FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
MARCH 8, 2016

7:30 p.m. Call to Order.

Invocation: Pastor Jeff Fernandez of the The Bridge Church.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. March 2016 March for Meals Month

A. Approval of City Council Meeting Minutes.

1. Approval of the Special and Regular Meeting Minutes of February 23, 2016.
2. Approval of the Pre-Council Meeting Minutes of March 7, 2016.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of March 8, 2016 as presented.

D. Public Hearings:

1. Communication from the City Manager requesting that City Council, subsequent to the public hearing, approve Rezoning Application #15/16-3 and rezone the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue from R-1A, one family residential, to OS-1, office service.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council approve the Final Plan for Raymond James at 7995 Moorsbridge Road.

* 2. Communication from the City Manager recommending that City Council adopt the *Resolution Approving the Capital Improvement Project and Approving Insertion of Intention of the City of Portage to Issue Capital Improvement Bonds*.

* 3. Communication from the City Manager recommending that City Council:
   1. approve Contract #16-5012 between the Michigan Department of Transportation and the City of Portage for improvements along Portage Road (Romence Road to East Milham Avenue);
   2. adopt a Resolution authorizing the City Manager to sign Contract #16-5012;

   and authorize the City Manager to sign all other documents related to this project on behalf of the city.

* 4. Communication from the City Manager recommending that City Council make appointments to the two Boards of Review.

* 5. Communication from the City Manager recommending that City Council confirm the appointment of Donald Wood as the Director of Human Resources effective March 21, 2016.

G. Communications:

1. Presentation by Kalamazoo County Sheriff Richard Fuller and County Prosecutor Jeff Getting regarding the upcoming Law Enforcement Millage.
2. Communication from the Mayor recommending that City Council accept the 2016 calendar year appointments to City Council committees.

H. Unfinished Business:

* 1. Communication from the City Manager recommending that City Council approve the amendment to Chapter 50, Article 3, Section 50-81, Discharge of Firearms.

* I. Minutes of Boards and Commissions Meetings:

1. Portage Historic District Commission of January 6 and February 3, 2016.

2. Portage Public Schools Board of Education Retreat, Organizational, and Committee of the Whole Meeting Minutes of January 11, Regular of January 25 and Committee of the Whole of February 8, 2016.

3. Portage Park Board of February 3, 2016.

4. Portage Human Services Board of February 4, 2016.

5. Portage Planning Commission of February 18, 2016.

J. Council Committee Reports:

K. New Business:

L. Bid Tabulations:

* 1. Communication from the City Manager recommending that City Council award a construction contract for the East Osterhout Avenue Reconstruction Project to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed $588,553.33 and authorize the City Manager to execute all documents related to the contract on behalf of the city

* 2. Communication from the City Manager recommending that City Council approve a one-year managed print services agreement, in the amount of $22,871 with the option for two one-year renewals with Cartridge World for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city.

M. Other City Matters:

1. Statements of Citizens.

2. From City Council and City Manager.

* 3. Reminder of Meetings:

a. Wednesday, March 9, 1:00 p.m., Board of Review Training Session, City Hall Room No. 2.

b. Wednesday, March 9, 7:00 p.m., Environmental Board, City Hall Room No. 1.

c. Monday, March 14, 8:30 a.m., Board of Review, City Hall Room No. 1.

d. Monday, March 14, 6:30 p.m., Youth Advisory Committee, City Hall Room No. 1.

e. Tuesday, March 15 through Wednesday, March 16, 12:00 p.m., Board of Review, City Hall Rooms No. 1 and No. 2.

f. Wednesday, March 16, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.

g. Thursday, March 17, 8:30 a.m. Board of Review, City Hall Room No. 1 and No. 2.

h. Thursday, March 17, 7:00 p.m., District Library Board, Portage District Library.

i. Thursday, March 17, 7:00 p.m., Planning Commission, Council Chambers.

j. Tuesday, March 22, 8:00 a.m., Annual Mayor and City Council for the Day Program, City Hall Room No. 1 and Council Chambers.

N. Materials Transmitted.

* 1. Materials Transmitted of February 19, 2016.

Adjournment.

PROCLAMATION
MARCH 2016 AS MARCH FOR MEALS MONTH

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2016 observance of March for Meals provides an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and

WHEREAS, Meals on Wheels programs – both congregate and home-delivered, in Kalamazoo County have served our communities admirably for many years; and

WHEREAS, volunteers for Meals on Wheels programs in Kalamazoo County are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

WHEREAS, Meals on Wheels program, through Senior Services of Southwest Michigan, in Kalamazoo County provide nutritious meals to seniors throughout the county that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Meals on Wheels programs in Kalamazoo County provide a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation; and

WHEREAS, Meals on Wheels programs in Kalamazoo County deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation.

NOW, THEREFORE, I, Peter Strazdas, as Mayor of Portage do hereby proclaim March 2016 as March for Meals Month and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2016 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

Signed this 8th day of March 2016

Peter Strazdas, Mayor

CITY COUNCIL MEETING SUMMARY

February 23, 2016

ACCOUNTS PAYABLE REGISTER

- Approved the Accounts Payable Register of February 23, 2016, as presented.

PUBLIC HEARINGS

- Adjourned the public hearing for Resolution No. 5 confirming the Special Assessment Roll for the Martin Luther King Jr. Drive Reconstruction Project #998-R to the March 22, 2016, City Council Meeting at 7:30 p.m. or as soon thereafter as may be heard.

PETITIONS AND STATEMENTS OF CITIZENS

- Jeff Troyer introduced himself as the newly appointed Executive Director of Kalamazoo County Dispatch and outlined his goals of funding, research, evaluate and discuss what the best mechanism is for funding; establish a business plan; and collaborate with the PSAPS after funding is in place.
- Monifa Jumanne, 6286 Silver Fir Street, reflected upon the recent mass killings in Kalamazoo County and reminded everyone of the nine individuals killed in their Church in South Carolina; asked that we leave a generation of love and respect; and indicated that the message of "change" was for all people. She then recited an inspirational poem written by Dr. Benjamin Mays, former President of Morehouse College.

REPORTS FROM THE ADMINISTRATION

- Approved the Final Plan for Whisper Rock (Phase 1) at 2275 West Centre Avenue, subject to MDEQ approval of the grading and storm water overflow into the wetland area and finalization of detailed engineering plan.
- Approved the Height Modification for Trade Centre III, 650 Trade Centre Way, to allow construction of a five-story building to a maximum height of 78-feet.
- Accepted Rezoning Application #15/16-2 for first reading and set a public hearing for March 22, 2016, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, approve Rezoning Application #15/16-2 as follows: 480 Admiral Avenue: rezone from I-1, light industrial, and RM-1, multiple-family residential, to R1-A, one-family residential; 514, 520, 526, 532, 606, 612 and 618 Dorset Street: rezone from R-1T, attached residential, to R-1A, one-family residential; 6843, 422 and 426 Dorset Street (rear portions): rezone from I-1, light industrial, to R-1A, one-family residential; and 6979 South Westnedge Avenue: rezone from I-1, light industrial and RM-1, multiple-family residential, to R1-A, one-family residential (except the western portion which is to remain zoned B-2, community business).
- Accepted Rezoning Application #15/16-4 for first reading and set a public hearing for March 22, 2016, at 7:30 p.m. or as soon thereafter as may be heard and, subsequent to the public hearing, approve Rezoning Application #15/16-4 and rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one-family residential, RM-1, multiple-family residential, and OS-1, office service, to PD, planned development, consistent with the submitted tentative plan/narrative, and approve the requested modification from Section 42-374C (mixture of two housing types) with a finding that the modification satisfies the criteria outlined in Section 42-375L.
- Accepted for first reading an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes (PILOT) for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue, and take final action on March 22, 2016.
- Approved the annual VMWare maintenance and support contract renewal with CDW-G at a total cost of $22,600 and authorized the City Manager to execute all documents related to this action on behalf of the city.
- Established April 19 and May 3, 2016, from 4:45 to 8:30 p.m. as the dates for review of the proposed Fiscal Year 2016-2017 Budget.
- Adopted the Resolution setting the dates and times for the 2016 March Board of Review sessions.
- Received the communication from the City Manager regarding the January 2016 Environmental Report as information only.

COMMUNICATION

- Received a presentation by Linda Teeter, Chair, Kalamazoo County Transportation Authority (KCTA), with an update regarding the KCTA transit millage, ridership, fares, new services and preparations for the May 3, 2016 Special Election.

UNFINISHED BUSINESS

- Accepted the amendment to Chapter 50, Article 3, Section 50-81, Discharge of Firearms, for first reading and set a second reading for March 8, 2016.

NEW BUSINESS

- Appointed Justin Gish with term ending January 31, 2017, to the Board of Review.
- As requested by Mayor Strazdas, received a report from Public Safety Director Richard White regarding the recent mass shooting in the County, leaving six people dead and two critically wounded, and the Portage response for a similar situation.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- Council expressed condolences for the families affected by the recent mass shooting in the County leaving six people dead and two critically wounded and shared that they are in their thoughts and prayers.
- City Manager Shaffer let everyone know that Jim Brown, a Portage Senior Park Ranger, passed away on Saturday.

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

MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL OF FEBRUARY 23, 2016 - BOARDS AND COMMISSIONS APPLICANTS

Mayor Peter Strazdas called the meeting to order at 7:00 p.m. The following Councilmembers were present at this meeting: Councilmembers Richard Ford, Jim Pearson, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also present were City Manager Laurence Shaffer and City Clerk James Hudson. Everyone introduced themselves and Councilmember Ford explained the Board of Review process and the commitment necessary.

* From 7:00 p.m. to 7:11 p.m., City Council interviewed Justin Gish for the Board of Review. Mayor Strazdas explained the process and discussion followed regarding the number of Board of Review groups that may be necessary, the question of consistency between the two groups, the training sessions, the dates and the time commitment for attendance, appeals and the need for an Alternate.

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

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James R. Hudson, City Clerk

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 23, 2016

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

At the request of Mayor Strazdas, Pastor Ryan Doyle of Cherry Creek Community Church provided an invocation. The City Council and the audience recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Motion by Ansari, seconded by Ford, to receive the Pre-Council Meeting Minutes of February 22, 2016, as presented. Upon a voice vote, motion carried 7 to 0.

Councilmember Reid referred to her comment at the end of the meeting to point out that it should read, "….that one out of three women get heart disease and one out four die from it." Motion by Urban, seconded by Ford, to approve the Regular Meeting Minutes of February 9, 2016, as amended. Upon a voice vote, motion carried 7 to 0.

Motion by Pearson, seconded by Reid, to approve the Pre-Council Meeting Minutes of February 8, 2016, as presented. Upon a voice vote, motion carried 4 to 0 with Councilmembers Urban, Ansari and Ford abstaining.

*** CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that item F.2, Height Modification for Trade Centre III, 650 Trade Centre Way, and Item F.7, Proposed Fiscal Year 2016-2017 Budget Review Schedule, be removed from the Consent Agenda. Motion by Reid, seconded by Urban, to approve the Consent Agenda Motions as amended. Upon a roll call vote, motion carried 7 to 0.

*** APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 23, 2016:** Motion by Reid, seconded by Urban, to approve the Accounts Payable Register of February 23, 2016, as presented. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

MARTIN LUTHER KING JR. DRIVE RECONSTRUCTION PROJECT #998-R: Mayor Strazdas deferred to City Manager Laurence Shaffer, who indicated that T&U Director Chris Barnes is working with the petitioner to extinguish some cross-easements before the City accepts the road and before construction can begin. He indicated that the procedural issues remaining can be processed well before March 22, 2016.

In answer to Councilmember Urban, Mr. Barnes indicated that he and the City Attorney have been through 200 documents, agreements to allow traffic overload, for example, which is a challenge for the owner, Josh Weiner, to obtain the signatures from all of the parties. Discussion followed and he assured Council that the timing of Resolution No. 5 is fine.

Mayor Strazdas opened the public hearing for comment from those present. There being none motion by Pearson, seconded by Ansari, to adjourn the public hearing for Resolution No. 5 confirming the Special Assessment Roll for the Martin Luther King Jr. Drive Reconstruction Project #998-R to the March 22, 2016 City Council Meeting. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Jeff Troyer introduced himself as the newly appointed Executive Director of Kalamazoo County Dispatch and outlined his goals of funding, research, evaluate and discuss what the best mechanism is for funding; establish a business plan; and collaborate with the PSAPS after funding is in place. He provided a summary of his background and qualifications and discussion followed.

Monifa Jumanne, 6286 Silver Fir Street, reflected upon the recent mass killings in Kalamazoo County and reminded everyone of the nine individuals killed in South Carolina; asked that we leave a generation of love and respect; and indicated that the message of "change" was for all people. She then recited an inspirational poem written by Dr. Benjamin Mays, former President of Morehouse College.

REPORTS FROM THE ADMINISTRATION:

*** FINAL PLAN FOR WHISPER ROCK (PHASE 1) AT 2275 WEST CENTRE AVENUE:** Motion by Reid, seconded by Urban, to approve the Final Plan for Whisper Rock (Phase 1) at 2275 West Centre Avenue, subject to MDEQ approval of the grading and storm water overflow into the wetland area and finalization of detailed engineering plan. Upon a roll call vote, motion carried 7 to 0.

HEIGHT MODIFICATION FOR TRADE CENTRE III, 650 TRADE CENTRE WAY: Mayor Strazdas deferred to City Manager Laurence Shaffer, who remarked that this is an exciting project for the City of Portage and deferred to Community Development Director Vicki Georgeau, who reviewed the request. Public Safety Director White offered that the City has two fire apparatus for tall buildings and broad reaches, one that reaches 107 feet and one that reaches 110 feet. Discussion followed regarding the positive reaction to this series of buildings as sound barriers for the neighborhoods and the notices required for the project.

Greg Dobson, American Village Builders, 4200 West Centre Avenue, spoke in favor of the project and indicated it was envisioned 13 years ago as a special gateway to the City of Portage, and explained some of the challenges such as obtaining retail uses, the 2008 recession, concerns about highway noise, and the goal of attaining 100,000 square foot of office space.

Motion by Pearson, seconded by Ansari, to approve the Height Modification for Trade Centre III, 650 Trade Centre Way, to allow construction of a five-story building to a maximum height of 78-feet. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

*** REZONING APPLICATION #15/16-2 (ADMIRAL AVENUE/ DORSET STREET):** Motion by Reid, seconded by Urban, to accept Rezoning Application #15/16-2 for first reading and set a public hearing for March 22, 2016, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, approve Rezoning Application #15/16-2 as follows: 480 Admiral Avenue: rezone from I-1, light industrial, and RM-1, multiple-family residential, to R1-A, one-family residential; 514, 520, 526, 532, 606, 612 and 618 Dorset Street: rezone from R-1T, attached residential, to R-1A, one-family residential; 6843, 422 and 426 Dorset Street (rear portions): rezone from I-1, light industrial, to R-1A, one-family residential; and, 6979 South Westnedge Avenue: rezone from I-1, light industrial and RM-1, multiple-family residential, to R1-A, one-family residential (except the western portion which is to remain zoned B-2, community business). Upon a roll call vote, motion carried 7 to 0.

*** REZONING APPLICATION #15/16-4 (1521, 1603 AND 1615 EAST CENTRE AVENUE):** Motion by Reid, seconded by Urban, to accept Rezoning Application #15/16-4 for first reading and set a public hearing for March 22, 2016, at 7:30 p.m. or as soon thereafter as may be heard and, subsequent to the public hearing, approve Rezoning Application #15/16-4 and rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one-family residential, RM-1, multiple-family residential, and OS-1, office service, to PD, planned development, consistent with the submitted tentative plan/narrative,

and approve the requested modification from Section 42-374C (mixture of two housing types) with a finding that the modification satisfies the criteria outlined in Section 42-375L. Upon a roll call vote, motion carried 7 to 0.

* **TAX EXEMPTION (PAYMENT IN LIEU OF TAXES) FOR SELINON PARK APARTMENTS:** Motion by Reid, seconded by Urban, to accept for first reading an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes (PILOT) for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue, and take final action on March 22, 2016. Upon a roll call vote, motion carried 7 to 0.

* **ANNUAL VMWARE MAINTENANCE AND SUPPORT RENEWAL:** Motion by Reid, seconded by Urban, to approve the annual VMWare maintenance and support contract renewal with CDW-G at a total cost of $22,600 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

FISCAL YEAR 2016-2017 PROPOSED BUDGET REVIEW SCHEDULE: Councilmember Urban asked the indulgence of the City Council to consider changing the start time for the meetings at 4:45 p.m. instead of 4:30 p.m. for the review of the proposed Fiscal Year 2016-2017 Budget since he needs the extra time to take care of the needs of his children. Discussion followed. Motion by Pearson, seconded by Ansari, to establish April 19 and May 3, 2016, from 4:45 to 8:30 p.m. as the dates for review of the proposed Fiscal Year 2016-2017 Budget. Upon a voice vote, motion carried 7 to 0.

* **2016 MARCH BOARD OF REVIEW SESSIONS:** Motion by Reid, seconded by Urban, to adopt the Resolution setting the dates and times for the 2016 March Board of Review sessions. Upon a roll call vote, motion carried 7 to 0.

* **JANUARY 2016 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Reid, seconded by Urban, to receive the communication from the City Manager regarding the January 2016 Environmental Report as information only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

PRESENTATION BY LINDA TEETER, CHAIR OF THE KALAMAZOO COUNTY TRANSPORTATION AUTHORITY: At the request of Mayor Strazdas, Linda Teeter, Chair, Kalamazoo County Transportation Authority, provided an update regarding the KCTA transit millage, ridership, fares, new services and preparations for the May 3, 2016 Special Election. Discussion followed.

Motion by Reid, seconded by Urban, to receive the presentation by Linda Teeter, Chair, Kalamazoo County Transportation Authority, with an update regarding the transit millage. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

AMENDMENT TO CODE OF ORDINANCES - DISCHARGE OF FIREARMS: Mayor Strazdas introduced the item and City Manager Shaffer asked Public Safety Director Richard White to explain. Mr. White indicated that the proposed ordinance reflects the changes in State Statute in the area of "Firearms and what is not considered Firearms." He explained and referred to the Communication from the City Manager dated February 10, 2016, and contained in the February 23, 2016 City Council Agenda Packet.

