street. The original Streamsong PD rezoning/tentative plan application received City Council approval in March 2017 and proposed construction of 102 residential dwelling units (detached and attached) across the 39 acre property in four phases. Residential condominium units were proposed to include two and three bedroom floor plans ranging between 1,550-1,850 square feet in floor area, excluding any basement area, with an attached two-car garage.

In August 2017, City Council approved the Final Plan for construction of Phase I of the Streamsong Planned Development which included a total of 29 condominium units (three 2-unit dwellings and 23 1-unit dwellings), a clubhouse and internal private street network on approximately 9.26 acres. Construction of infrastructure within this first phase has been completed, while construction of condominium dwellings is ongoing.

The tentative plan amendment proposes to reduce the minimum dwelling unit floor area from 1,550-1,850 square feet (originally approved) to 1,218-1,499 square feet for 40% of the condominium units (41 units), with the remaining condominiums ranging between 1,500-2,000 square feet. No additional changes from the originally approved tentative plan/narrative involving the overall number of condominium units, type of condominium units, access arrangement, internal private street network, storm water design or natural area/open space preservation are proposed.

II. TENTATIVE PLAN AMENDMENT PROCEDURES/REQUIREMENTS:

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review of the overall development concept and final plan review for each phase of the development. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class

or adding a land use class, requires formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

III. PRELIMINARY ANALYSIS - PROPOSED TENTATIVE PLAN AMENDMENT:

As outlined in the October 15, 2018 communication, Mr. Seelye has been experiencing difficulties selling the condominium dwellings constructed so far within Phase I of the development. Mr. Seelye believes that offering a smaller residential floor plan option, at a corresponding lower price, will stimulate home sales within the Streamsong PD. Included with the application materials are two smaller floor plan options (1,218 square feet and 1,323 square feet) that Mr. Seelye would like to incorporate into the residential condominium portfolio.

The proposal to reduce the minimum dwelling unit floor area from 1,550-1,850 square feet (originally approved) to 1,218-1,499 square feet for 40% of the condominium units (41 of 102 total units) will have no measureable impact on the overall appearance of the project and will offer a wider range of housing options. The proposed amendment will also not result in an increase in the total number of dwelling units, or a decrease in the area proposed to be preserved in natural open space. As concluded with the original 2017 approval, the Streamsong residential condominium development will continue to be consistent with the surrounding land use/development pattern which includes the Gourdneck State Game Area (south), single family residences and vacant land (east and west) and single family residences and Schrier Park (north).

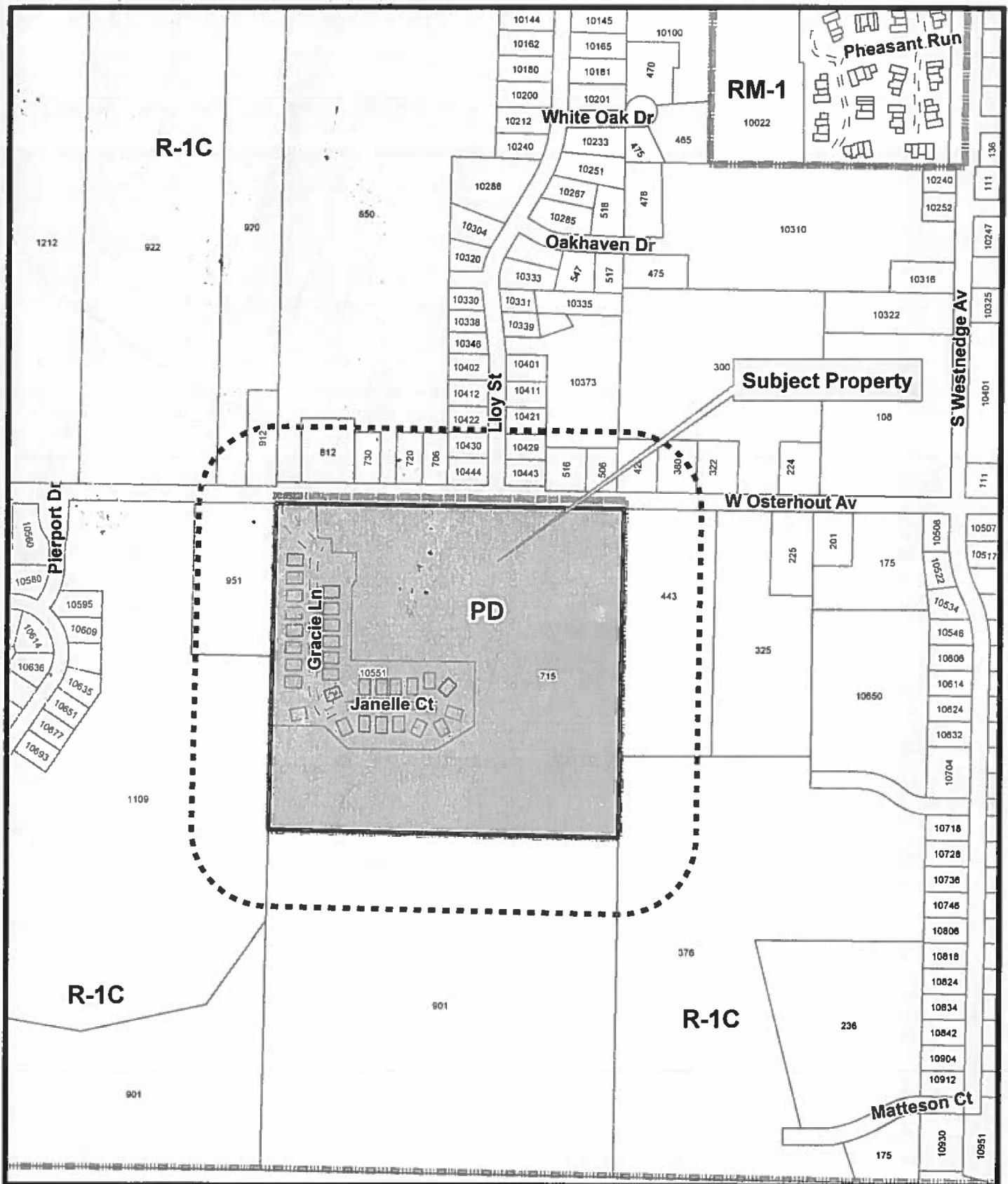
IV. RECOMMENDATION:

While it is Planning Commission policy to accept public comment at the initial meeting and conclude the discussion at a subsequent meeting, the tentative plan amendment for Streamsong Planned Development proposes only minor modifications to the floor area of 40% of the individual condominium units. No additional changes from the originally approved tentative plan/narrative involving the overall number of condominium units, type of condominium units, access arrangement, internal private street network, storm water design or natural area/open space preservation are proposed.

Given these circumstance and subject to any additional information that might be received during the public hearing, staff advises that the Planning Commission recommend to City Council that the Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue, be approved.

Attachments: Zoning/Vicinity Map
 Aerial Photograph
 Proposed Tentative Plan Amendment (October 15, 2018 letter from Mike Seeley)
 Revised Narrative and Tentative Plan

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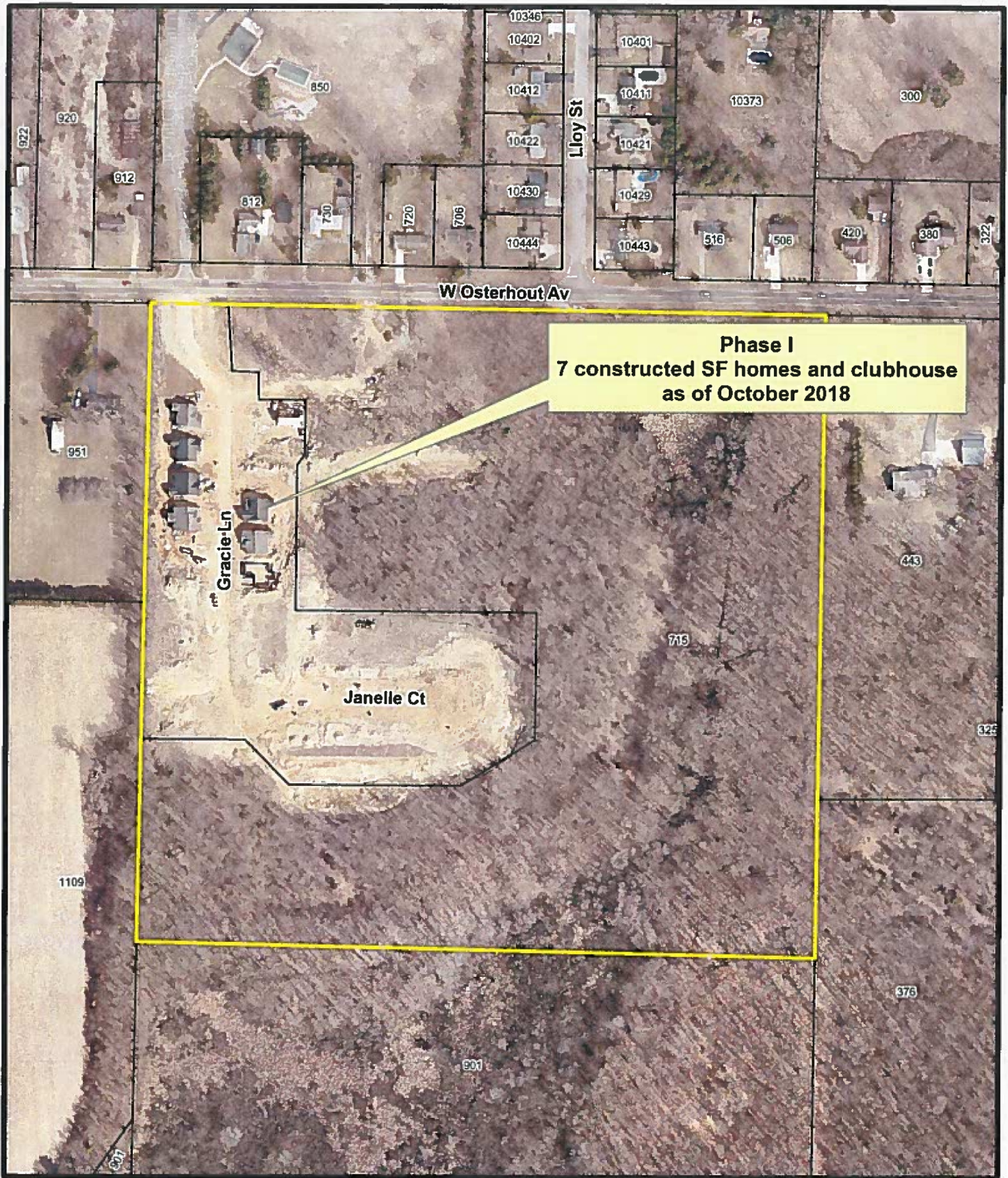