Mr. Shaffer indicated that he has asked Mr. White to craft Standard Operating Guidelines (SOG's) and Standard Operating Procedures (SOP's) for Police Officers to help differentiate dangerous devices versus a device that is not dangerous.

In answer to Councilmember Pearson, Mr. White indicated that the use of "velocity" or "force" in the ordinance makes for a "fuzzy" definition of a firearm, so the preference is to ask questions like, "What is a toy?" "How is it being used?" "Is there proper supervision?" "What is the age of the person?" Also, he said that the City Ordinance allows the City Attorney to review and determine what is in the best interest of the City in each case. He pointed out that the other option is to rescind the City Ordinance and use State Law which means filing a complaint, issuing a warrant and making an arrest which is not as desirable as the ordinance as proposed. Discussion followed.

Motion by Pearson, seconded by Ansari, to accept the amendment to Chapter 50, Article 3, Section 50-81, Discharge of Firearms, for first reading and set a second reading for March 8, 2016, at 7:30 p.m. or as soon thereafter as may be heard. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

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

Portage Zoning Board of Appeals of December 14, 2015.
Portage Senior Citizen Advisory Board of December 15, 2015, and January 20, 2016.
Portage Youth Advisory Committee of January 11, 2016.
Portage District Advisory Council of January 21, 2016.
Portage Planning Commission of February 4, 2016.

NEW BUSINESS:

*** APPOINTMENT TO THE BOARD OF REVIEW:** Motion by Reid, seconded by Urban, to appoint Justin Gish with term ending January 31, 2017, to the Board of Review. Upon a roll call vote, motion carried 7 to 0.

RECENT MASS SHOOTING IN THE COUNTY: At the request of Mayor Strazdas, Public Safety Director Richard White provided a report regarding the recent mass shooting in the County leaving six people dead and two critically wounded and the Portage response for a similar situation. Discussion followed.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Council expressed condolences for the families affected by the recent mass shooting in the County leaving six people dead and two critically wounded and shared that they are in their thoughts and prayers.

City Manager Shaffer let everyone know that Jim Brown, a Portage Senior Park Ranger, passed away on Saturday.

MATERIALS TRANSMITTED:

*** DEPARTMENTAL MONTHLY REPORTS:** Motion by Reid, seconded by Urban, to receive the Departmental Monthly Reports. Upon a roll call vote, motion carried 7 to 0.

*** MATERIALS TRANSMITTED OF FEBRUARY 5, 2016:** Motion by Reid, seconded by Urban, to receive the Materials Transmitted of Friday, February 5, 2016. Upon a roll call vote, motion carried 7 to 0.

***** **MATERIALS TRANSMITTED OF FEBRUARY 9, 2016:** Motion by Reid, seconded by Urban, to receive the Materials Transmitted of Friday, February 9, 2016. Upon a roll call vote, motion carried 7 to 0.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:26 p.m.

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James R. Hudson City Clerk

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

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT:

SUPPORTING PERSONNEL:

ACTION RECOMMENDED:

FUNDING:

Attachments: 1. Pre-Council Meeting Minutes of March 7, 2016

MINUTES OF THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MARCH 7, 2016

Mayor Strazdas called the meeting to order at 9:02 a.m. The following Councilmembers were present: Councilmember Jim Pearson and Patricia Randall, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Those not present were: Councilmembers Richard Ford, Claudette Reid and Terry Urban. Also in attendance were City Manager Larry Shaffer and City Clerk James Hudson.

Mayor Strazdas explained that the purpose of the meeting was to hear any questions of Council regarding the Agenda of the Regular City Council Meeting of March 8, 2016, and proceeded with questions from those present.

Councilmember Pearson asked for a background on the hiring process for Item F.5, Director of Human Resources, and City Manager Larry Shaffer indicated that there were two finalists out of seven applicants; that the two applicants were first interviewed by telephone, then by Deputy City Manager Rob Boulis individually, then by both Rob and himself together. He indicated that there was one internal candidate, Robert Sames, but pointed out that Mr. Donald Wood was the best qualified and outlined some of his credentials as found in the March 8, 2016 City Manager Communication found in the Agenda Packet. He also reviewed the credentials of the second candidate who was a female and also very viable, but not as credentialed or experienced as Mr. Wood as she did not have a Master's Degree, nor collective bargaining or negotiation experience. He said he appreciated her energy, enthusiasm and youth and expressed his hope that she could be a Deputy Human Resources Director. He indicated that she had worked her way up at Georgia Pacific and was a fine candidate.

Mayor Pro Tem Ansari asked whether these positions were approved or are we "adding jobs?" In answer to Mayor Pro Tem Ansari, Mr. Shaffer indicated that the hope is to have the same number of jobs as last year; that the savings so far with the change from Benefit Services is $347,000; and, that two positions are funded, but not filled.

In response to Councilmember Pearson, Mr. Shaffer indicated that the current staff in the Human Resources Department are: Acting Director Robert Sames, Human Resources Generalist Betsy Loebig, Benefits Specialist Stacey Baker and two part time assistants. He indicated that the goal is to have no more than four Human Resources employees, so he mentioned that he might exercise an option to bring one of the part time assistants into the City Manager's Office. In answer to Councilmember Pearson's question of whether a Deputy Director is necessary if there are four full time employees, Mr. Shaffer indicated that he is trying to groom somebody once Don decides to move on, mentioned the female applicant as an example, with a plan to continue to recruit the best people, move them around in order to learn the organization and use their talents for a host of different things.

In response to Councilmember Randal, Mr. Shaffer summed up that at least one other female applied and interviewed with Mr. Boulis, and one internal candidate, Robert Sames, and he offered to research that. Mr. Shaffer expressed his frustration for not being able to increase the diversity level by hiring a female for the position, but said

he couldn't turn Mr. Wood down owing to his qualifications: he has a Master's Degree instead of just a Bachelor's Degree, and he has the desirable collective bargaining and negotiation experience where the female does not, even though she would grow into the position perfectly.

In response to Councilmember Pearson, Mr. Shaffer said the female applicant is a Portage resident, and that Mr. Boulis did call her to let her know that they had selected someone else, but liked her for the Assistant Director position and asked her to think about it. Mr. Shafer cited the negotiation of a change in scheduling for the Police Officers to a 12-hour shift and a four-day week instead of five days that has been in place for four months now. He mentioned this as an indication of the importance of a Human Resources Director with negotiation experience and the resultant flexibility and a willingness to accommodate younger officers and their families. He also mentioned that sick time and overtime usage has gone down as side benefits and stressed the importance to employee wellness for city employees. Mayor Strazdas asked that Mr. Shaffer include any more details regarding wellness, workers compensation and negotiation in a written report to City Council.

Councilmember Pearson asked if PowerPoint presentations and other landscape printed documents could be rotated before placing them on Boardsync, and City Clerk James Hudson answered he would make sure staff understands the need.

Councilmember Pearson asked since the millage pays 32% of the patrol and Portage does not get any patrols, does Portage get money coming back with this millage for those patrols, or does portage get short-changed. Mayor Strazdas concurred and both wanted Mr. Shaffer to let Sherriff Fuller know to be ready to provide an answer when he comes to the meeting. Mr. Hudson indicated that the question was asked in the 1990's and the response was Portage gets 51% return on the dollar, but Councilmember Pearson indicated that the public has the impression Portage is getting patrols, but the public doesn't really know what is going on and he sees it as a subsidy being given to the County instead of payment for law enforcement in Portage. Councilmember Pearson asked if Portage can be up front with the County and let them know that Portage is being overtaxed. Mr. Hudson pointed to the defenses cited in the past: that if the alleged perpetrator is caught in the rural areas, then they won't commit crimes on South Westnedge Avenue, and that the Sherriff patrols I-94 and US-131, both of which go through Portage. Councilmember Pearson expressed his satisfaction when they also patrol the lakes, pay for the prosecutor and the courts, but this is all infrastructure that everyone uses.

With regard to G.2, The 2016 Calendar Year City Council Committee Appointments, Councilmember Randall asked if she could remain on the Discover Kalamazoo Board since she has invested a lot of time and energy; and certified herself with her own time and money. She cited a communication from President & CEO Greg Ayers, who said he had received a call from the City regarding alternatives, but wanted her to continue to serve on the Discover Kalamazoo Board. She cited that City Council takes into consideration the opinion of the Chair or President of the Board in question and the attendance record of the Councilmember when making appointment recommendations, and said it is important for City Council to take into consideration the effect of placing people on a Board which is not aligned with the wishes of the Board Chair. She cited her many contributions to this Board, like special projects, serving at

different levels, relationships she has built and a fine history of service, as reasons to reappoint her.

Mayor Pro Tem Ansari emphasized he has always believed that there should be a rotation of City Councilmembers on outside Boards so a person gets a chance to have the experience, and he recognized that every person does the best that they can when serving on a Board. He cited taking himself off of the Public Media Network Board as an example. Mayor Strazdas offered to go offline with them to discuss this matter further.

In answer to Councilmember Pearson, Mayor Strazdas answered Councilmember Reid agreed to step down from the Council of Governments. Councilmember Pearson noted that City Council School / Library Committee is now a Committee of the Whole instead of two representatives, and Mayor Strazdas indicated that this is because everyone chose this as their number one preference. Councilmember Pearson asked about the complication of having three Boards meeting as a Committee of the Whole. Mayor Strazdas responded that the Committees are policymakers, not implementers; noted that they met this way at their first meeting; and that it is appropriate to do it this way again, brainstorm, then get tactical with a couple of people from each group with the Administrators.

Councilmember Randall indicated that she has been contacted by School Board Members, who would appreciate input from the City on the cite plans for the two campuses, and asked whether the City can provide City tax dollars for these projects. Mayor Strazdas cited the intersection of Mustang Drive and Centre Avenue and his proposal to merge all of the City of Portage Parks with the School District Parks as prior examples where he advocated intergovernmental cooperation with Portage Public Schools.

In answer to Councilmember Pearson, Mayor Strazdas indicated he would call each School Board member to provide his assurances of cooperation and support for their projects.

Councilmember Pearson asked that a copy of the City Manager Communication to Senator Margaret O'Brien and State Representative Brandt Iden about the weakening of Michigan's Historic District be provided to City Council.

ADJOURN: Mayor Strazdas adjourned the meeting at 9:28 a.m.

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James Hudson, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of March 8, 2016 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 February 14, 2016 through February 28, 2016 and notes $478,321.23 in automated clearing house payments, $677,053.18 in paper checks and $58,759.69 in auto-pay payments, for a grand total of $1,214,134.10.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

Check Dates From: 2/14/2016 To: 2/28/2016

Check Date	Check	Vendor Name	Amount
02/26/16	4819(A)	ABONMARCHE CONSULTANTS, INC.	27,158.51
02/26/16	4820(A)	ADMIRAL LOCK & KEY SERVICE	225.33
02/26/16	4821(A)	AIRGAS GREAT LAKES	134.67
02/26/16	4822(A)	ALL CITY MANAGEMENT SERVICES, INC.	2,804.22
02/26/16	4823(A)	ALRO STEEL CORPORATION	450.00
02/26/16	4824(A)	AMERICAN HYDROGEOLOGY CORP.	3,011.15
02/26/16	4825(A)	AMERICAN SAFETY & FIRST AID	354.61
02/26/16	4826(A)	ANIMAL REMOVAL SERVICE, LLC	1,375.00
02/26/16	4827(A)	APOLLO FIRE EQUIPMENT COMPANY	623.35
02/26/16	4828(A)	APPROVED PROTECTION SYSTEMS	615.99
02/26/16	4829(A)	ARROW UNIFORM RENTAL	50.75
02/26/16	4830(A)	B & B YARDSCAPE	3,105.00
02/26/16	4831(A)	BATTERIES PLUS	196.64
02/26/16	4832(A)	BLUE CARE NETWORK-GREAT LAKES	74,737.56
02/26/16	4833(A)	BRENNER OIL CO.	11,786.79
02/26/16	4834(A)	C C G SYSTEMS, INC.	150.00
02/26/16	4835(A)	C C I SOUTH, INC.	242.50
02/26/16	4836(A)	C D W GOVERNMENT, INC.	51,270.77
02/26/16	4837(A)	C M P DISTRIBUTORS, INC.	1,046.63
02/26/16	4838(A)	CHUCK'S ELECTRICAL SERVICE INC.	2,750.00
02/26/16	4839(A)	CONTINENTAL LINEN SERVICES	56.29
02/26/16	4840(A)	DATA CONSTRUCTS LLC	97.95
02/26/16	4841(A)	DELTA DENTAL PLAN OF MICHIGAN	16,976.99
02/26/16	4842(A)	DEPATIE FLUID POWER CO., INC.	1,066.54
02/26/16	4843(A)	EG WORKFORCE SOLUTIONS	2,259.20
02/26/16	4844(A)	ENTENMANN-ROVIN CO.	1,059.40
02/26/16	4845(A)	FURRY, WILLIAM	246.64
02/26/16	4846(A)	GREAT LAKES CHLORIDE, INC.	5,171.34
02/26/16	4847(A)	GRIFFIN PEST SOLUTIONS, INC.	290.00
02/26/16	4848(A)	HARTFORD LIFE INSURANCE COMPANY	8,174.05
02/26/16	4849(A)	INDUSCO SUPPLY CO., INC.	382.97
02/26/16	4850(A)	JONES & HENRY ENGINEERS, LTD	6,024.62
02/26/16	4851(A)	JONS TO GO PORTABLE RESTROOM	347.00
02/26/16	4852(A)	KEHOE, EDWARD J	240.00
02/26/16	4853(A)	KUSHNER & COMPANY, INC.	298.70
02/26/16	4854(A)	LAND & RESOURCE ENGINEERING, INC.	2,500.00
02/26/16	4855(A)	LANDS END	86.95
02/26/16	4856(A)	LAWSON PRODUCTS, INC.	1,172.76
02/26/16	4857(A)	MAURER'S TEXTILE RENTAL SERVICES	964.47
02/26/16	4860(A)	MEJEUR ELECTRIC LLC	3,180.00
02/26/16	4861(A)	PCM SALES, INC.	40,550.00
02/26/16	4862(A)	PERCEPTIVE CONTROLS, INC.	395.00
02/26/16	4863(A)	PORTAGE FIREFIGHTERS	1,429.41
02/26/16	4864(A)	PORTAGE ON-CALL FIREFIGHTERS	120.00

Check Date	Check	Vendor Name		Amount
02/26/16	4865(A)	PORTAGE POLICE OFFICERS ASSOC		721.00
02/26/16	4866(A)	ROAD EQUIPMENT PARTS CENTER		755.77
02/26/16	4867(A)	S B F ENTERPRISES, INC.		1,896.23
02/26/16	4868(A)	SAFETY SERVICES, INC.		93.02
02/26/16	4869(A)	SIMMONS FORD		59.11
02/26/16	4870(A)	SNELL, DEBRA		288.00
02/26/16	4871(A)	SUEZ WATER ENVIRONMENTAL SERVICES		167,775.40
02/26/16	4872(A)	TECHNOLOGY SOLUTIONS		170.00
02/26/16	4873(A)	UL LLC		1,435.00
02/26/16	4874(A)	UNITED AUTO. IMPLEMENT WORKERS 2290		587.78
02/26/16	4875(A)	UNITED PETROLEUM		2,967.55
02/26/16	4876(A)	VANCE OUTDOORS, INC.		1,015.00
02/26/16	4877(A)	VISION SERVICE PLAN (OH)		2,029.64
02/26/16	4878(A)	W W GRAINGER INC.		439.80
02/26/16	4879(A)	WARNER NORCROSS & JUDD LLP		3,866.67
02/26/16	4880(A)	WIGHTMAN & ASSOCIATES, INC.		18,881.51
02/26/16	4881(A)	WOLVERINE POWER SYSTEMS		160.00
		SUBTOTAL:	**61 CHECKS**	**478,321.23**
02/16/16	296731	TRINH'S FURNITURE REPAIR SHOP		3,955.00
02/16/16	296732	WHITE, SHARON		300.00
02/16/16	296733	FARRELL AUDIO VIDEO LLC		604.72
02/18/16	296734	GRANDPAS PASTYS LLC		331.00
02/18/16	296735	HURLEY & STEWART, LLC		44,789.49
02/18/16	296736	STATE OF MICHIGAN (DEQ) WATER DIV.		100.00
02/26/16	296737	14A-1 DISTRICT COURT		500.00
02/26/16	296738	7TH DISTRICT COURT		250.00
02/26/16	296739	A NEW LEAF		85.00
02/26/16	296740	A T & T		1,832.05
02/26/16	296741	ADP, INC.		1,574.40
02/26/16	296742	ALL-TRONICS, INC.		81.00
02/26/16	296743	ALLEGRA PRINT & IMAGING		655.13
02/26/16	296744	AMERICAN PUBLIC WORKS ASSOC		1,348.00
02/26/16	296745	AMERICAN VAN EQUIPMENT		293.16
02/26/16	296746	APPLIED INDUSTRIAL TECHNOLOGIE		1,221.37
02/26/16	296747	ARGOUDELIS, ALBERT & INGBRITT		50.94
02/26/16	296748	ARIF, MUHAMMAD		85.00
02/26/16	296749	ASSOCIATED GOVERNMENT SERVICES INC		1,950.00
02/26/16	296750	AT&T YELLOW PAGES		52.80
02/26/16	296751	B & H PHOTO & ELECTRONICS CORP.		1,068.00
02/26/16	296752	BALDWIN, SHELLY		50.00
02/26/16	296753	BAVARIAN INN LODGE		329.67
02/26/16	296754	BLUE CROSS/BLUE SHIELD OF MICH		123,983.20
02/26/16	296755	BLUEDOGINK		434.13