-  Subject Property
-  300' Notification Boundary
-  Zoning Boundary

Tentative Plan Amenment Streamsong Planned Development 715 West Osterhout Avenue



1 inch = 500 feet



Aerial Photography 715 West Osterhout Avenue

 Subject Property



1 inch = 250 feet

RECEIVED

OCT 16 2018

COMMUNITY DEVELOPMENT

October 15, 2018

City of Portage Planning Department/Planning Commission,

I would like to ask for a review of the current minimum square footage requirements for "Streamsong" Condominium Development, 715 W. Osterhout, Portage, Michigan.

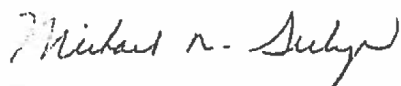
As of October 15, 2018 we have not sold a condo in this development. We have been represented by Jaqua Realtors for well over 4 months. We now have listed 2 of the units with Berkshire Hathaway-Todd Bradfield, a top producer as well as 2 of the units with Keller Williams-Matt Mulder team, another top producer, still no sales. Prospects say they love the units, well appointed, lovely setting. What we are hearing from many prospective buyers has been, too much money, too much in real estate taxes. We lost one great buyer back in August who now lives in the nicer section of Woodbridge Hills because the taxes on a \$450,000.00 unit were going to be over \$9,000.00 a year. They backed out of the deal. We feel if we had a similar exterior product in the 1200-1300 square foot range, (excluding basement and garage area) that we could price in the mid \$200's and maybe a product between 1300-1400 square feet for under \$300,000.00 it would make a difference in our sales numbers.

Not only could we price the smaller units between \$250,000.00 and \$300,000.00, but the real estate taxes would be more affordable for a wider range of buyers. Greg Watts is sold out in his project on Old Centre and Cooley Drive? Those condominiums start at 1157 square feet, selling for \$239,000.00, no clubhouse, no pool. He can't build them fast enough. That kind of tells me where the market is. Not everyone can afford \$350,000.00 to \$450,000.00. We thought we knew the market, but obviously we were wrong. I've been told that State Land Park minimum square footages are 1,500 square feet on a ranch, and 2,000 square feet on a 2 story. How many 1,500 square foot ranches do you see in that development? Part of the reason is you can build a 2,000 square foot 2 story for the same money, or less money than a 1,500 square foot ranch.

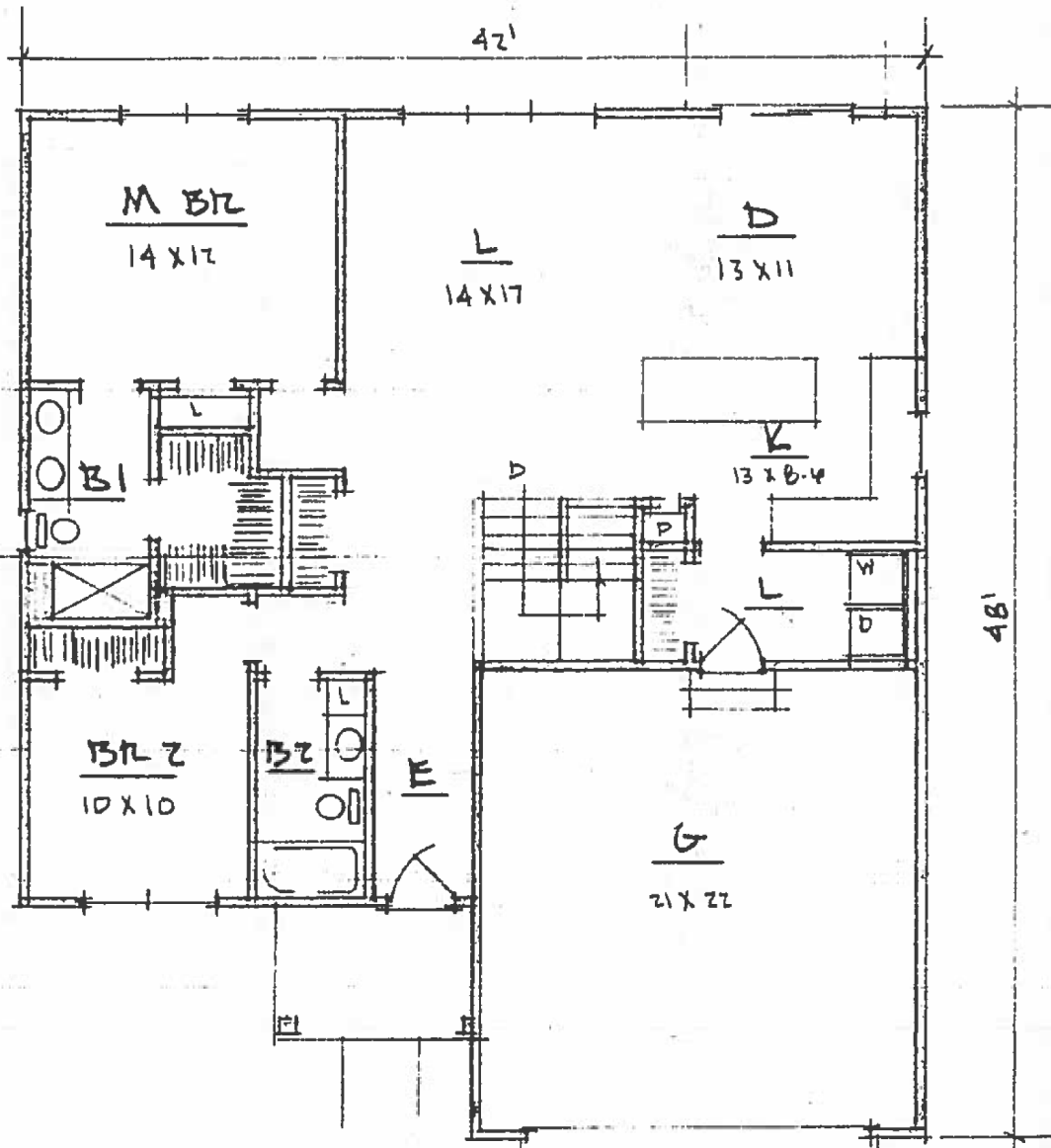
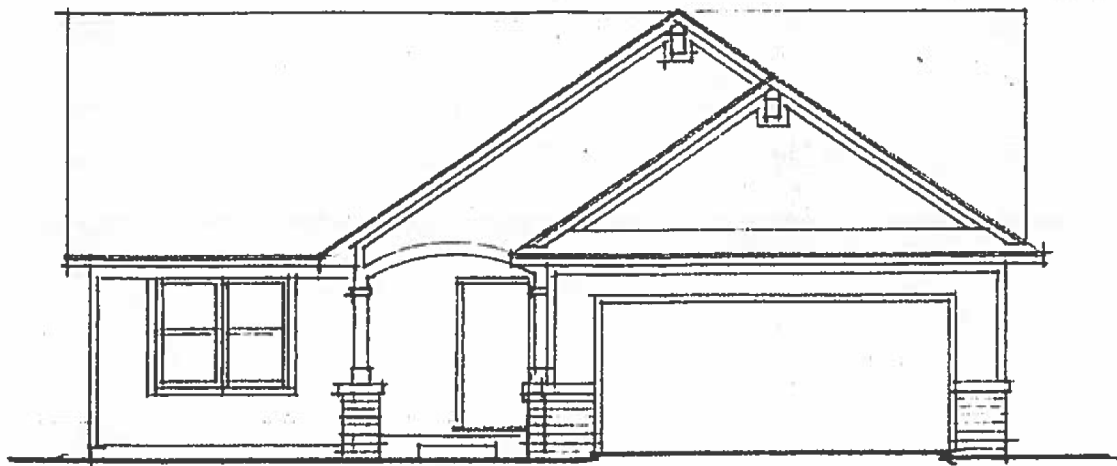
The market will determine the sizes and the prices desirable in "Streamsong," but I would hope after listening to our frustrations, and real, factual experience that we could build ranch condos in the minimum 1218 square foot range to 1499 square footage, with up to possibly 40% being built in that square footage range. At least 60% or more first floors would continue to be built in the 1500-2000 square footage, (excluding garage and basement.) Finished basement areas would be up to the individual homeowners, but would typically be an additional 900 square feet.

Your consideration of this request would be greatly appreciated. As you can imagine, I have a great amount of time, money and my reputation at stake in this project. I know the City of Portage would like to have this project be successful as well. Please see 2 example drawings that I have included that would be good examples of what the smaller floorplans might look like. If you have any questions, please feel free to call me or text me at 269-207-6564, or e-mail me at mseelye1@gmail.com.

Thank you.

A handwritten signature in cursive script that reads "Mike Seelye".