Check Date	Check	Vendor Name	Amount
02/26/16	296756	BLUEDOGINK	161.41
02/26/16	296757	BOARDSYNC, INC.	2,392.00
02/26/16	296758	BORGESS HEALTH ALLIANCE	304.00
02/26/16	296759	BRINK'S, INC.	294.13
02/26/16	296760	BRUCE'S TRUCK & AUTO ACCESSORIES	105.95
02/26/16	296761	BURKE, GREG	310.00
02/26/16	296762	C & M CATERING, INC.	433.50
02/26/16	296763	C T S TELECOM, INC.	678.95
02/26/16	296764	CAMPBELL AUTO SUPPLY	184.53
02/26/16	296765	CANTEEN SERVICES	744.00
02/26/16	296766	CARLETON EQUIPMENT CO.	4,328.20
02/26/16	296767	CITY OF KALAMAZOO TREASURER	251,436.10
02/26/16	296768	CLASSIC GLASS, INC.	669.18
02/26/16	296769	CLEAR CHANNEL AIRPORTS	1,155.00
02/26/16	296770	COLLIER, MICHAEL	200.00
02/26/16	296771	CONSUMERS CONCRETE CORP.	2,578.15
02/26/16	296772	CPS HR CONSULTING	334.40
02/26/16	296773	CROSSROADS CAR WASH	382.50
02/26/16	296774	DETROIT TRAFFIC 36TH COURT	100.00
02/26/16	296775	DEVON TITLE AGENCY	71.03
02/26/16	296776	DIESEL INJECTION SERVICE, LLC	2,096.82
02/26/16	296777	DIRKSEN ROOFING, INC.	125.00
02/26/16	296778	DUTCH VALLEY FOOD DISTRIBUTORS, INC.	71.24
02/26/16	296779	EATON, CAROL A.	217.05
02/26/16	296780	ELECTION SOURCE	7,150.00
02/26/16	296781	EMERGENCY VEHICLE PRODUCTS	8,935.30
02/26/16	296783	FAWLEY OVERHEAD DOOR, INC.	312.00
02/26/16	296784	FIRST IMAGE	90.00
02/26/16	296785	GALL'S, LLC	99.09
02/26/16	296786	GORDON FOOD SERVICE	116.92
02/26/16	296787	GORDON WATER SYSTEMS	192.25
02/26/16	296788	GREATER KALAMAZOO FOP LODGE 98	3,377.58
02/26/16	296789	GREATER KALAMAZOO UNITED WAY	891.68
02/26/16	296790	GUERRANT, ANGY	72.80
02/26/16	296791	HOCKEY SERVICES	24.00
02/26/16	296792	HOME DEPOT	548.84
02/26/16	296793	HOVENKAMP, KENNETH	200.00
02/26/16	296794	HYATT REGENCY ST LOUIS	636.00
02/26/16	296795	ICPC - REGION 4 - 2016 RTS	225.00
02/26/16	296796	INT'L ASSOC CHIEFS OF POLICE	150.00
02/26/16	296797	JAYBEE SIGNS	250.00
02/26/16	296798	KALAMAZOO COUNTY BROWNFIELD	79.37
02/26/16	296799	KALAMAZOO COUNTY ROAD COMMISSION	553.97
02/26/16	296800	KALAMAZOO COUNTY TREASURER	1,145.15

Check Date	Check	Vendor Name	Amount
02/26/16	296801	KALAMAZOO FLAG COMPANY	595.60
02/26/16	296802	KALAMAZOO GAZETTE	45.60
02/26/16	296803	KALAMAZOO SPORTSWEAR	557.25
02/26/16	296804	KAR LABORATORIES	520.00
02/26/16	296805	KASTEN INSULATION SERVICES, INC.	2,890.00
02/26/16	296806	KOZAR, WILLIAM	44.00
02/26/16	296807	KUIPER BROTHERS MOVING INC.	183.00
02/26/16	296808	KZOO TIRE COMPANY	15.00
02/26/16	296809	LIFELOC TECHNOLOGIES, INC.	135.00
02/26/16	296810	MAILFINANCE	744.27
02/26/16	296811	MAIN STREET PORTRAITS INC	280.00
02/26/16	296812	MARTIN SPRING & DRIVE, INC.	225.00
02/26/16	296813	MCDONALD'S TOWING & RESCUE, INC.	828.00
02/26/16	296814	MCNALLY ELEVATOR CO.	119.75
02/26/16	296815	MED EXPRESS URGENT CARE, PC MICH	95.00
02/26/16	296816	MEDILODGE OF PORTAGE	203.00
02/26/16	296817	MENARDS, INC.	2,606.35
02/26/16	296818	MI ASSOC. OF CHIEFS OF POLICE	100.00
02/26/16	296819	MICH MUNICIPAL POLICE & FIRE REPAIR	2,972.71
02/26/16	296820	MICHIGAN MUNICIPAL LEAGUE	192.30
02/26/16	296821	MIKE'S JANITORIAL SERVICES, LLC	12.50
02/26/16	296822	MILLS, DANIEL	85.00
02/26/16	296823	MILLS, DANIEL	50.00
02/26/16	296824	MLIVE MEDIA GROUP	512.90
02/26/16	296825	MONICA PABELONIO	200.00
02/26/16	296826	MOSHER, MARGUERITE	83.00
02/26/16	296827	MOTION PICTURE LICENSING CORP.	240.00
02/26/16	296828	NELSON'S APPLIANCE SERVICE	419.98
02/26/16	296829	NYE UNIFORMS	1,016.30
02/26/16	296830	O'BOYLE-COLWELL-BLALOCK & AS.	1,724.00
02/26/16	296831	O'REILLY AUTO PARTS	245.07
02/26/16	296832	OFFICE DEPOT, INC.	2,695.64
02/26/16	296834	ONSTAFF USA INC	9,114.64
02/26/16	296835	ORCHARD, HILTZ & MCCLIMENT, INC.	4,000.00
02/26/16	296836	PAPER CENTRAL	1,075.00
02/26/16	296837	PARADIGM TAX GROUP	2,895.98
02/26/16	296838	PARIS CLEANERS	2,576.90
02/26/16	296839	PETTY CASH-FIRE	220.35
02/26/16	296840	PLUMMER'S ENVIRONMENTAL SERVICES	3,451.13
02/26/16	296841	PORTAGE HURRICANES SOFTBALL	100.00
02/26/16	296842	PORTAGE PUBLIC SCHOOLS	300.00
02/26/16	296843	PUBLIC MEDIA NETWORK	101,823.31
02/26/16	296844	PUBLIC SAFETY CENTER	443.73
02/26/16	296845	RATHCO SAFETY SUPPLY, INC.	1,016.05

Check Dates From: 2/14/2016 To: 2/28/2016

Check Date	Check	Vendor Name		Amount
02/26/16	296846	RENEWED EARTH, INC.		7,916.66
02/26/16	296847	RENTALEX OF MICHIGAN, INC.		283.50
02/26/16	296848	RESTORATIVE LAKE SCIENCES, LLC		1,500.00
02/26/16	296849	RIDGE AUTO NAPA		2,004.34
02/26/16	296851	SANDY BRAE LABORATORIES		240.50
02/26/16	296852	SCHIPPERS, JERRY		292.01
02/26/16	296853	SEAFERT, JOSEPH		42.37
02/26/16	296854	SEVERANCE ELECTRIC COMPANY,INC.		6,715.00
02/26/16	296855	SONOMA DEVELOPMENT, LLC		214.45
02/26/16	296856	STATE INDUSTRIAL PRODUCTS CORP		977.00
02/26/16	296857	STATE SYSTEMS RADIO, INC.		1,402.50
02/26/16	296858	STEENSMA LAWN & POWER EQUIPMENT		1,506.68
02/26/16	296859	STERLING OAKS DEVELOPMENT CO		1,160.00
02/26/16	296860	T D S METROCOM, LLC		4,453.49
02/26/16	296861	THOMAS HAMANN		190.00
02/26/16	296862	THOMAS, HARRY		44.00
02/26/16	296863	TRACTOR SUPPLY CORP.		258.81
02/26/16	296864	TRACY SCHMITT		895.00
02/26/16	296865	UNITED PARCEL SERVICE		22.48
02/26/16	296866	VANGUARD FIRE & SUPPLY CO., INC.		55.50
02/26/16	296867	VARIDESK LLC		375.00
02/26/16	296868	VARIPHY INC.		1,700.00
02/26/16	296869	VERIZON WIRELESS SERVICES, LLC		1,934.82
02/26/16	296870	WEBSTER ELECTRIC		55.00
02/26/16	296871	WESSENDORF, GREGORY		220.00
02/26/16	296872	WEST SHORE FIRE, INC.		1,652.83
02/26/16	296873	WESTERN MICHIGAN INT'L TRUCKS		840.00
02/26/16	296874	WILLIAM FRICK & COMPANY		695.46
02/26/16	296875	WOLVERINE LAWN SERVICE, INC.		5,602.12
02/26/16	296876	XEROX CORPORATION		553.20
02/26/16	296877	XEROX GOVERNMENT SYSTEMS LLC		5,250.00
		SUBTOTAL:	**144 CHECKS**	**677,053.18**
02/16/16	2814	CONSUMERS AUTO-PAY		26,118.22
02/17/16	2826	CONSUMERS AUTO-PAY		18,808.07
02/19/16	2837	CONSUMERS AUTO-PAY		11,992.96
02/23/16	2844	CONSUMERS AUTO-PAY		1,840.44
		SUBTOTAL:	**4 CHECKS**	**58,759.69**
		GRAND TOTAL:	**209 CHECKS**	**1,214,134.10**

** (A) DENOTES ACH PAYMENTS

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Rezoning Application #15/16-3 (328 and 414 West Milham Avenue)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council, subsequent to the public hearing, approve Rezoning Application #15/16-3 and rezone the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue from R-1A, one family residential to OS-1, office service.

An application has been received from Mr. Dan Jaqua (property owner) requesting that the northern portions of 328 and 414 West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The subject parcels are currently split zoned with the southern (front) portions zoned OS-1 and the northern (rear) portions zoned R-1A. The northern portions of 328 West Milham and 414 West Milham are zoned R-1A, and occupied by parking lots for the Lea's Hairstyling Studio and Jaqua Realtors sites, respectively. These parking lots were in existence prior to comprehensive zoning of the city in 1965 and, therefore, are legally nonconforming uses. The split OS-1/R-1A zoning pattern of these parcels appears to be a remnant from the former township zoning map, which was not adjusted with the comprehensive zoning of the city in 1965.

In a report dated January 15, 2016, the Department of Community Development recommends approval of the rezoning request. The proposed zoning change is consistent with the Comprehensive Plan/Future Land Use Map designations, consistent and compatible with the surrounding zoning/land use pattern and will eliminate the nonconforming status of the existing parking lots, while also allowing for future office development/redevelopment flexibility and options.

The Planning Commission convened a public hearing during the January 7, 2016 and January 21, 2016 meetings to consider the rezoning request. Mr. Jaqua was present at both meetings to support the request. No citizens spoke during these two meetings and no citizen communications have been received regarding the proposed rezoning. At the conclusion of the January 21 meeting, the Planning Commission voted 6-0 to recommend to City Council that Rezoning Application #15/16-3 be approved and the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service.

City Council completed the first reading of this rezoning application during the February 9, 2016 regular meeting.

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

FUNDING: Not Applicable

Attachments:

1. Planning Commission transmittal dated January 29, 2016
2. Planning Commission Minutes dated January 7, 2016 and January 21, 2016
3. Department of Community Develoment report dated January 15, 2016
4. Ordinance Amendment

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: January 29, 2016

SUBJECT: Rezoning Application #15/16-3, 328 and 414 West Milham Avenue

The Planning Commission convened a public hearing during the January 7th and 21st, 2016 meetings to consider the rezoning application submitted by DDJ Ltd, LLC and Milham Ventures, LLC to rezone the northern portions of 328 and 414 West Milham Avenue from R-1A, one family residential to OS-1, office service. Mr. Dan Jaqua (applicant/property owner) was present at both meetings and spoke in support of the proposed rezoning. No citizens spoke at the two meetings and no citizen communications have been received regarding the proposed rezoning.

After careful consideration, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15/16-3 be approved and the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The motion include a finding that the proposed zoning change is consistent with the Comprehensive Plan/Future Land Use Map designations, consistent and compatible with the surrounding zoning/land use pattern and will eliminate the nonconforming status of the existing parking lots, while also allowing for future office development/redevelopment flexibility and options. The motion was unanimously approved 6-0.

Sincerely,

Paul Welch

Paul Welch
Chairman

PLANNING COMMISSION

January 7, 2016

The City of Portage Planning Commission meeting of January 7, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Michael West, Senior City Planner; and Randy Brown, City Attorney.

ROLL CALL:

Mr. West called the role and the following Commissioners were present: Patterson (yes), Bosch (yes), Stoffer (arrived at 7:05pm), Welch (yes), Felicijan (yes), Dargitz (yes), Somers (yes), Schimmel (yes), and Richmond (yes).

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the December 17, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Bosch, seconded by Commissioner Somers, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Special Land Use Permit: Angelworks Photography, 865 Lenox Avenue. Commissioner Felicijan indicated that he needed to abstain from the discussion and voting on this application due to a personal relationship with the applicant and excused himself. Mr. West summarized the staff report dated December 30, 2015 and the request from Ms. Charity Finstrom to establish a photography studio within a portion of the existing building located at 865 Lenox Avenue. Mr. West stated the photography studio would occupy approximately 3,500 square feet of the overall 8,400 square foot building and no exterior site or interior building improvements were proposed. Mr. West provided a brief history of the site development and also discussed the ordinance criteria for consideration of the Special Land Use Permit application in the I-1 zoning district. Mr. West indicated the proposed use fulfills the requirements for issuance of a Special Land Use Permit and staff was recommending approval.

Ms. Charity Finstrom (applicant) was present to support the application. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed application. A motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to close the public hearing. The motion was unanimously approved 8-0. A motion was then made by Commissioner Somers, seconded by Commissioner Dargitz, to approve the Special Land Use Permit for Angelworks Photography, 865 Lenox Avenue, incorporating the analysis and findings identified in the Department of Community Development staff report. The motion was unanimously approved 8-0.

2. Preliminary Report; Rezoning Application #15/16-3, 328 and 414 West Milham Avenue. Mr. West summarized the preliminary staff report dated December 30, 2015 regarding a request to rezone the northern portions of 328 and 414 West Milham Avenue from R-1A, one family residential to OS-1, office service.

Mr. West indicated the rezoning request would result in consistency and conformity between the zoning map and the historical use of the northern portion of these two parcels for office related parking and would also facilitate a prospective property purchase and future redevelopment of 328 West Milham Avenue. While the northern portions of these two parcels are zoned R-1A, Mr. West stated they are occupied by parking lots associated with the Lea's Hairstyling Studio and Jaqua Realtors businesses. Mr. West indicated these parking lots were in existence prior to comprehensive zoning of the city in 1965 and, therefore, are legally nonconforming uses. Mr. West then discussed the Future Land Use Map designation and the surrounding zoning and land use pattern.

Mr. Dan Jaqua (applicant/property owner) was present to support the rezoning application. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was then made by Commissioner Stoffer, seconded by Commissioner Somers, to adjourn the public hearing for Rezoning Application #15/16-3, 328 and 414 West Milham Avenue, to the January 21, 2016 meeting. The motion was unanimously approved 9-0.

NEW BUSINESS:

None.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Michael K. West, AICP
Senior City Planner

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Dorset Street); 4) Mr. Bryan Cederberg (612 Dorset Street) and 5) Mr. Chad Scott (applicant/owner of 480 Admiral). Mr. Radd discussed the existing I-11/RM-1 zoning of 480 Admiral and the original request to rezone the property to R-1T in order to construct two duplexes along the northern portion. Mr. Radd restated the presence of wetlands and poor soils along the southern portion of the parcel and the intent to only develop the extreme northern portion of the property, at the east end of Cameo Avenue. Mr. Dueweke discussed the existing R-1T zoning of the seven Dorset Street lots and the previously submitted petition to rezone these lots to R-1A to reflect the historic single family detached residential development pattern. Mr. Dueweke also reviewed the Future Land Use Map designation of these Dorset Street lots and adjacent 480 Admiral Avenue parcel stated the R-1A zoning district is most consistent with the Future Land Use Map designation of Single-Family Detached Medium Density Residential. Ms. Cederberg discussed the existing zoning/land use arrangement along the east side of Dorset Street and stated that she believes the existing R-1T zoning is inconsistent with the established single family neighborhood. Ms. Cederberg discussed potential impacts associated with multiple family residential zoning and development and stated she supports rezoning the seven Dorset Street lots and 480 Admiral to R-1A. Mr. Cederberg read from his email communication provided to the Planning Commission in the final agenda packet and stated duplexes at the end of Cameo Avenue would change the character of the single family detached neighborhood. Mr. Cederberg stated development of the 480 Admiral Avenue parcel would eliminate the tree buffer adjacent the train tracks and would disrupt wildlife in the area. Mr. Cederberg discussed concerns and potential impacts associated with duplex development at the end of Cameo Avenue including increase traffic, speeding, devaluation of property values, trash, crime, etc. Mr. Cederberg stated he supports rezoning the seven Dorset lots and the 480 Admiral Avenue parcel from R-1T to R-1A consistent with the established single family detached neighborhood. Mr. Scott spoke in support of his original request to rezone 480 Admiral Avenue to R-1T and responded to citizen concerns regarding planned duplex development on the northern portion of the property. Mr. Scott indicated the duplexes would be approximately 1,600 square feet in size with three bedrooms and attached garages and rent for between $1,200-$1,400/month. Mr. Scott stated the duplexes would be constructed as condos and could be sold in the future. Mr. Scott indicated the duplexes would be occupied by families or young professionals and would be compatible with the existing neighborhood while enhancing adjacent property values.

After a brief discussion, a motion was made by Commissioner Dargitz, seconded by Commissioner Schimmel, to adjourn the public hearing for Rezoning Application #15/16-2, Admiral Avenue/Dorset Street, to the February 4, 2016 meeting. The motion was unanimously approved 6-0.

2. Final Report; Rezoning Application #15/16-3, 328 and 414 West Milham Avenue. Mr. West summarized the final staff report dated January 15, 2016 regarding a request to rezone the northern portions of 328 and 414 West Milham Avenue from R-1A, one family residential to OS-1, office service. Mr. West discussed the split zoning of the two properties and the historic use of the northern portions for office related parking. Mr. West reviewed the Comprehensive Plan and Future Land Use Map designations, the surrounding land use/zoning pattern and discussed the suitability of the existing R-1A zone and impacts of the proposed OS-1 zone. Mr. West stated staff was supportive of the proposed rezoning and the request was consistent with the Comprehensive Plan, Future Land Use Map and surrounding zoning/land use pattern and would eliminate the nonconforming status of the existing parking lots, while allowing for future office development/redevelopment flexibility and options.