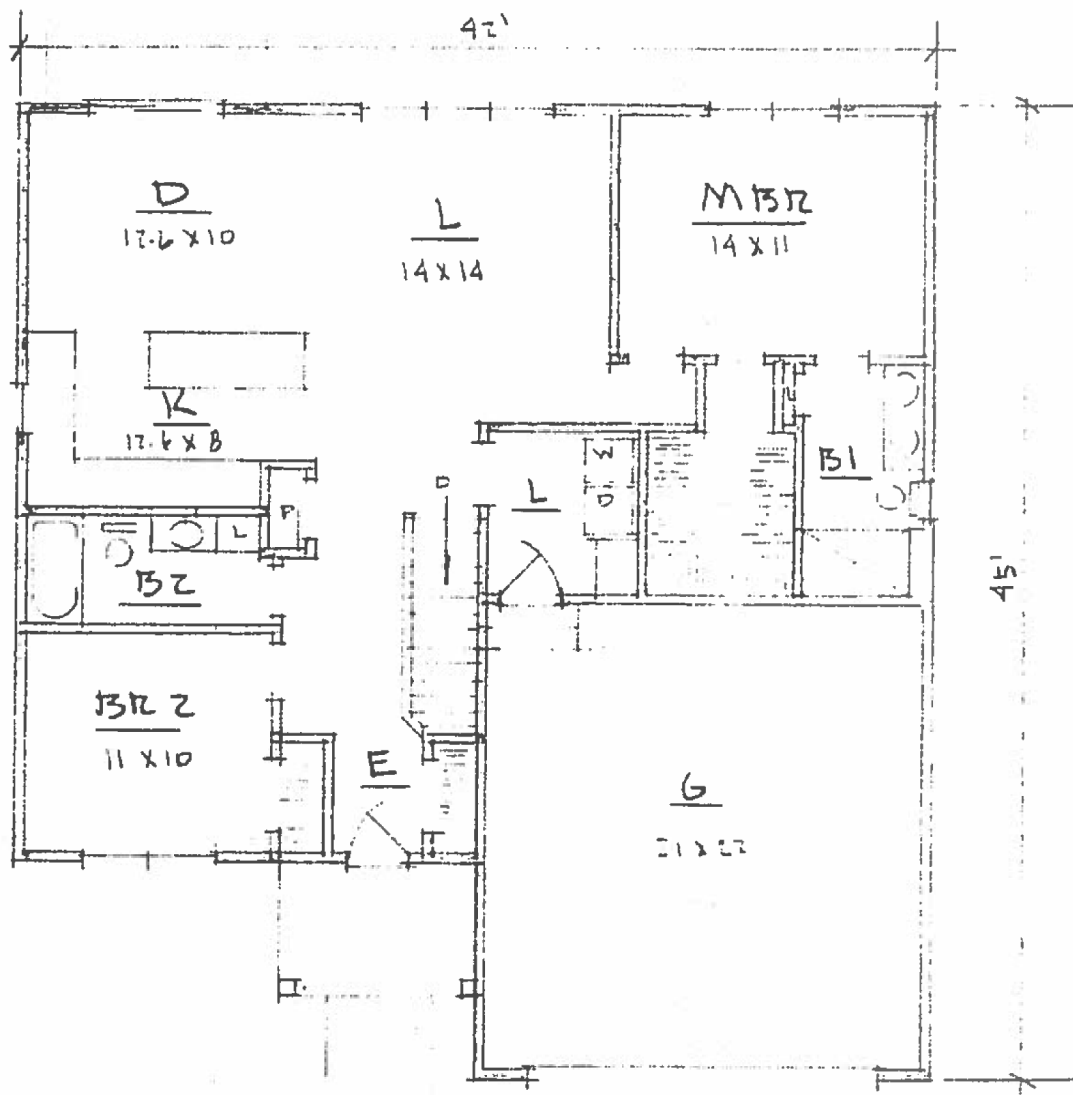
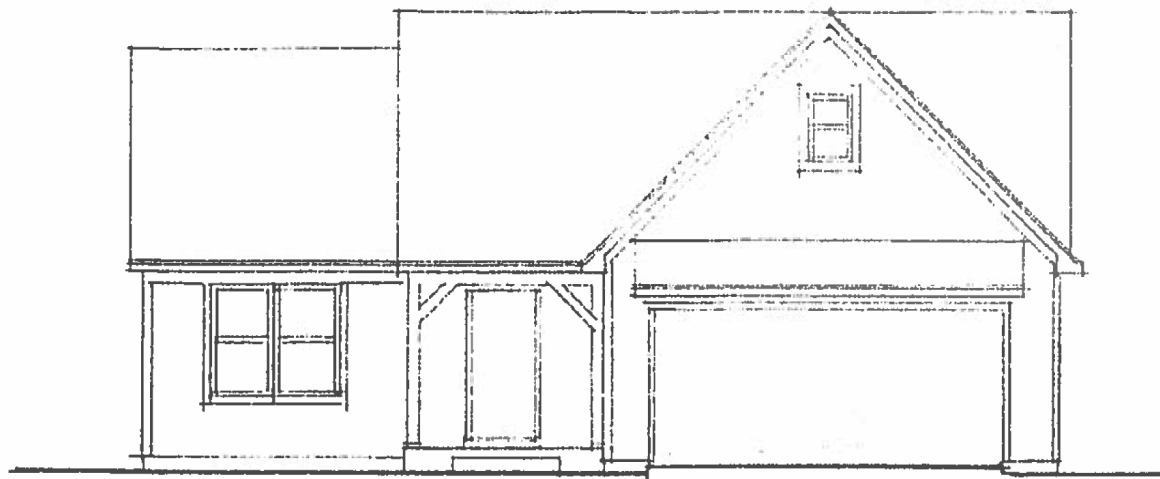
Mike Seelye



STREAMSONG
PROPOSED PLAN ~ 1323 SF

PES

OCT 7, 2016



STREAMSONG
PROPOSED PLAN = 1218 SF

PES

JUL 7, 2013

October 15, 2018

RECEIVED

OCT 16 2018

COMMUNITY DEVELOPMENT

**Revised NARRATIVE for
'STREAMSONG' PLANNED DEVELOPMENT
Located on Osterhout Avenue
in the City of Portage**

**DEVELOPER:
SDV DEVELOPMENT, LLC
Attn: MIKE SEELYE
3820 STADIUM DRIVE
KALAMAZOO, MI 49008**

INTRODUCTION:

This Planned Development, or PD, is situated on the south side of Osterhout Avenue, approximately 3/8 mile west of South Westnedge Avenue, in Section 33, City of Portage, Michigan. The subject property contains 39.0 acres (excluding Osterhout Avenue right-of-way) and measures one quarter mile east/west by one quarter mile north/south. The site is mostly wooded, and is surrounded by properties that are mostly wooded. Despite the property having a rural feel to it, it is located less than 10 minutes from many City of Portage businesses and other City amenities. Proposed on site are approximately 102 dwellings of high quality, energy efficient construction. Each dwelling will be served by a private road network. This PD will offer a variety of dwelling floor plans along with a mixture of housing types (single family detached, single family attached, and possibly duplex dwellings).

PURPOSE & OBJECTIVES:

The objectives of this PD development are as follows:

- 1) To create an attractive, high quality neighborhood of single family homes for couples, small families, and single individuals.
- 2) To eliminate many maintenance duties and responsibilities for homeowners such as mowing, weed control, raking of leaves, cleaning of gutters, snow shoveling, tree trimming, etc.
- 3) To provide a single family neighborhood with high quality, energy efficient homes, but at the same time eliminating much of the maintenance that comes with home ownership.
- 4) To create a neighborhood with typical densities, but at the same time providing permanent open space, on-site natural areas, walking trails, and a pool area and clubhouse that can be enjoyed by the residents.

CONDOMINIUM / OWNERSHIP:

The PD will be developed as a condominium with the residents owning and maintaining the inside of the dwelling (the condominium "unit"). The condominium association will own and maintain everything exterior to each unit, including yard areas ("limited common areas") and streets / natural areas ("general common areas"). Exterior maintenance that will be provided by the Condominium Association will include the exterior of the dwellings, gutters, lawns, sidewalks, driveways, private streets, natural areas, etc. The yard area surrounding each dwelling be "limited common area" and will be for the use and enjoyment of that unit owner. The private streets, sidewalks, on site trails, and natural areas will be designated as "general common areas." The clubhouse/pool area that will be constructed as part of phase one will also be a general common area. These general common areas will be for the use and enjoyment of all residents.

THE SITE:

This PD is located on the south side of Osterhout Avenue in the Southeast quarter of Section 33. The property address is 715 West Osterhout Avenue. Situated east of the subject property are two large parcels, each with a home on it. South of the subject property is land owned by the State of Michigan. West of the subject property is a large parcel with a home on it, as well as some vacant land (future development area for the "Stateland Park" subdivision). North of the property, on the north side of Osterhout Avenue, are single family dwellings and Schrier Park. All adjoining properties are currently zoned R-1C per the City's Zoning Map. The subject property is covered by mature trees and younger trees, with the mature trees being spread out. The site is unique with nice hardwoods and rolling terrain. Within the southeasterly and easterly portions of the property is land that is significantly lower than the northwesterly portion of the property. A wetland assessment of the property has been completed and the conservative wetland boundary has been shown on the Tentative Plan. The Wetland Assessment report has been provided to the City for reference. The northerly and westerly portions of the property are relatively high. Along the entire north edge of the property is Osterhout Avenue, a City of Portage public street. Soils within the proposed building areas are Oshtemo Sandy Loam per the USDA's Soil Survey of Kalamazoo County.

PHASING:

It is anticipated that the development will be constructed in four phases, with each phase consisting of between 18 and 31 dwellings. Construction of utilities, roadways, and dwellings for phase one began during the Fall of 2017. Construction for each subsequent phase is anticipated to commence approximately every two years. The currently anticipated size, limits, and density of each phase has been shown on the submitted Tentative Plan. Phase one will include 29 units on 8.4 acres. Phase one will also include the clubhouse/pool area. Phase two is anticipated to include 31 units on 9 acres. Phase three is anticipated to include 25 units on 16.7 acres. Phase four is anticipated to include 17 units on 4.9 acres. Please note that the proposed phasing could be altered based on utility routing, final design, City requirements, etc.

ON-SITE DWELLINGS:

The proposed dwellings within this PD will typically measure approximately 44 feet wide maximum and 70 feet deep maximum. Each dwelling will have between 1200 square feet and approximately 2000 square feet of living area (excluding any basement area and excluding garage area), an attached two-car garage, and the dwellings will typically be single story with a basement. It is anticipated that six dwelling sizes will be offered, and that at least 60% of the on-site dwellings will have 1500 square feet or more on the first floor (excluding any garage area). Most or all dwellings will have a front porch. Most dwellings will have a deck, patio, or 4-season room on the rear of the dwelling. A mixture of housing types will be included.

ON-SITE DWELLINGS: (cont.)

It is anticipated that approximately 70 % to 80% of the on site units will be single family detached dwellings and that approximately 20% to 30% of the on site units will be single family attached dwellings. Single family attached dwellings and duplexes shall comply with City requirements. All dwelling construction shall comply with City and State construction codes. Each home will feature quality construction, maintenance free materials, and various energy efficient features. Final Building Plans will be prepared in the near future. The units will be constructed to meet and exceed energy codes. The look from the street will be a blend of craftsman, cottage, and New England styles. While the front elevations will be different, the look will have an intentional feel with design consistency among the various building fronts throughout the development. It is anticipated the dwelling prices will start in the \$250,000 range for smaller units. For the larger units with a finished walkout basement and other upgrades, dwelling costs will likely approach or exceed the \$400,000 range.