Mr. Dan Jaqua (applicant/property owner) was present to support the rezoning application. The public hearing was reconvened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to close the public hearing. The motion was unanimously approved 6-0. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15/16-3 be approved and the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414

West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The motion was unanimously approved 6-0.

3. Preliminary Report; Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue. Mr. Forth summarized the preliminary staff report dated January 15, 2016 regarding a request from Full Circle Communities to rezoned 1521, 1603 and 1615 East Centre Avenue from OS-1, office service, RM-1, multiple family residential and R-1B, one family residential to PD, planned development. Mr. Forth discussed the two-step PD process involving the rezoning/tentative plan review and then the subsequent final/site plan review. Mr. Forth stated the PD rezoning would facilitate construction of 74 affordable apartment units within three buildings across the property. Mr. Forth discussed the historic district house and property located at 1521 East Centre Avenue and then summarized the proposed tentative plan design, layout and features and also discussed the one modification being requested from the mixture of housing type provision of the ordinance. Mr. Forth reviewed the preliminary analysis section of the report including the Comprehensive Plan/Future Land Use Plan designations and the suitability of the existing zoning and impacts of the proposed PD zoning.

Mr. Carl Kunda (applicant, Full Circle Communities) was present to support the rezoning application and explain the planned development project. Mr. Kunda stated that 1/3 of the units will be for residents with physical and sensory impairments and other special needs, and 1/3 of the units will be for households whose annual income is between 30-60% of the area median income. Mr. Kunda presented samples of building materials planned for the project and also explained the amount of needed off-street parking spaces in response to Commissioner Schimmel's inquiry.

The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was then made by Commissioner Patterson, seconded by Commissioner Dargitz, to adjourn the public hearing for Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue, to the February 4, 2016 meeting. The motion was unanimously approved 6-0.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

8:15 p.m. - The Commission took a short recess.
8:20 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 2

NEW BUSINESS:

1. 2016-2026 DRAFT Capital Improvement Program. Mr. Forth discussed the modified Capital Improvement Program (CIP) process for this fiscal year that began in September 2015 with extensive public outreach, a CIP web page, an on-line citizen survey and a CIP Open House. Mr. Forth referred the Commission to the results of the on-line citizen survey which were included with the January 15, 2016 Department of Community Development staff report. Mr. Forth stated that over 80% of the citizens who completed the survey indicated support for directing capital funds toward Complete Streets and local street enhancement efforts. Mr. Forth then summarized the initial draft CIP document that included a Summary Table of projected revenues and expenditures over the 10-year period, Project Summary Tables that outline proposed projects by category, Project Funding Source Tables that outline funding sources by category and Project Profiles that summarize each proposed project. Mr. Forth stated a final draft of the 2016-2026 CIP

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Department of Community Development

TO: Planning Commission **DATE:** January 15, 2016

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report: Rezoning Application #15/16-3, 328 and 414 West Milham Avenue

I. INTRODUCTION:

An application has been received requesting that the northern portions of 328 and 414 West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The subject parcels are currently split zoned with the southern (front) portions zoned OS-1 and the northern (rear) portions zoned R-1A. According to the applicant, the rezoning request would result in consistency and conformity between the zoning map and the historical use of the northern portions of these properties for office related parking. The rezoning request would also facilitate a prospective property purchase and future redevelopment of 328 West Milham Avenue.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
DDJ LTD., LLC	328 West Milham (north 75-feet)	09053-001-O	R-1A	OS-1
Milham Ventures, LLC	414 West Milham (north 100-feet)	09053-009-O	R-1A	OS-1
Two parcels – 0.5 acre				

II. EXISTING CONDITIONS:

Land Use/Zoning	Rezoning Site: **328 West Milham** – Lea's Hairstyling Studio building and associated parking area zoned OS-1 (south 125-feet) and R-1A (north 75-feet); **414 West Milham** – Jaqua Realtors building and associated parking area zoned OS-1 (south 125-feet) and R-1A (north 100-feet). It should be noted that 408 West Milham is also part of the Jaqua Realtors site, however, this parcel is zoned entirely OS-1 and not part of the rezoning request. North: Single family residence (5923 Missouri) owned by Jaqua Realtors and parking lot (5916 Ohio) owned by Victory Baptist Church, both zoned R-1A. East (across Ohio): Victory Baptist Church (308 West Milham) zoned OS-1 and R-1A. West (across Missouri): Vacant parcels and a nonconforming single family residence zoned OS-1. South (across Milham): Various commercial businesses zoned B-3, general business.
Zoning/Development History	No rezoning of properties in the surrounding area have occurred in the past 10 years. The northern portions of 328 West Milham and 414 West Milham are zoned R-1A, however, occupied by parking lots associated with the Lea's Hairstyling Studio and Jaqua Realtors sites, respectively. These parking lots were in existence prior to comprehensive zoning of the city in 1965 and, therefore, are legally nonconforming uses. Based on available city records, 328 West Milham was originally developed in the 1950s, while 414 West Milham was first developed in the early 1960s.

Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Milham Avenue is designated a 5-lane major arterial roadway with 16,264 vehicles per day (2013) and a capacity of 38,700 vehicles per day (level of service "D"). Ohio Avenue and Missouri Avenue are local residential streets and specific traffic counts are not available.
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Natural Resources Map does not identify any potential wetlands, floodplain or other natural features encumbering or near the subject parcels.

III. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing during the January 7, 2016 meeting. Mr. Dan Jaqua (applicant/property owner) was present to support the rezoning request. No additional citizens spoke during the meeting and no communications regarding the proposed rezoning have been received.

IV. FINAL ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Map component of the 2014 Comprehensive Plan identifies the rezoning site, along with properties situated to the east and west (along the north side of West Milham Avenue) as appropriate for office land use. Milham Avenue is also identified in the Comprehensive Plan as one of two designated office corridors. The Comprehensive Plan identifies the office land use designation and the corresponding OS-1 district as an effective transition zone between residential uses and major arterial roadways since office uses typically have limited hours of operation (weekdays from approximately 8am-5pm), a building style and mass similar to residential structures and less traffic generation. Properties located north of the rezoning site are designated for Single-Family Detached - Medium Density residential land use, while properties located along the south side of West Milham Avenue are designated for Regional Business land use.

While these designations are intended to serve as a general guide for future development and rezoning considerations, specific zoning district boundaries need to be determined on a case-by-case basis considering overall consistency with the Comprehensive Plan/Future Land Use Map, surrounding land use/zoning pattern, development/redevelopment potential, impacts on adjacent properties and other factors.

The proposed OS-1 zoning for the northern portions of these two properties is consistent with the Future Land Use Map and Comprehensive Plan designations

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others) and may suggest incentives to influence community development and adjustments

to other policies that influence the use of land for consistency with community development objectives. The proposed OS-1 zoning district is consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

Suitability of Existing R-1A Zone/Impacts of Proposed OS-1 Zone. The existing R-1A zoning designation along the northern portions of 328 and 414 West Milham Avenue is not consistent with the historic use of these properties for office-related parking associated with the Lea's Hairstyling Studio and Jaqua Realtors businesses. The split OS-1/R-1A zoning pattern of these parcels appears to be a remnant from the former Township zoning map and was not adjusted with the comprehensive zoning of the city in 1965. Rezoning the northern portions of these parcels to OS-1 would result in a consistent zoning pattern across the properties that would eliminate the nonconforming status of the existing parking lots, while also allowing for future office development/redevelopment flexibility and options. It is noted there is no parking lot screening between the single-family house at 5923 Missouri Avenue and the parking lot at 414 West Milham Avenue. Concurrent with future redevelopment of this property, installation of required screening will be reviewed.

Traffic Considerations. Traffic generation associated with a zoning change from R-1A to OS-1 will not be significant and can be accommodated by the surrounding roadway network. Specific access related issues including driveway locations, shared/cross access connections, etc. will be reviewed at the site plan stage of redevelopment.

IV. RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #15/16-3 be approved and the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The proposed zoning change is consistent with the Comprehensive Plan/Future Land Use Map designations, consistent and compatible with the surrounding zoning/land use pattern and will eliminate the nonconforming status of the existing parking lots, while also allowing for future office development/redevelopment flexibility and options.

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

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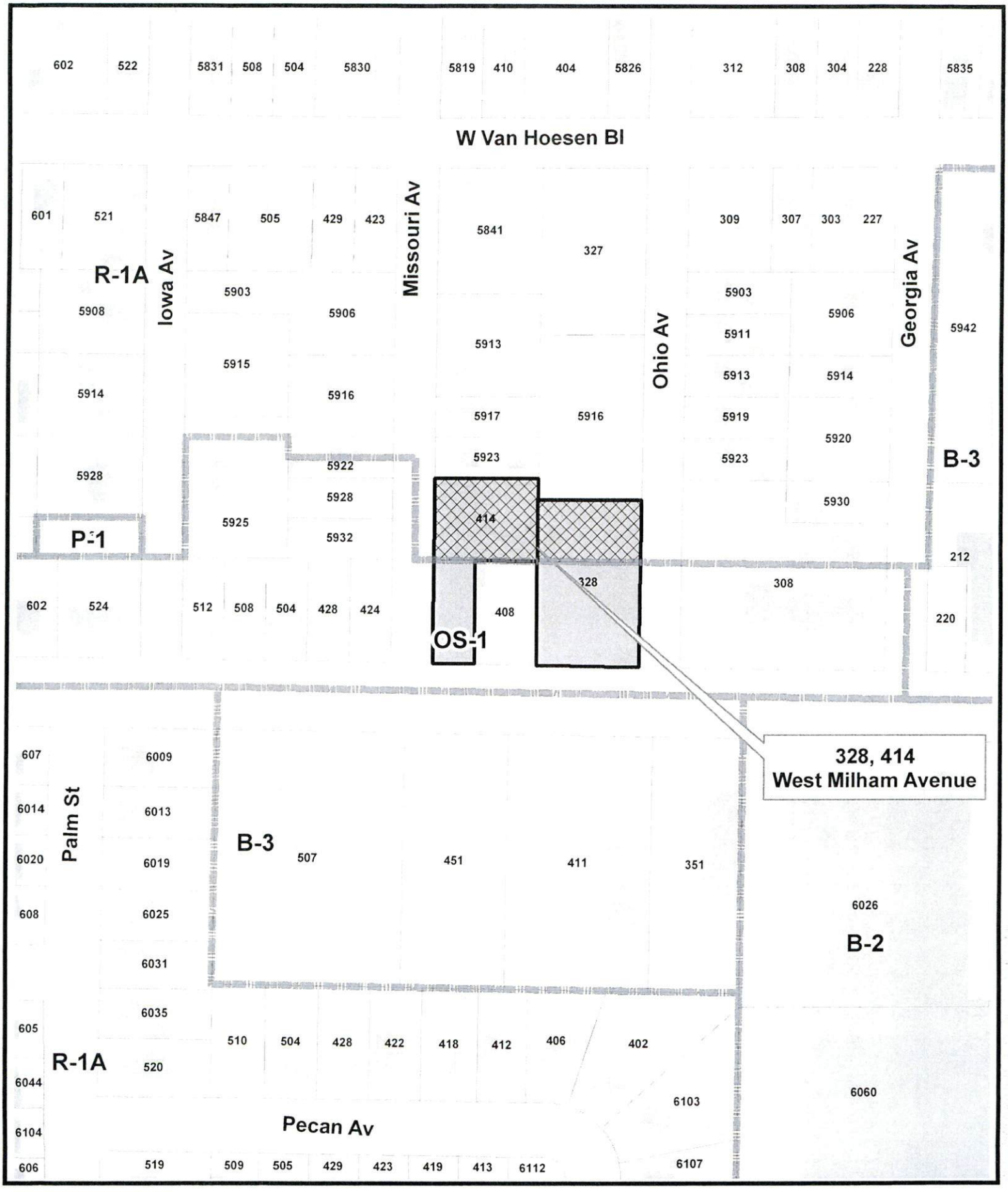


Legend

- Zoning Boundary
- Re-zoning Area
- Subject Property

Rezoning 15/16-03
328, 414 West Milham Avenue

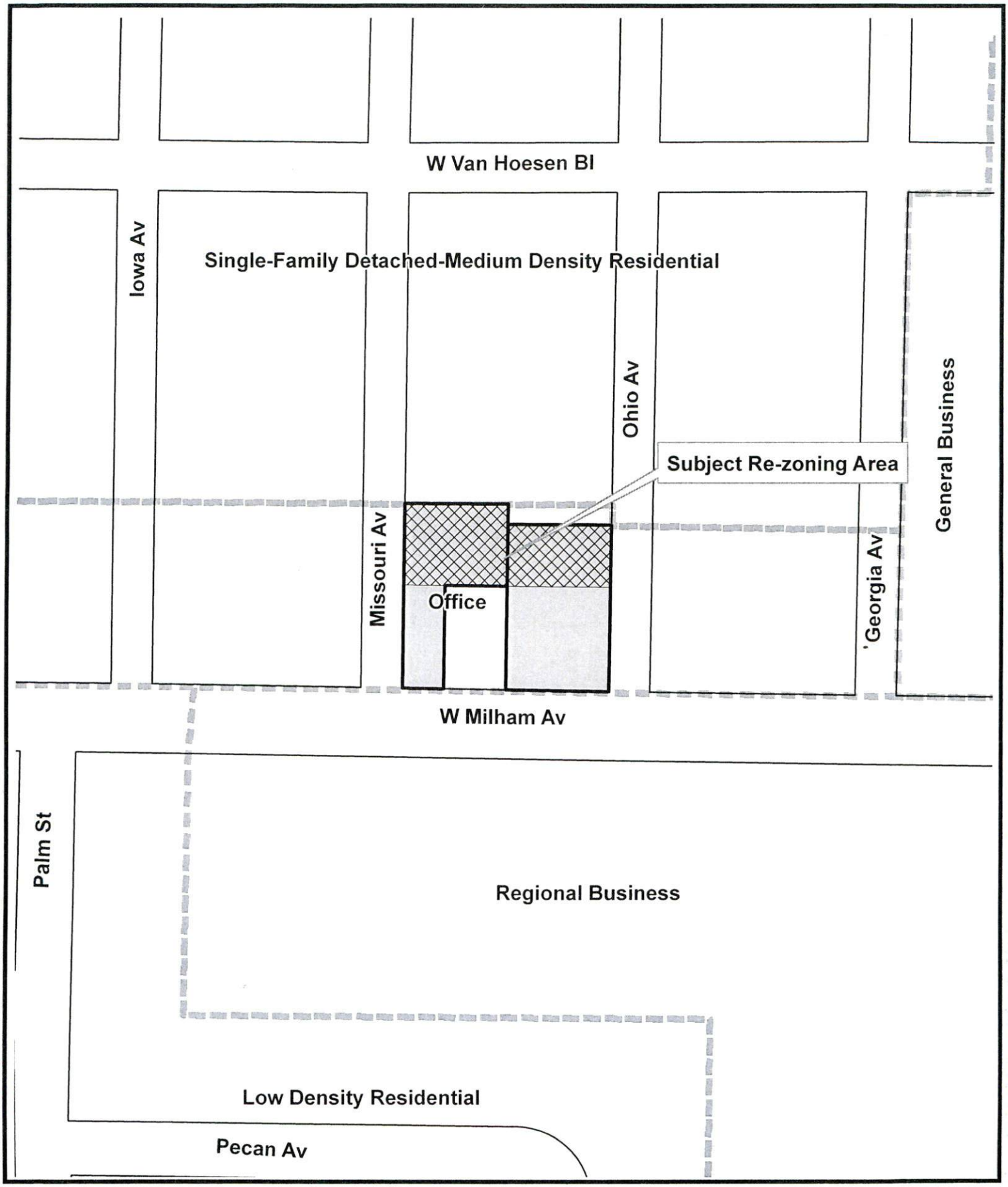
1 inch = 150 feet

Legend

- Re-zoning Area
- Subject Properties

Aerial Photo
328 & 414 West Milham Avenue

1 inch = 125 feet



Legend

- Re-zoning Area
- Future Land Use
- Subject Property

Future Land Use Map
328 & 414 West Milham Avenue

1 inch = 150 feet

DEVELOPMENT GUIDELINES
Rezoning Application #15/16-3 (OS-1, Office Service)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	**Yes**	Future Land Use Map designates the subject properties as appropriate for office land use. The proposed OS-1 zone is consistent with this designations.
Commercial – 1	Coordinated Development	**Yes**	Rezoning the northern portions of 328 and 414 West Milham Avenue to OS-1 would result in a consistent zoning pattern across the properties, eliminate the nonconforming status of the existing parking lots and allow for future expansion and/or redevelopment options and flexibility. Proposed OS-1 zone is consistent and compatible with adjacent land uses.
Commercial – 2	Commercial/Office Uses in General	**Yes**	Rezoning site is located within the Milham Avenue Office Corridor within a mixture of office, commercial and institutional land uses. West Milham Avenue is a major arterial roadway and traffic related issues can be accommodated. The size, intensity and character of the proposed use is compatible with adjacent areas.
Commercial – 3	Local Business Uses	**N/A**	Guideline is not applicable to rezoning request.
Commercial – 4	Regional and General Commercial Uses	**N/A**	Guideline is not applicable to rezoning request.
Commercial – 5	Portage Commerce Square	**N/A**	Guideline is not applicable to rezoning request.
Natural & Historic Resources - 1	Environmental Protection	**Yes**	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, lakes/streams, etc).
Natural & Historic Resources - 2	Floodplain	**Yes**	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	**Yes**	Reviewed at site plan stage of development.
Natural & Historic Resources – 4	Noise	**Yes**	Reviewed at site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	**N/A**	Rezoning site is not situated within a designated historic preservation area and does not contain any historic structures.
Natural & Historic Resources – 6	Open Space Protection	**Yes**	Reviewed at site plan stage of development.
Transportation – 1	Transportation Systems	**Yes**	West Milham Avenue is a 5-lane major arterial roadway with 16,264 vehicles per day (2013) and a capacity of 38,700 vehicles per day (level of service "D"). Any additional traffic generation associated with the proposed zoning change can be accommodated by the surrounding roadway network.
Transportation – 2	Street Design	**Yes**	Reviewed at site plan stage of development.
Transportation – 3	Access Management	**Yes**	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	**Yes**	Reviewed at site plan stage of development.
Transportation – 5	Right-of-Way Preservation	**Yes**	Reviewed at site plan stage of development.

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

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APPLICATION FOR ZONING AMENDMENT

Application number #15/16-3

Date 12/15/15

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 328 W. Milham between Ohio Street and Missouri Street on the North side of the street, and is known as Lot Number(s) 1-5 & * of Westnedge Heights Plat (Subdivision). It has a frontage of 125 feet and a depth of 200 feet. Only the Northernmost 75 feet of this parcel is the subject of this request. *46-48, Block D (328 West Milham)

b. Unplatted Land:

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

N/A

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

b. Name of the owner of the property to be rezoned: Donald K. & Lea J. Sterns Trust

Address 10647 Sudan St., Portage, MI 49002

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: purchaser under a purchase agreement

4. CURRENT ZONING: R-1A PROPOSED ZONING: OS-1

ZONING TEXT AMENDMENT

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

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

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

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

DDJ, LTD., LLC
By:

(Signature of Applicant)	(Signature of Applicant)
Daniel C. Jaqua, Member 414 W. Milham, Portage, MI 49024	
(Address)	(Address)
(269) 207-2940	
(Phone)	(Phone)

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

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ATTACHMENT TO REQUEST TO REZONE A PART OF 328 W. MILHAM
By DDJ, LTD., LLC
December 15, 2015

1. **Why the change requested is necessary for the preservation and enjoyment of substantial property rights.**

The front 125 feet of the 200 foot deep parcel upon which Lea's Hairstyling Studio has been operating for many years is already zoned OS-1. Although the rear 75 feet has always been used as a parking lot to service the Lea's business, it remains zoned R-1A. This change is appropriate to bring the zoning up to date to match the actual, historical use of the land and preserve the commercial use of this property for future, continued commercial use.

2. **Why the amendment will advance the public health safety and welfare.**

The existing R-1A zone is not a reasonable use of this property which abuts commercial uses. The City's Zoning Ordinance provides in part, that the R-1A through R-1E one-family residential districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low-density single-unit dwellings along with other residentially related facilities that serve the residents in the district. Further, the intent of these regulations is to protect residential neighborhoods from incompatible land uses and associated effects. This last 75 feet will never be used for single family residential uses and does not fit the intent of the Zoning Ordinance due to its proximity to existing commercial uses. Rezoning this land will make it consistent with the surrounding properties and the pre-existing use.

3. **The impact that the proposed rezoning will have on the community and property of other persons in the vicinity of the area.**

The rezoning will not negatively impact the community or the neighboring properties because the surrounding properties on Milham are all similarly zoned OS-1. The land behind this property contains a parking lot, and behind that there is a City retention pond. No properties in the vicinity will be negatively affected by continuing the existing commercial use of this property.

OWNER CONSENT:
The owner of the property consents to this Application for Zoning Amendment.
Donald K. Sterns and Lea J. Sterns Trust

By: Donald K. Sterns, Trustee

By: Lea J. Sterns, Trustee

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APPLICATION FOR ZONING AMENDMENT

Application number #15/16-3

Date 12/15/15

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 414 W. Milham between Ohio Street and Missouri Street on the North side of the street, and is known as Lot Number(s) 9-14* of Westnedge Heights Plat (Subdivision). It has a frontage of 50 feet and a depth of 225 feet. Only the Northernmost 100 feet of this parcel is the subject of this request. *Block D (414 West Milham)

b. Unplatted Land:

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

N/A

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

b. Name of the owner of the property to be rezoned: Milham Ventures, LLC

Address 414 W. Milham, Portage, MI 49002

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

4. CURRENT ZONING: R-1A PROPOSED ZONING: OS-1

ZONING TEXT AMENDMENT

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

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

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

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

MILHAM VENTURES, LLC

By:

(Signature of Applicant)	(Signature of Applicant)
Daniel C. Jaqua, Manager 414 W. Milham, Portage, MI 49024	
(Address)	(Address)
(269) 207-2940	
(Phone)	(Phone)

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

S:\2012-2013 Department Files\2012 Forms\2013 Forms\2013 Application for Zoning Amendment.doc

ATTACHMENT TO REQUEST TO REZONE A PART OF 414 W. MILHAM
By Milham Ventures, LLC
December 15, 2015

1. **Why the change requested is necessary for the preservation and enjoyment of substantial property rights.**

The front 125 feet of the 225 foot deep parcel upon which Chuck Jaqua Realtor has been operating for many years is already zoned OS-1. Although the rear 100 feet has always been used as a parking lot to service the Jaqua offices, it remains zoned R-1A. This change is appropriate to bring the zoning up to date to match the actual, historical use of the land and preserve the commercial use of this property for future, continued commercial use.

2. **Why the amendment will advance the public health safety and welfare.**

The existing R-1A zone is not a reasonable use of this property which abuts commercial uses. The City's Zoning Ordinance provides in part, that the R-1A through R-1E one-family residential districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low-density single-unit dwellings along with other residentially related facilities that serve the residents in the district. Further, the intent of these regulations is to protect residential neighborhoods from incompatible land uses and associated effects. This last 100 feet will never be used for single family residential uses and does not fit the intent of the Zoning Ordinance due to its proximity to existing commercial uses. Rezoning this land will make it consistent with the surrounding properties and the pre-existing use.

3. **The impact that the proposed rezoning will have on the community and property of other persons in the vicinity of the area.**

The rezoning will not negatively impact the community or the neighboring properties because the surrounding properties on Milham are all similarly zoned OS-1. The land behind this property contains homes also owned by the applicant. No properties in the vicinity will be negatively affected by continuing the existing commercial use of this property.

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

THE CITY OF PORTAGE ORDAINS:

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

Parcel of land described as follows:

Tract of land located in Section 4, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
328 West Milham Avenue (north 75 feet)	09053-001-O
414 West Milham Avenue (north 100 feet)	09053-009-O

From R-1A, one family residential to OS-1, office service.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

_____
Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2016.

_____
James R. Hudson, City Clerk

(App #15/16-3)

Approved as to Form:
Date: 1/25/16
By: _____
City Attorney

FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2015, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2015, at 7:30 p.m. or as soon thereafter as may be heard.

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

THE CITY OF PORTAGE ORDAINS:

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

Parcel of land described as follows:

Tract of land located in Section 4, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
328 West Milham Avenue (north 75 feet)	09053-001-O
414 West Milham Avenue (north 100 feet)	09053-009-O

From R-1A, one family residential to OS-1, office service, or any other classification allowed by law.

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

Dated: _____

_____
James R. Hudson, City Clerk

(App #15/16-3)

Z:\JODY\PORTAGE\ORD\REZONE\15-16-3.012516.DOCX

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Final Plan for Raymond James (7995 Moorsbridge Road)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council approve the Final Plan for Raymond James at 7995 Moorsbridge Road.

A final plan has been submitted to construct a 5,945-square-foot administrative office building and associated site improvements at 7995 Moorsbridge Road. The approximate 2.5-acre site is zoned PD, planned development and located within the portion of the Woodbridge Hills PD identified for office use.

The building will be setback approximately 105 feet from the front (west) property line, 106 feet from the side (north) property line, 82 feet from the rear (east) property line and 43 feet from the side (south) property line. Since the site is bordered by residential land use to the east, conflicting land use screening including retention of existing trees and installation of supplemental 6-foot-tall spruce trees will be provided along the eastern portion of the property. Access to the site will be provided through an existing full service driveway from Old Centre Road through the adjacent Great Lakes Plastic and Hand Surgery site. A limited (right-in / right-out only) driveway from Moorsbridge Road will also be provided. Storm water from the development will be collected and conveyed to an underground infiltration system situated beneath the parking lot.

In a Department of Community Development report dated February 12, 2016, staff recommended approval of the Final Plan for Raymond James at 7995 Moorsbridge Road. At the February 18, 2016 Planning Commission meeting, the Commission reviewed and recommended to City Council approval of the Final Plan.

FUNDING: Not Applicable

Attachments:
1. February 25, 2016 Planning Commission transmittal
2. February 18, 2016 Planning Commission minutes
3. February 12, 2016 Community Development staff report with attachments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: February 25, 2016

SUBJECT: Final Plan for Raymond James, 7995 Moorsbridge Road

During the February 18, 2016 meeting, the Planning Commission reviewed and discussed the Final Plan for the above captioned development project. Mr. John Lovely of Bosch Architectural (applicant representative) was present to support the application and explain the development project. No citizens spoke regarding the project.

The final plan for Raymond James has been designed in substantial conformance with the approved tentative plan for the Woodbridge Hills Planned Development. After a brief discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Patterson, to recommend to City Council that the Final Plan for Raymond James, 7995 Moorsbridge Road, be approved. The motion was unanimously approved 6-0.

Sincerely,

Paul Welch

Paul Welch
Chairman

S:\2015-2016 Department Files\Memos\City Council\2016 02 25 MCC Raymond James, 7995 Moorsbridge Road PC.doc

DRAFT

PLANNING COMMISSION

February 18, 2016

The City of Portage Planning Commission meeting of February 18, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately eight citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Richmond (yes), Schimmel (yes), Dargitz (yes), Somers (no), Felicijan (yes), Welch (yes), Stoffer (no), Bosch (no) and Patterson (yes). A motion was offered by Commissioner Schimmel, seconded by Commissioner Richmond, to approve the role excusing Commissioners Bosch, Stoffer and Somers. The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the February 4, 2016 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

1. Specific Plan for Trade Centre III Office Building, 650 Trade Centre Way. Mr. Forth summarized the staff report dated February 12, 2016 regarding a request to construct a five-story, 78-foot tall, 105,270 square foot professional office building and associated site improvements. Mr. Forth discussed the August 2012 approved Conceptual Plan Amendment for the Trade Centre Commercial Planned Development (CPD) and also reviewed the February 4, 2016 Planning Commission review/recommendation regarding the height modification. Mr. Forth indicated City Council will be considering the height modification request at the February 23, 2016 meeting. Mr. Forth also noted the applicant is proposing to defer some of the required off-street parking spaces.

Mr. Todd Hurley of Hurley & Stewart LLC, representing H & G, LLC, was present to support the application and explain the development project. There being no further discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the Specific Plan for Trade Centre III Office Building, 650 Trade Centre Way, subject to City Council approval of the height modification request to allow construction of the five-story office building to a maximum height of 78-feet (top of mechanical screening wall). The motion was unanimously approved 6-0.

2. Final Plan for Raymond James, 7995 Moorsbridge Road. Mr. Forth summarized the staff report dated February 12, 2016 regarding a request to construct a 5,945 square foot administrative office building and associated site improvements. Mr. Forth stated the subject parcel is zoned PD, planned development

DRAFT

and located within the portion of the Woodbridge Hills PD identified for office land use. Mr. Forth discussed various aspects of the project including conflicting land use screening and cross access.

Mr. John Lovely of Bosch Architectural (applicant representative) was present to support the application and explain the development project. There being no further discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Patterson, to recommend to City Council that the Final Plan for Raymond James, 7995 Moorsbridge Road, be approved. The motion was unanimously approved 6-0.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

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

T:\COMMDEV\2015-2016 Department Files\Board Files\Planning Commission\Minutes\PCMin02182016.doc

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** February 12, 2016

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Plan for Raymond James, 7995 Moorsbridge Road

I. INTRODUCTION:

A final plan has been submitted by Hurley & Stewart, on behalf of Raymond James, to construct a 5,945 square foot administrative office building and associated site improvements. The 2.5 acre site is zoned PD, planned development and is located near the southeast corner of Moorsbridge Road and Old Centre Road. The development project is located within the portion of the Woodbridge Hills PD identified for office use.

The building will be setback approximately 105-feet from the west property line (Moorsbridge Road), 106-feet from the north property line), 82-feet from the east property line and 43-feet from the south property line. Since the site is bordered by residential land use to the east at Kilmory Court, conflicting land use screening will be installed along the eastern portion of the property as a buffer. Conflicting land use screening will consist of the retention of existing trees and installation of supplemental 6-foot high spruce trees spaced 12 feet on-center. Access to the site will be provided through a full service driveway from Old Centre Road through joint access with the adjacent Great Lakes Plastic and Hand Surgery site. A limited (right-in and right-out only) driveway will provide access from Moorsbridge Road. Consistent with the Access Management Ordinance, the applicant has agreed to provide future shared/cross access with the adjacent properties to the south. A note has been placed on the plan citing the commitment to this future cross/shared access. Storm water from the development will be collected and conveyed to an underground infiltration system situated beneath the parking lot. Outdoor lighting units associated with the proposed development will include light poles with shielded fixtures and will conform to applicable ordinance standards. The plan is under review by the Woodbridge Hills Architectural Control Committee and approval is anticipated.

II. RECOMMENDATION:

The final plan has been reviewed by the City Administrative departments. Staff advises that the Planning Commission recommend to City Council approval of the final plan for Raymond James, 7995 Moorsbridge Road.

Attachments: Final Plan Sheets

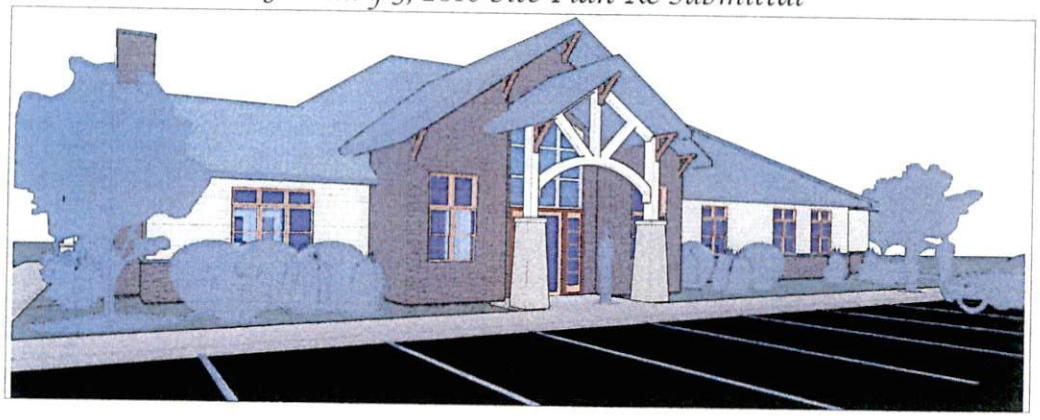
T:\COMMDEV\2015-2016 Department Files\Board Files\Planning Commission\PC reports\Site Plans\Raymond James, 7995 Moorsbridge.docx

Raymond James Woodbridge

7995 Moorsbridge Road Portage, Michigan

January 19, 2016 Site Plan Submittal

January 5, 2016 Site Plan Re-Submittal

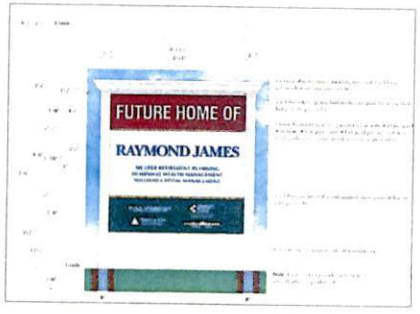


SHEET INDEX

COVER SHEET + INDEX

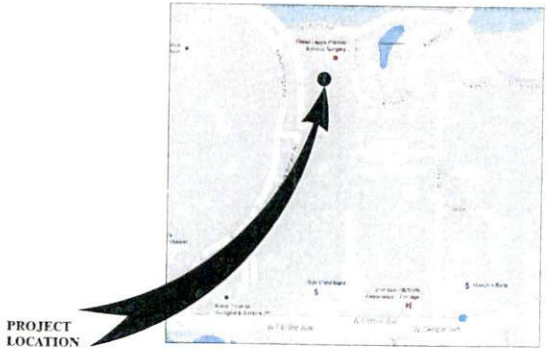
C100	SITE DEMOLITION PLAN
C200	SITE DEVELOPMENT PLAN
C300	SITE GRADING & UTILITIES PLAN
C500	SITE PHOTOMETRIC PLAN
C501	SITE PLAN DETAILS
L100	LANDSCAPING PLAN
L200	IRRIGATION SPECS & DETAILS

SITE SURVEY BY WIGHTMAN & ASSOCIATES



CONSTRUCTION SIGN

NOT TO SCALE



LOCATION MAP

NOT TO SCALE

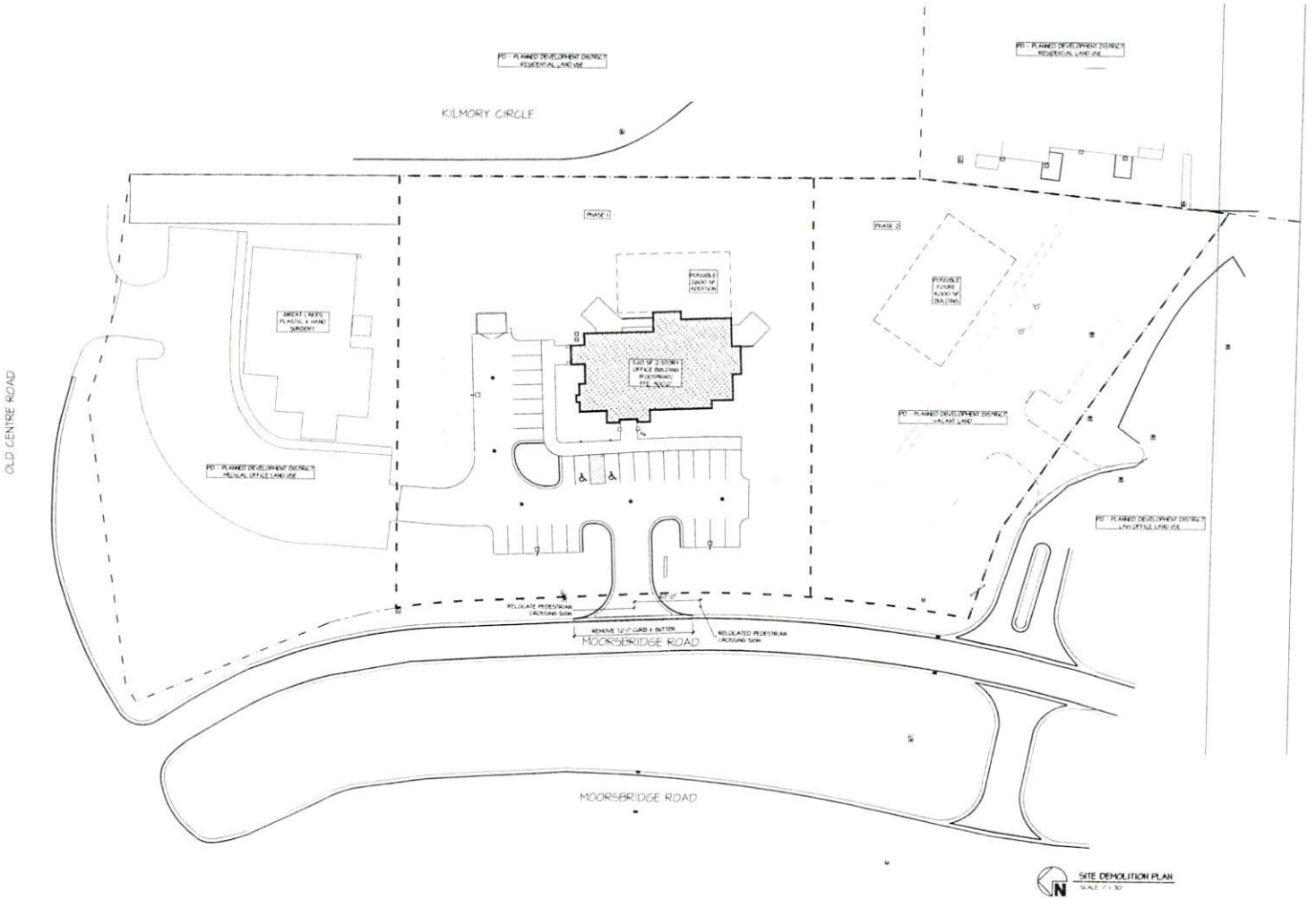
Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN

COVER SHEET

A000



NOTE: MAINTAIN AS MANY TREES AS POSSIBLE. ONLY TREES TO BE REMOVED ARE TREES THAT ARE CONFLICTING WITH LOCATION OF THE NEW PARKING LOT & BUILDING AND TREES THAT ARE DEAD, REGULATE TREES WHENEVER POSSIBLE. FIELD VERIFY FOR ALL BALANCES.