STREETS, SIDEWALKS, and DRIVEWAYS:

On site paved streets will be private and will incorporate concrete roll curb on each edge and will have a minimum drivable pavement width of 26.1 feet. It is intended that the streets will be wide enough to allow parking on one side of the street per Fire Department requirements. All streets shall be designed and constructed in accordance with City requirements. Access to and from the site will be from one location and shall include one entry lane (14 feet wide) and two exit lanes (lane widths equal 12 feet) along with a landscaped island. A 20 foot wide temporary emergency access drive from Osterhout Avenue will be constructed when the number of units exceeds 30. The temporary emergency access drive will be abandoned when a 20 foot wide permanent emergency access drive is constructed to "Stateland Park." Lighting along each street will be from a yard light within each front yard. Concrete sidewalks will be constructed on at least one side of each street. Also incorporated within the development will be a nature trail within the easterly, undeveloped portion of the property. This nature trail will extend southerly to the State owned property adjoining to the south. Other concrete walkways and nature trails may be incorporated into the development. Driveways for each dwelling will be constructed of concrete and will have a length of at least 25.0 feet as measured from the back of curb. The length of the driveways will allow temporary vehicle parking for one or two vehicles depending on driveway width. Off-street parking areas may be incorporated into the PD. All streets, walks, trails, driveways, and parking areas will be maintained by the Condominium Association.

STORM SEWER SYSTEM and DRAINAGE:

Crowned, paved roadways and concrete curbing will direct storm water run-off to the proposed private storm sewer drains and pipes. The storm water run-off will be disposed of by a combination of infiltration and discharge to the on site lowland areas. The storm water system will comply with City requirements. Design of the system will be subject to City review and approval, as well as review and permitting through the State of Michigan MDEQ if required.

WATER MAINS, FIRE HYDRANTS, and SANITARY SEWERS:

Installed along all private roads will be City Portage public water mains and sanitary sewers, including house leads to each dwelling. Fire hydrants will be installed at locations approved by the City of Portage. These utilities shall be designed and installed in accordance with City requirements, and appropriate utility easements shall be granted to the City. Note that there is an existing 20 inch public water main on the north side of Osterhout Avenue, and an existing 8 inch public sanitary sewer near the center line of Osterhout Avenue.

PRIVATE UTILITIES:

The site will be served with underground natural gas, electric, telephone, and cable TV lines. It is anticipated that these underground lines will be situated on the side of the street opposite the public water main. There is an overhead power line within the northerly portion of the property (see Tentative Plan). We are currently working with Consumers Energy to relocate this power line underground or re-route it above ground. We are not proposing that this overhead power line be left in its current location.

OPEN SPACE and NATURAL AREAS:

A significant portion of the property will be designated as a permanent natural area. This includes the far easterly and southeasterly portions of the property. The area of the subject property is 39.0 acres excluding the Osterhout Avenue right-of-way area. We currently estimate that approximately 6.3 acres of the property is wetland area, and that approximately 3.9 acres of the property (east and southeast of the wetland area) will remain as a permanent natural area. Within this permanent natural area will be a nature trail that extends southerly to the State of Michigan land. Around the perimeter of the development, natural areas and trees will be preserved to serve as a natural buffer and visual screening. A clubhouse and pool area will be included within phase one of this PD project.

ZONING, BUILDING SETBACKS, and DENSITY:

The property was rezoned to PD during 2017. Prior to rezoning, the property was zoned R-1C single family residential. Typical densities for subdivisions within R-1C are 2 - 3 lots per acre. With this PD, the density will be approximately 2.6 dwellings per acre. Per the City's Ordinance, the maximum allowable density for a PD is 7 dwellings per acre.

With this PD development, we are proposing a 40 foot perimeter setback (abutting adjoining properties), a minimum 20.0 feet between buildings, and a minimum distance of 25.0 feet between the back of the concrete curb and the front of the dwelling. Note that any duplex buildings, if incorporated, would share a common building wall, and that any attached single family dwellings would be connected with an architectural wall.

CONDOMINIUM MASTER DEED:

The typical 'plat restrictions' or 'deed restrictions' for a subdivision will be replaced with the Condominium Master Deed. The Master Deed shall also include survey plans, house plans, rules of ownership, mapping of general common areas, limited common areas, and unit areas, and other rules and regulations. Within the Master Deed, the streets and utilities for each phase will be designated as "need to be built," while each unit will be designated as "need not be built." The Master Deed will be prepared by a local real estate Attorney, and the Survey Plans within the Master Deed will be prepared by a local Land Surveying Office. The Master Deed will be subject to City review and comment prior to recording.