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

ISSUED
2016-1-12 SITE PLAN TO ACC
2016-1-19 SITE PLAN SUBMITTAL
2016-1-19 SITE PLAN TO ACC
2016-2-5 SITE PLAN RE-SUBMITTAL

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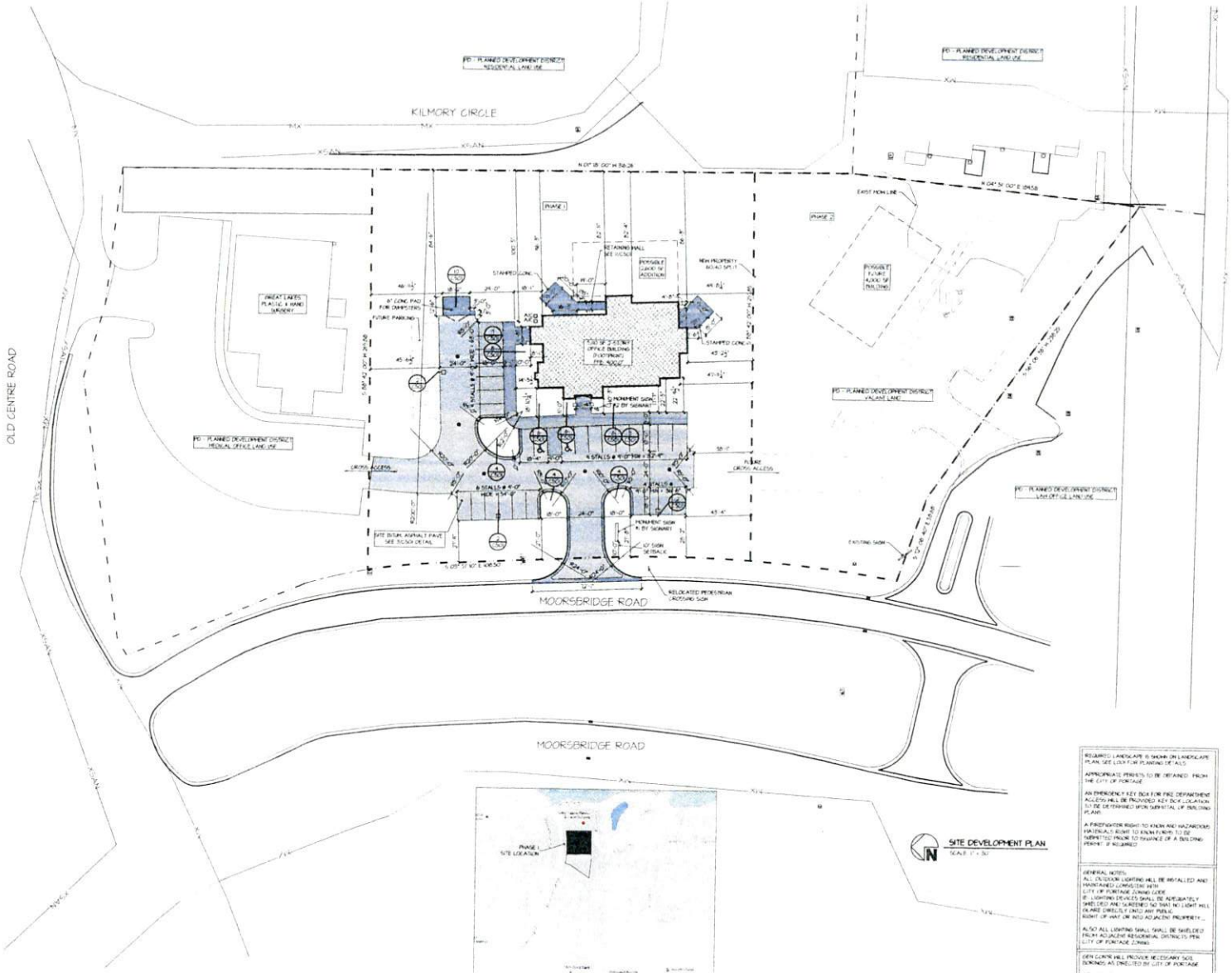
Kalamazoo, Michigan 49009
ph. 269.321.5151
www.boscharch.com

JOB NUMBER
15117

SITE DEMOLITION PLAN

CD001

15117CD001.dwg



SITE DEVELOPMENT PLAN
SCALE 1" = 50'

VICINITY MAP
NOT TO SCALE

REQUIRED LANDSCAPE IS SHOWN ON LANDSCAPE PLAN. SEE L/C501 FOR PLANTING DETAILS.

APPROPRIATE PERMITS TO BE OBTAINED FROM THE CITY OF PORTAGE.

AN EMERGENCY KEY BOX FOR FIRE DEPARTMENT ACCESS WILL BE PROVIDED. KEY BOX LOCATION TO BE DETERMINED UPON SUBMITTAL OF BUILDING PLANS.

A FIREFIGHTER RIGHT TO KNOW AND HAZARDOUS MATERIALS REPORT TO KNOW FORMS TO BE SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT, IF REQUIRED.

GENERAL NOTES:
ALL OUTDOOR LIGHTING WILL BE INSTALLED AND MAINTAINED CONSISTENT WITH CITY OF PORTAGE ZONING CODE.
1) LIGHTING DEVICES SHALL BE ADEQUATELY SHIELDED AND FLAGGED SO THAT NO LIGHT WILL SHINE DIRECTLY ONTO ANY PUBLIC RIGHT OF WAY OR INTO ADJACENT PROPERTY.

ALSO ALL LIGHTING SHALL SHALL BE SHIELDED FROM ADJACENT RESIDENTIAL DISTRICTS PER CITY OF PORTAGE ZONING.

DEN CONTR. WILL PROVIDE NECESSARY SOIL BORINGS AS DIRECTED BY CITY OF PORTAGE.

DEN CONTR. WILL ALSO PROVIDE REQUIRED PERMEABILITY TESTS, WHICH WILL INCLUDE GROUNDWATER INFORMATION.

SITE INFORMATION

1. PARCEL ADDRESS: 7995 MOORSBRIDGE RD PORTAGE, MI 49024
2. OWNER: RAYMOND JAMES 121 S. KALAMAZOO MALL, SUITE 201 KALAMAZOO, MI 49007
3. ARCHITECT: BOSCH ARCHITECTURE 8065 VINEYARD PKWY. KALAMAZOO, MI 49009 (269) 321-5151
4. SURVEY: HIGHTMAN ASSOCIATES
5. ZONING: PD
6. PROPOSED LAND USE: BUSINESS OFFICE
7. TOTAL SITE AREA: 2.5 ACRES

   PARCEL SPLIT AGREED INTO PHASE 1 & 2
   PHASE 1 IS PARCEL TO BE DEVELOPED
   PHASE 1: 1.5 IN SF = 1.15 ACRES
   PHASE 2: 1 ACRE
8. PHASE 1 LAND USE (%): BUILDING: 5,500 SF = 11.0% PARKING: 15,391 SF = 27.6% GREEN: 43,912 SF = 82.4%
9. BUILDING TYPE: 5,500 SF (FOOTPRINT) 2 STORY BUSINESS OFFICE

   1ST FLOOR GROSS OFFICE SPACES: 5,500 SF
   2ND FLOOR GROSS OFFICE/MECHANICAL SPACES: 839 SF
   TOTAL GROSS: 5,940 SF
   APPROX. 50% USABLE SF
   TOTAL USABLE: 4,862 SF
10. MAXIMUM BUILDING HEIGHT: 30' MAXIMUM 27' ACTUAL
11. PARKING REQUIRED: 1 STALL FOR EACH 150 SF OF USABLE FLOOR AREA + 1 FOR EACH 2 EMPLOYEES

    4,862 USABLE SF / 150 SF = 28 STALLS
    28 / 2 EMP.) TOTAL STALLS REQUIRED
    28 / 2 EMP.) TOTAL STALLS PROVIDED
12. LANDSCAPING REQ: PER CITY OF PORTAGE ZONING ORDINANCE
13. SITE LIGHTING: SEE C/501
14. LEGAL DESCRIPTION: SEE SITE SURVEY
15. OCC. CLASSIFICATION: "B" BUSINESS
16. CONSTRUCTION TYPE: VB

GENERAL NOTES (SITE WORK)

1. DEMOLITION

   a. REMOVAL OF EXISTING UTILITIES, STRUCTURES AND SLABS SHALL BE AS SHOWN ON THE CONSTRUCTION DRAWINGS. IF REMOVAL LIMITS ARE NOT SHOWN THEY SHALL BE THE MINIMUM REQUIRED TO COMPLETE THE PROJECT.

   b. DISCONNECTS OF ALL UTILITIES TO BE REMOVED SHALL BE BY THE TRADE INVOLVED OR THE APPROPRIATE UTILITY CO. AS DIRECTED BY THE GENERAL CONTRACTOR.

   c. DISPOSAL OF MATERIAL REMOVED SHALL BE OFF SITE BY THE GENERAL CONTRACTOR.
2. SITE PREPARATION

   a. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PERFORMED BY THE CONTRACTOR IN COMPLIANCE WITH ACT 347.

   b. ORGANIC TOPSOIL SHALL BE STRIPPED FROM THE CONSTRUCTION AREA TO DEPTHS RANGING FROM APPROXIMATELY 6" TO 30" AND STOCKPILED AS DETAILED BY THE O.C. FOR LATER USE.
3. EARTHWORK

   a. CALL MISS DIG AT 1-800-482-7171 BEFORE BEGINNING EXCAVATION.

   b. EXCAVATION SHALL BE LEVEL TO EXACT DEPTHS AND DIMENSIONS INDICATED ON DRAWINGS.

   c. CONSTRUCTION OF FOUNDATIONS AND SLABS ON GRADE WILL BE ON COMPACTED FILL IN MOST AREAS. LAYERED COMPACTION SHALL BE PERFORMED TO A MINIMUM DENSITY OF 95 MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557-91 VALUES AND AS OUTLINED IN THE SPECIFICATIONS.

   d. PLACE A MIN. 6 INCHES OF BANK RUN SAND COMPACTED TO 95% OF MAXIMUM DENSITY UNDER ALL FLOOR SLABS ON GRADE.

   e. SOIL TESTING WILL BE CONTRACTED AND PAID FOR BY THE GENERAL CONTRACTOR.

   f. SITE SHALL BE FINE GRADED BEFORE PLACING TOP SOIL OR GRANULAR BASE MATERIAL.

   g. EXTERIOR SURFACE DRAINAGE SHALL BE AWAY FROM BUILDINGS 5% (2'-0") OUT FROM BLDG.

   h. ALL TOPOGRAPHICAL INFORMATION WAS FURNISHED BY OWNER AND ASSUMED CORRECT. THE CONTRACTOR SHALL VERIFY ALL EXISTING AND NEW GRADES PRIOR TO COMMENCEMENT OF ANY WORK. THIS OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY MISSING OR ERRONEOUS INFORMATION.

72 HOURS BEFORE YOU DIG CALL MISS DIG

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

CODES
2016-1-12 SITE PLAN TO AEC
2016-1-19 SITE PLAN SUBMITTAL
2016-1-19 SITE PLAN TO AEC
2016-2-5 SITE PLAN RE-SUBMITTAL

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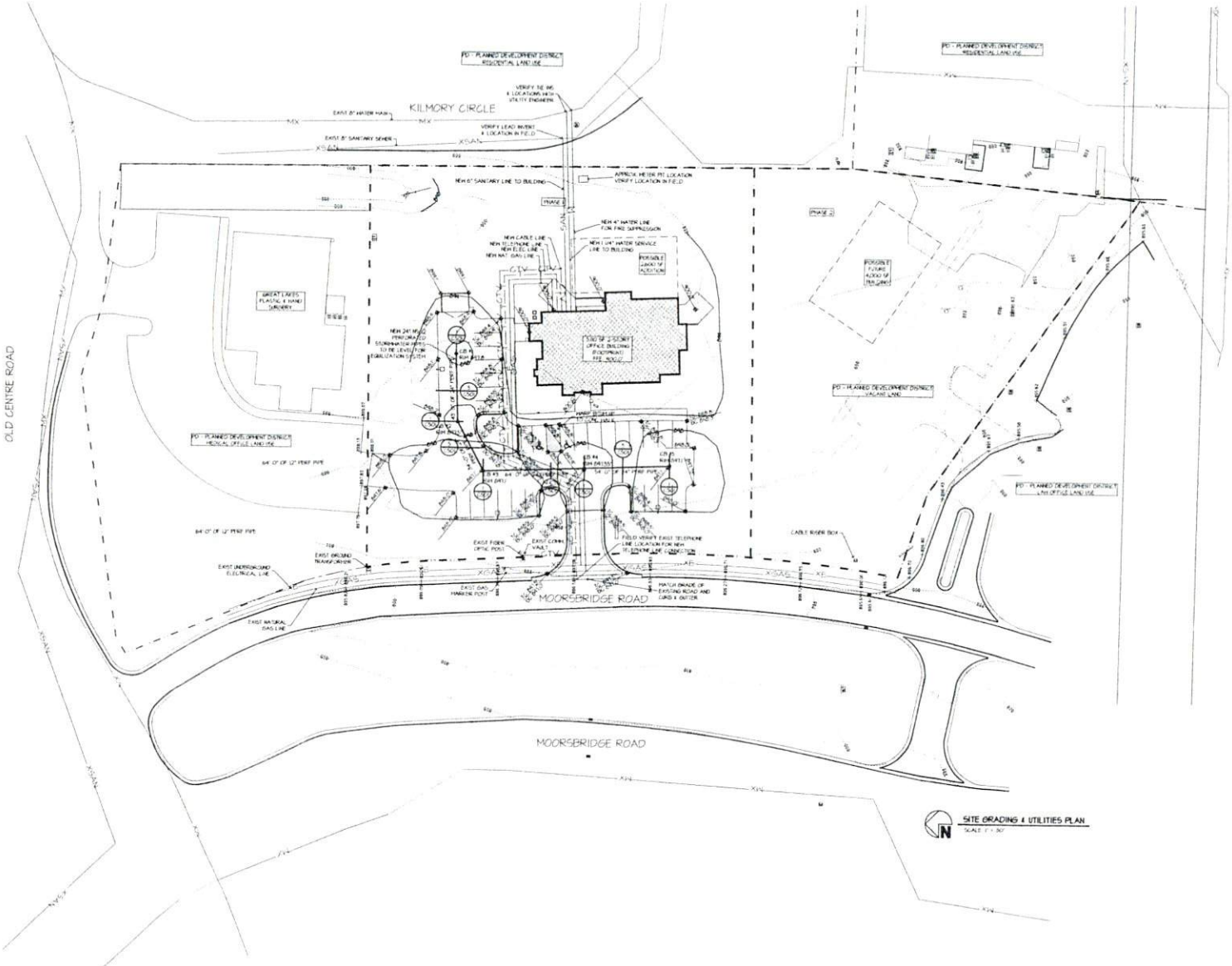
Kalamazoo, Michigan 49009
ph 269.321.6151
www.boscharch.com

REGISTERED ARCHITECT
JEFFREY A. BOSCH
No. 18047

SITE PLAN

C001

15117C001.dwg



STORM WATER DESIGN

1. SITE RISK ZONE DESIGNATION - COMMON STORAGE
2. BUILDING RISK DESIGNATION - "LOW RISK"
3. SITE SIZE - LESS THAN 5 ACRES
4. STORM WATER STRATEGY - GROUND WATER DISCHARGE "INFILTRATION"
5. SITE DATA

   SITE AREA 65,340 SQ FT
   BUILDING - 5,25 SQ FT
   IMPERVIOUS 17,391 SQ FT

USE 3.50" RAINFALL OVER ALL IMPERVIOUS SURFACES.

THE BUILDING WILL BE NATURALLY PERCOLATED WITH PERIMETER STONE TRENCH. THUS, THE BUILDING WILL NOT BE INCLUDED IN STORMWATER CALCULATIONS.

TOTAL AREA TO BE DRAINED = 17,391 SF

(8,962 SF * 0.90) * (3.50/12) = 4,076 CF STORAGE

DRAINAGE TO FOUR NEW BASINS

5 BASINS @ 511 CF/BASIN	=	2,555 CF
165 FT OF 2' PIPE IN 5' TRENCH	=	1,600 CF
TOTAL STORAGE ON SITE	=	4,155 CF

B - MANAGEMENT PRACTICE - INFILTRATION THROUGH PERFORATED CATCH BASINS AND PIPES.

C - SITE EVALUATION - INFILTRATION RATE = 1.04 INCHES PER HOUR.

A FIRE SUPPRESSION SYSTEM WITH A FIRE ALARM PROVIDING OCCUPANT NOTIFICATION WILL BE INSTALLED IN THE BUILDING. BOTH OF THESE FIRE SAFETY FEATURES ARE TO BE INSTALLED THAT THE CURRENT MONITORS SHALL BE ACCEPTED BY THE CITY OF PORTAGE FIRE DEPARTMENT AS COMPLIANT.

ALL UTILITY LINES TO BE INSTALLED PER CITY OF PORTAGE SPECIFICATIONS.

PROVIDE SILT FENCE & SNOW FENCE AROUND ENTIRE SITE DURING CONSTRUCTION. SEE SHEET C002 FOR APPROXIMATE FENCE PLACEMENT DURING CONSTRUCTION. SEE C501 FOR SILT FENCE DETAIL. VERIFY EXACT LOCATION OF FENCE IN FIELD.

THE PROPERTY WILL BE IRRIGATED SO THERE WILL BE A SECOND METER TO AVOID WATER USED FOR IRRIGATION PURPOSES BEING BILLED TO THE CITY WATER. SEE C002 FOR IRRIGATION DETAILS.

CATCH BASIN INFORMATION

CB #1
RIM 845.8
INVERT WEST 842.0

CB #2
RIM 845.5
INVERT EAST 842.0
INVERT SW 842.0

CB #3
RIM 845.1
INVERT NW 842.0
INVERT SOUTH 842.0

CB #4
RIM 845.55
INVERT NORTH 842.0
INVERT SOUTH 842.0

CB #5
RIM 845.1
INVERT NORTH 842.0

NOTE: THIS STORM WATER MANAGEMENT SYSTEM WAS DESIGNED TO BE AN EQUALIZATION SYSTEM. HENCE ALL PIPE INVERTS ARE SET AT THE SAME ELEVATION IN ORDER TO ALLOW FOR A ON SLOPE ON THE PERFORATED STORM PIPES.

ALL STORM PIPES TO BE 24" DIA. MS (2 PERFORATED PIPES.

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

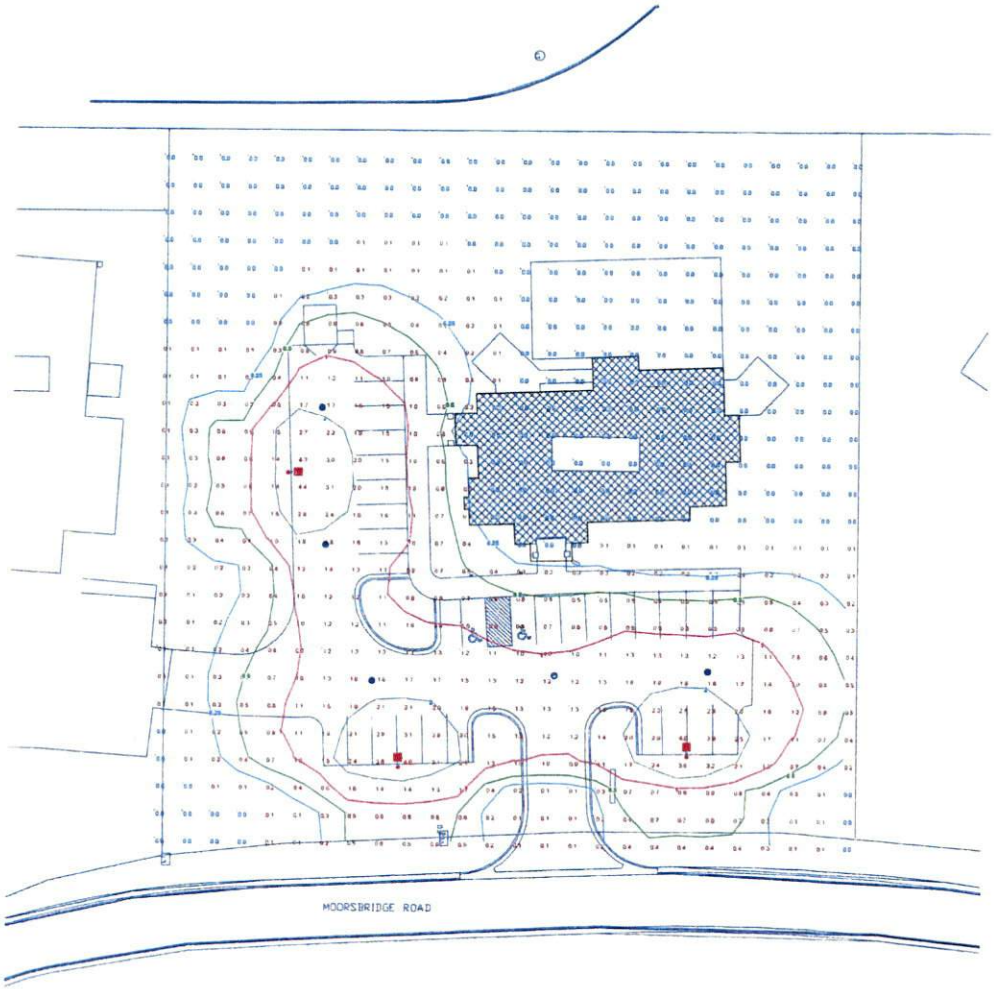
ISSUED
23-6-1-17 SITE PLAN TO ACC
23-6-1-18 SITE PLAN SUBMITAL
23-6-1-18 SITE PLAN TO ACC
23-6-2-5 SITE PLAN RE-SUBMITAL

bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8383 Westnedge Parkway
Kalamazoo, Michigan 49009
ph. 269-324-6181
www.bosch.com

SITE GRADING & UTILITIES PLAN

C002

151176002.dwg



SITE PHOTOMETRIC PLAN
SCALE: 1" = 20'

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	3	DSX1 LED 40C 1000 40K T4M MVOLT	DSX1 LED WITH (2-2) LED LIGHT ENGINES TYPE T4M OPTIC, 4000K @ 1250mA	LED	DSX1_LED_40 C_1000_40K_T 4M_MVOLT.ies	Absolute	1.00	138

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

ISSUED
2016-1-19 SITE PLAN SUBMITAL
2016-1-19 SITE PLAN TO ACC
2016-2-5 SITE PLAN RE-SUBMITAL

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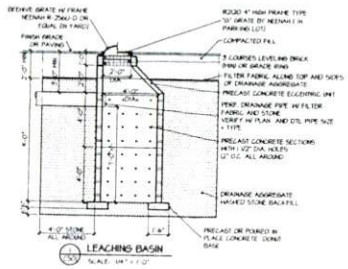
bosch
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
8065 Vineyard Parkway
Kalamazoo, Michigan 49009
ph 269.321.5151
www.bosch-arch.com

JOB NUMBER
15117

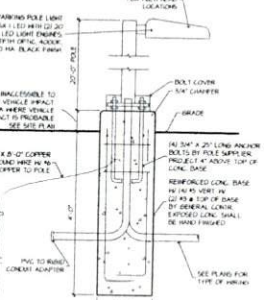
SITE PHOTOMETRIC PLAN

C003

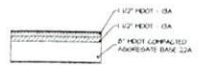
15117-C003.dwg



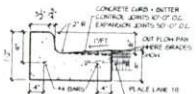
LEACHING BASIN



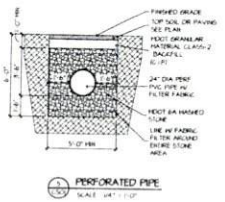
POLE BASE DETAIL AT GRADE



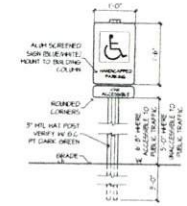
SITE BITUMINOUS ASPHALT PAVING



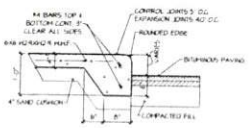
MDOT TYPE F CONC. CURB/GUTTER



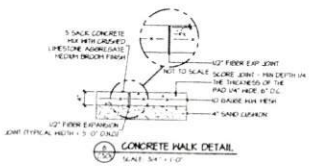
PERFORATED PIPE



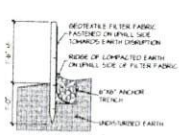
TYPICAL B.F. PARKING SIGN



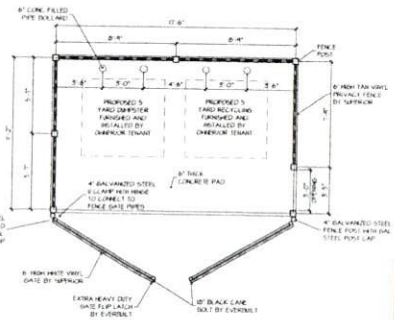
THICKENED EDGE CONCRETE WALK



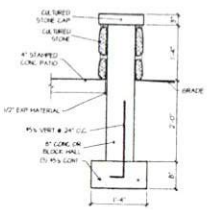
CONCRETE WALK DETAIL



SILT FENCE



DUMPSTER ENCLOSURE



SITE RETAINING WALL DETAIL

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

ISSUED
2016-1-12 SITE PLAN TO ACC
2016-1-18 SITE PLAN SUBMITTAL
2016-1-18 SITE PLAN TO ACC
2016-2-5 SITE PLAN RE-SUBMITTAL

bosch
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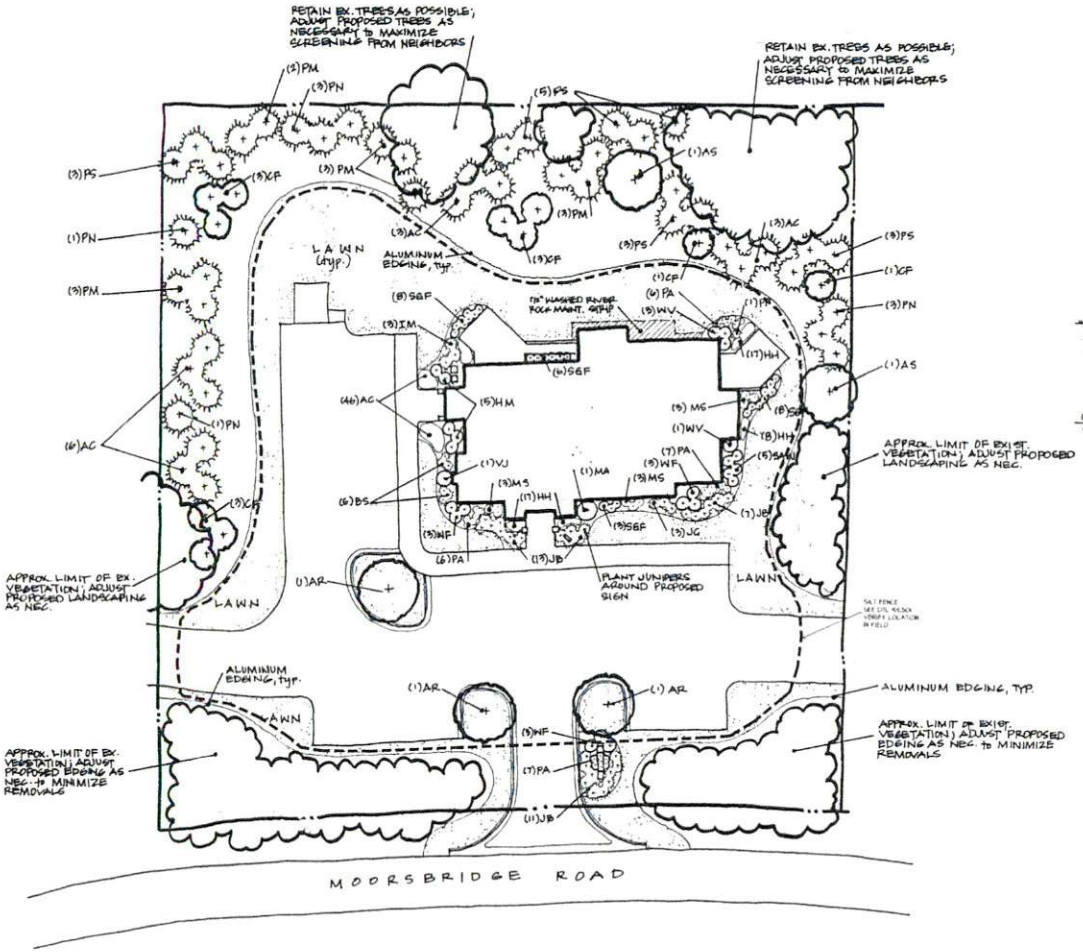
INTERIOR DESIGN
8065 Sprinkle Parkway
Kalamazoo, Michigan 49009
ph. 269-321-5151
www.boschinc.com
JOB NUMBER
15117

SITE PLAN DETAILS

C501

15117C501.dwg



LANDSCAPING PLAN
SCALE: 1" = 20'

TYPICAL PLANT SCHEDULE (NOT ALL PLANTS TO BE USED FIELD VERIFY)

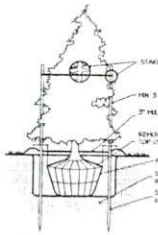
Symbol	Common Name	Botanical Name	Size
Shade Trees			
AS	[illegible]	[illegible]	2.5" CAL
AR	[illegible]	[illegible]	2.5" CAL
Evergreen Trees			
PN	[illegible]	[illegible]	6' Ht
PM	[illegible]	[illegible]	6' Ht
PS	[illegible]	[illegible]	6' Ht
CF	[illegible]	[illegible]	6' Ht
Ornamental Trees			
AC	Flowering Dogwood	Cornus florida	2.5" CAL
CP	Eastern Redbud	Cercis canadensis	2.5" CAL
Deciduous Shrubs			
BS	Boxwood	Buxus sempervirens 'Green Mountain'	5 gallon
IM	Blue Holly	Ilex meserveae 'Blue Prince'	5 gallon
MS	Mock Orange	Philadelphus coronarius	5 gallon
WF	Winterberry Holly	Ilex verticillata 'Winter Red'	5 gallon
WV	Wild Rose	Rosa rugosa 'Alba'	5 gallon
Evergreen Shrubs			
JB	Dwarf Chinese Juniper	Juniperus chinensis 'Sargentii'	5 gallon
JG	Grey Pearl Juniper	Juniperus chinensis 'Pfitzerana'	5 gallon
JP	Pfitzer Juniper	Juniperus chinensis 'Pfitzerana Aurea'	5 gallon
SGF	Green Mountain Boxwood	Buxus sempervirens 'Green Mountain'	5 gallon
SGP	Green Velvet Boxwood	Buxus sp. 'Green Velvet'	5 gallon
Perennials/Ground Cover			
HH	Stella d'Oro Daylily	Hemerocallis 'Stella d'Oro'	1 gallon
HM	Hosta Patriot	Hosta fortunei 'Patriot'	1 gallon
MA	Maiden Grass	Miscanthus sinensis 'Gracillimus'	1 gallon
MG	Mondo Grass	Ophiopogon japonicus	1 gallon
PA	Purple Angel Grass	Pennisetum alopecuroides 'Hameln'	1 gallon
VJ	Virginia Creeper	Parthenocissus quinquefolia	1 gallon

REQUIRED LANDSCAPING:

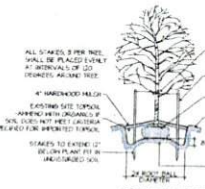
LANDSCAPING REQUIREMENTS PER CITY OF PORTAGE ORDINANCE

NOTES:

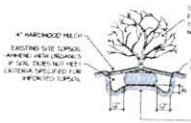
1. ALL LANDSCAPING TO BE INSTALLED BY A QUALIFIED LANDSCAPE CONTRACTOR.
2. ALL PLANTING, INCLUDING TREES IN LAWN AREAS, SHALL BE MULCHED WITH 3" SHREDDED HARDWOOD MULCH.
3. 1 YEAR WARRANTY ON LAWN AND PLANTS/TREES.
4. PLANTING AREAS SHALL BE EDGED WITH ALUMINUM EDGING UNLESS OTHERWISE NOTED. 4" ALUMINUM EDGING AT ALL SEPARATIONS BETWEEN PLANTING BEDS AND LAWN; USE 3 STAKES PER 16' SECTION. INCLUDING AREAS THAT ABUT THE PROPERTY LINE.
5. EXISTING SITE TOPSOIL AMEND WITH ORGANICS FOR STANDARD PLANTING MIX.
6. LAWN AREAS AROUND THE BUILDING SHALL RECEIVE SOD AND LAWN AREAS IN THE OUTER AREAS SHALL RECEIVE 4" OF TOPSOIL AND HYDROSEEDED. CHECK WITH SPECIFICATIONS FOR TOPSOIL AVAILABILITY OR CONTACT PROJECT MANAGER.
7. ALL LAWN AND SHRUB AREAS SHALL BE IRRIGATED. IRRIGATION SYSTEM SHOULD BE DESIGNED AND INSTALLED BY THE LANDSCAPE CONTRACTOR. SHRUB AREAS SHALL HAVE DRIP IRRIGATION. TIE TO PLUMBER SUPPLIED WATER METER IN THE BUILDING SEE SPECS.
8. PLANT MATERIALS SHALL BE CHOSEN AND INSTALLED IN ACCORDANCE WITH STANDARDS RECOMMENDED BY THE AMERICAN NURSERY ASSOCIATION.