TENTATIVE PLAN for 'STREAMSONG' CONDOMINIUM in PORTAGE, MICHIGAN



GENERAL NOTES:

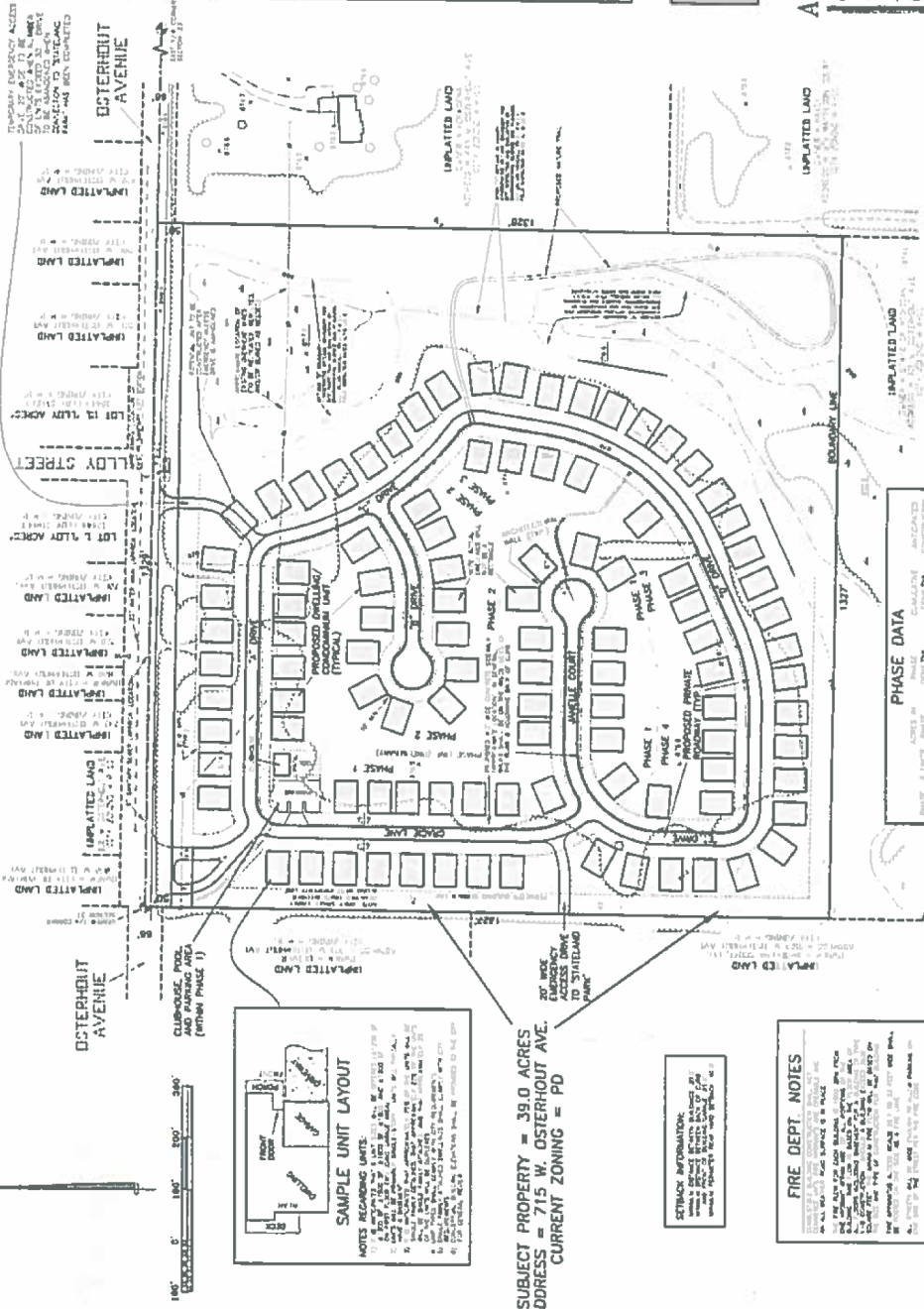
1. THE PROPERTY IS 39.0 ACRES AND IS LOCATED ON THE EAST SIDE OF THE CITY OF PORTAGE, MI.
2. THE PROPERTY IS 715 W. OSTERHOUT AVE.
3. THE PROPERTY IS 39.0 ACRES AND IS LOCATED ON THE EAST SIDE OF THE CITY OF PORTAGE, MI.
4. THE PROPERTY IS 715 W. OSTERHOUT AVE.
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19. THE PROPERTY IS 39.0 ACRES AND IS LOCATED ON THE EAST SIDE OF THE CITY OF PORTAGE, MI.
20. THE PROPERTY IS 715 W. OSTERHOUT AVE.

SITE DATA:

39.0 ACRES
715 W. OSTERHOUT AVE.
PORTAGE, MI 49008

APPLICANT:
SDV DEVELOPMENT, LLC
3820 STADIUM DRIVE
KALAMAZOO, MI 49008
(269) 375-3820

TENTATIVE PLAN
STREAMSONG CONDOMINIUM
Ingersoll, Watson & McMechen, Inc.
11/18/2018
1
30053



PHASE DATA

PHASE	ACRES	ESTIMATED UNIT COUNT	ESTIMATED START DATE	ESTIMATED END DATE
PHASE 1	2.5	25	12/15/2018	12/15/2019
PHASE 2	2.5	25	12/15/2019	12/15/2020
PHASE 3	2.5	25	12/15/2020	12/15/2021
PHASE 4	2.5	25	12/15/2021	12/15/2022

AREA INFORMATION:

AREA OF 39.0 ACRES
715 W. OSTERHOUT AVE.
PORTAGE, MI 49008

FIRE DEPT. NOTES:

ALL PHASES ARE LOCATED ON THE EAST SIDE OF THE CITY OF PORTAGE, MI.

SETBACK INFORMATION:

ALL PHASES ARE LOCATED ON THE EAST SIDE OF THE CITY OF PORTAGE, MI.