CONIFER TREE PLANTING DETAIL
NOT TO SCALE



DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE

Raymond James Woodbridge
7995 Moorsbridge Road
Portage, Michigan 49024

ISSUED
2016-1-19 SITE PLAN SUBMITTAL
2016-1-19 SITE PLAN TO ACC
2016-2-3 SITE PLAN RE-SUBMITTAL

This drawing, as an instrument of service is owned by bosch Architecture Engineering Interior Design and is not to be used on any other project without the specific written consent of bosch Architecture Engineering Interior Design.

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8081 Vineyard Parkway
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JOB NUMBER
15117

LANDSCAPING PLAN

L001

15117L001.dwg

Provide a complete site lawn and planting bed irrigation system consisting of valves, water lines, sprinkler heads, drip tubing, and controller to adequately cover all lawn and plant beds.
Plant beds to be 'in-line' drip irrigation tubing, valved separately from the lawn zones.
Controller to be installed in mechanical room, with outlet supplied by electrician.
Tie system into 1" backflow prevention device supplied and installed by plumber.
Poly pipe MAY be substituted for PVC pipe specified in details.
Sleeves not in irrigation contract, sleeves installed by Elect contractor. Irrigation to be installed from back of curb to back of curb around entire site including right of way areas.

ELECTROMECHANICAL CONTROLLERS

ESP Modular: ESP-4M, ESP-4MI
The controller shall be of a hybrid type that combines electro-mechanical and microelectronic circuitry capable of fully automatic or manual operation. The controller shall be housed in a wall-mountable, weather resistant plastic cabinet with a key locking cabinet door (outdoor models only) suitable for either indoor or outdoor installation.

The controller shall have a base unit with 4 stations as well as three expansion slots capable of receiving station modules of three stations each to create a controller of up to 13 stations. Station 13 shall be called an "auxiliary station" and shall have the capability of bypassing an active rain sensor or of functioning as a normal station output. Station timing shall be from 0 minutes to 6 hours. Run time resolution shall be in 1-minute increments from 0 to 59 minutes and 10 minutes from 1 to 6 hours. The LCD shall display "No Run Times" or equivalent icon for 230 VAC models if no run time has been entered for any station in any program.

The controller shall have three separate and independent programs which can have different start times, station timing and watering days. Each program shall have up to 4 start times available. The controller shall stack multiple start times in sequence to prevent hydraulic overload. The LCD shall display "No Start Times" or the equivalent icon for 230VAC models if no start time has been entered for any program. The controller shall be capable of operating two 24 VAC solenoid valves per station plus a master valve or remote pump start relay. The controller shall operate on 120 VAC ± 20% at 60Hz (230VAC ± 20% at 50Hz for international models). The controller shall have an electronic, diagnostic circuit breaker that shall sense a station with an electrical overload or short circuit and shall bypass that station and continue operating all other stations.

The controller shall have a 365-day calendar with a permanent day off feature that allows a day(s) of the week to be turned OFF on any cycle (odd/even/1-31day cycle). A day set to "Permanent Off" shall override the normal repeating schedule and shall display the words "Day Always Off/Day Off" in the LCD screen.
The controller shall have a seasonal adjust feature adjustable from 0% to 200% in increments of 10%. Seasonal adjust shall effect all programs simultaneously. If seasonal adjust is set to 0% the LCD shall display "SEASONAL ADJ" (equivalent icon for 230 VAC models).

The controller shall have a 12-hour AM/PM or 24 hour military (for 230VAC models) clock with a midnight day change over. The controller shall have a sensor circuit for connection to a rain sensor or to an underground moisture sensor system that will interrupt a scheduled watering under "wet" or "moist" conditions. The controller shall have an indicator on the LCD screen and one LED light to indicate that a sensor is connected and active and that watering has been temporarily disabled.

The controller shall have access to a variety of "hidden features" by turning the dial to a specific location on the dial and pushing the ON OFF buttons simultaneously. These features shall include: 1) save a custom default program 2) retrieve a custom default program 3) bypass an active rain sensor on the Auxiliary Station 4) allow the Auxiliary Station to be interrupted by an active rain sensor 5) Clear memory 6) Set a day as "Permanently Off" 7)Set master valve/pump start circuit by station 8) Set programmable delay between station.

The controller shall have the following manual operations and manual advances for semiautomatic control:

1. Run a single valve
2. Run multiple manually stacked valves
3. Run a semi-automatic program
4. Run a test on all valves (all stations with any time assigned regardless of the program) from 1 to 10 minutes

The controller shall have a removable, battery programmable front panel (uses a 9 volt battery (not included)) for conveniently programming the controller away from the installation site or for teaching irrigation scheduling.

The controller shall have the capacity for the program to be erased allowing the user to start programming with a blank controller. The controller shall have multiple knockouts, sizes and locations, including the back of the cabinet, to facilitate installation and provide a clean professional look. The controller shall
have a factory default program that runs 10 minutes every day beginning 8 hours after power resumption.

The controller shall have a reset button to reset the controller in the case of micro-controller "lock-up" due to power surges or frequent interruption to the power supply.

The controller shall be as manufactured by Rain Bird Corporation, Azusa, California.

5000 Plus Series Full and Reversing Full/Part Circle Sprinkler Specifications

The full and/or part circle sprinkler shall be a single stream, water lubricated, gear drive type. The sprinkler shall have a flow shut-off device that is integrated into the flow path of the rotor as well as adjustable arc coverage of 40 to 360 degrees. Arc adjustment can be performed with or without the sprinkler in operation and shall require only a flat blade screwdriver.

The sprinkler shall have a smoothed flow path entrance to enhance the flow characteristics of the rotor. In addition, the sprinkler shall feature a flow path to nozzle bore transition radius to minimize pressure loss and assure peak nozzle radius is achieved.

The sprinkler shall have a pressure activated multi function wiper seal that positively seals against the pop up stem to keep debris out of the rotor and to clean debris from the pop-up stem as it retracts. This wiper seal shall prevent sprinkler from sticking up, and be capable of sealing the sprinkler cap to sprinkler body under normal operating pressures.

The sprinkler shall have a screen installed in the pop-up stem to filter inlet water, protect the drive from clogging and simplify its removal for cleaning and flushing of the system. It shall have a 3/4" (FNPT) bottom inlet.

The sprinkler shall have a standard green rubber cover and a strong stainless steel retract spring for positive pop down. Pop-up height as measured from the top of the cap at normal installation to the middle of the nozzle orifice shall be 4".

The sprinkler shall have 12 interchangeable nozzles: 8 Rain Curtain nozzles for superior coverage and 4 Low Angle nozzles for reduced radius of throw and superior wind resistance with all nozzles containing Micro-Ramps for superior close-in watering. The angle of trajectory shall be 25 degrees for the Rain Curtain nozzles and 10 degrees for the low angle nozzles. The sprinkler shall come with a stainless steel adjusting screw capable of reducing the radius up to 25%.

The sprinkler shall be as manufactured by Rain Bird Corporation, Azusa, California.

SPRAY HEADS

1802, 1803, 1804, 1806, and 1812 Pop-up Full or Part Circle Spray Sprinkler

The sprinkler body, stem, nozzle, and screen shall be constructed of heavy-duty ultra-violet resistant plastic. It shall have a heavy-duty stainless steel retract spring for positive pop down and a ratcheting system for easy alignment of the pattern. The sprinkler shall have a soft elastomer pressure activated co-molded wiper seal for cleaning debris from the pop-up stem as it retracts into the case to prevent the sprinkler from sticking up and to minimize "flow by".

The sprinkler shall have a matched precipitation rate (MPR) plastic or brass nozzle with an adjusting screw capable of regulating the radius and flow. The sprinkler shall be capable of having protective, non clogging filter screens or pressure compensating screens (PCS) under the nozzles. The screen shall be used in conjunction with the adjusting screw for regulating. The 6" (15 cm) and 12" (30 cm) models shall have both a side and bottom 1/2" (15/21) Female National Pipe Thread inlet (FNPT) for ease of installation.

The sprinkler shall have a Pop-Top (TM) Flush Plug pre-installed. The plug shall prevent debris from clogging the sprinkler during installation and allow for system to be flushed before nozzling. The plug shall be bright orange in color and constructed of polypropylene material.

The sprinkler shall be as manufactured by Rain Bird Corporation, Azusa, California.

ELECTRIC REMOTE CONTROL VALVES

100-PGA 150-PGA 200-PGA Electric Remote Control Plastic Globe/Angle Valve
With Optional PRS-D Pressure Regulating Feature

The electric remote control valve shall be a normally closed 24 VAC 50/60 Hz (cycles/second) solenoid actuated globe/angle pattern design.

The valve pressure rating shall not be less than 150 PSI (10.35) Bars.

The valve body and bonnet shall be constructed of high impact, weather resistant PVC with stainless steel screws.

The valve shall have manual open/close control (internal bleed) for manually opening and closing the valve without electrically energizing the solenoid. The valve's internal bleed shall prevent flooding of the valve box.

The valve shall have a fully-encapsulated, one-piece solenoid. The solenoid shall have a captured plunger with a removable retainer for easy servicing and a leverage handle for easy turning. The 24 VAC 50/60 Hz solenoid shall open with 19.6 VAC minimum at 150 psi (10.35 bar). At 24 VAC, average inrush current shall not exceed 0.41 amps. Average holding current shall not exceed 0.28 amps.

The valve shall have a flow control stem for accurate manual regulation and/or shut off of outlet flow. The valve must open or close in less than 1 minute at 150 PSI (10.35 bar) and less than 30 seconds at 20 PSI (1.38 bar).

The valve construction shall provide for all internal parts to be removable from the top of the valve without disturbing the valve installation. The body shall have a removable O-ringed plug for installation in either globe or angle configuration.

The valve shall be as manufactured by Rain Bird Corporation, Azusa, California.

DRIP IRRIGATION COMPONENTS

A. Rain Bird Control Zone Kits
   1. General information
      a. Provide control zone kits manufactured by Rain Bird as indicated on construction drawings.
      b. Control zone kit assemblies for dripline irrigation zones must include control valve, filtration, and pressure regulation components sized to meet the hydraulic demands and flow requirements of the zones that they service.
   2. Rain Bird Low Flow Control Zone Kit for dripline zones with flows from 0.2 to 5.0 GPM (0.8 to 18.9 lpm), including low flow valve (LFV) and pressure regulating filter (PRF).
      a. Available model numbers:
         1) XCZ-075-PRF [¾" (19 mm) Low Flow valve and ¾" (19 mm) PR filter]
         2) XCZ-LF-100-PRF [1" (25 mm) Low Flow valve and ¾" (19 mm) PR filter]
         3) XACZ-075-PRF [¾" (19 mm) Low Flow Anti-siphon valve and ¾" (19 mm) PR filter]
      b. Low Flow Valve (LFV) component specifications include:
         1) Valve body and bonnet constructed of high impact, weather-resistant plastic, stainless steel and other chemical/UV resistant materials.
         2) Diaphragm with a double-knife seal, constructed of durable Buna-N rubber with a clog-resistant metering orifice.
         3) Energy-efficient, low-power encapsulated solenoid with captured plunger and 90 mesh (200 micron) solenoid filter.
         4) External bleed for manual system flushing during start-up, internal bleed for manual zone activation during maintenance operations.
         5) Inlet pressure rating: 20 to 120 PSI (1.4 to 8.3 bar).
         6) Female threaded inlet and outlet connections.
         7) Anti-siphon valve configuration includes listed features and incorporates atmospheric vacuum breaker with I.A.P.M.O and A.S.S.E. listing approval.
      c. Pressure Regulating Filter (PRF) combines filtration and pressure regulation in one integrated unit for protection of downstream components of drip irrigation system. PRF component specifications include:
         1) Compact "Y" filter body and cap configuration constructed of glass filled, UV-resistant polypropylene, with 120 PSI (8.3 bar) operating pressure rating. Maximum dimensions of filter body: Height: 4 1/2" (11.4 cm); Length: 5 1/2" (14 cm); Width: 2" (5.1 cm).
         2) Standard 200 mesh (75 micron) filter screen constructed of durable polyester fabric attached to propylene frame. Screen is serviceable for cleaning purposes by unscrewing cap from filter body and removing filter element.
         3) Normally-open pressure regulating device with preset outlet pressure of approximately 30 PSI (2.1 bar). Pressure regulating device allows full flow with minimal pressure loss unless inlet pressure is greater than preset level. As inlet pressure increases above preset level, internal spring compresses to reduce downstream pressure.
         4) Male threaded ¾" (19 mm) inlet and outlet connections.

(or)

   3. Rain Bird Medium Flow Control Zone Kit for dripline zones with flows from 3.0 to 15.0 GPM (11.4 to 56.8 lpm) including Rain Bird DV or ASVF valve and pressure regulating filter (PRF).
      a. Available model numbers:
         1) XCZ-100-PRF [1" (25 mm) DV valve and 1" (25 mm) PR filter]
         2) XACZ-100-PRF [1" (25 mm) Anti-siphon Valve and 1" (25 mm) PR Filter]
      b. DV Valve component specifications include:
         1) Valve body and bonnet constructed of high impact, weather-resistant plastic, stainless steel and other chemical/UV resistant materials.
         2) Diaphragm with a double knife seal, constructed of durable Buna-N rubber with a clog resistant metering orifice.
         3) Energy-efficient, low power encapsulated solenoid with captured plunger and 90 mesh (200 micron) solenoid filter.
         4) External bleed for manual system flushing during start-up, internal bleed for manual zone activation during maintenance operations.
         5) Inlet pressure rating: 20 to 120 PSI (1.4 to 8.3 bar).
         6) Female threaded inlet and outlet connections.
         7) Anti-siphon valve configuration includes listed features and incorporates atmospheric vacuum breaker with I.A.P.M.O and A.S.S.E. listing approval.
      c. Pressure Regulating Filter (PRF) combines filtration and pressure regulation in one integrated unit for protection of downstream components of drip irrigation system. PRF component specifications include:
         1) Compact "Y" filter body and cap configuration constructed of glass-filled, UV-resistant polypropylene, with 120 PSI (8.3 bar) operating pressure rating. Maximum dimensions of filter body: Height: 4 1/2" (11.4 cm); Length: 5 1/2" (14 cm); Width: 2" (5.1 cm).
         2) Standard 200 mesh (75 micron) filter screen constructed of durable polyester fabric attached to propylene frame. Screen is serviceable for cleaning purposes by unscrewing cap from filter body and removing filter element.
         3) Normally-open pressure regulating device with preset outlet pressure of approximately 40 PSI (2.8 bar). Pressure regulating device allows full flow with minimal pressure loss unless inlet pressure is greater than preset level. As inlet pressure increases above preset level, internal spring compresses to reduce downstream pressure.
         4) Male threaded 1" (25 mm) inlet and outlet connections.

(or)

   4. Rain Bird Medium Flow Commercial Control Zone Kit for dripline zones with flows from 3.0 to 20.0 GPM (11.4 to 75.7 lpm), including PVC ball valve, Rain Bird PESB valve, and Rain Bird pressure regulating quick-check basket filter.
      a. Available model numbers:
         1) XCZ-100-B-COM [1" (25 mm) PVC ball valve, 1" (25 mm) Rain Bird PESB valve, and 1" (25 mm) PRB-QKCHK pressure regulating basket filter]
      b. PESB valve assembly component specifications include:
         1) 1" (25 mm) PVC full-port ball valve with female threaded inlet and outlet connections.
         2) PESB valve body and bonnet constructed of durable glass filled nylon, stainless steel and other chemical/UV resistant materials.
         3) Diaphragm constructed of a durable Buna-N rubber material reinforced with nylon.
         4) One piece solenoid with captured plunger and 90 mesh (200 micron) solenoid filter.
         5) External bleed for manual system flushing during start-up, internal bleed for manual zone activation during maintenance operations.
         6) Inlet pressure rating: 20 to 200 PSI (1.4 to 13.8 bar).
         7) Female threaded inlet and outlet connections.
      c. Pressure Regulating Quick Check Basket Filter combines filtration and pressure regulation in one integrated unit for protection of downstream components of drip irrigation system. Pressure regulating basket filter component specifications include:
         1) Basket style body and jar-top cap constructed of heavy-duty glass-filled UV resistant polypropylene, with 150 PSI (10.3 bar) operating pressure rating. Maximum dimensions of filter body: Height: 6 1/2" (16.5 cm); Length 6 1/2" (16.5 cm); Width: 3 1/2" (8.9 cm).
         2) Indicator incorporated into filter cap that changes color from green to red during operation when the filter element requires cleaning.
         3) Standard 200 mesh (75 micron) filter screen constructed of stainless steel attached to propylene frame. Screen is serviceable for cleaning purposes by unscrewing cap from filter body and removing filter element.
         4) Normally-open in-line pressure regulating device, constructed of durable, UV resistant non-corrosive material able to accommodate an inlet pressure rating of not less than 150 PSI (10.3 bar), with preset outlet pressure of approximately 40 PSI (2.8 bar). Pressure regulating device allows full flow with minimal pressure loss unless inlet pressure is greater than preset level. As inlet pressure increases above preset level, internal spring compresses to reduce downstream pressure.
         5) Male threaded 1" (25 mm) inlet and outlet connections.

B. Rain Bird XF Series Dripline Components
   1. General information
      a. Provide flexible dual-layered pressure-compensating inline XF Series Dripline manufactured by Rain Bird, with emitter spacing and dripline row spacing as indicated on construction drawings.
b. Provide insert or compression fittings manufactured by Rain Bird that are compatible with inline emitter tubing as indicated on construction drawings.
   2. Rain Bird XFD On-Surface Dripline with pressure-compensating inline emitters.
a. Available Rain Bird XFD On-Surface Dripline model numbers for POTABLE water systems, brown colored dripline tubing with emitter flow rates and spacing as shown:
      1) Rain Bird XFD-06-12: 0.6 GPH (2.3 lph) emitters spaced 12" (30.5 cm) on-center
      2) Rain Bird XFD-06-18: 0.6 GPH (2.3 lph) emitters spaced 18" (45.7 cm) on-center
      3) Rain Bird XFD-06-24: 0.6 GPH (2.3 lph) emitters spaced 24" (61 cm) on-center
      4) Rain Bird XFD-09-12: 0.9 GPH (3.4 lph) emitters spaced 12" (30.5 cm) on-center
      5) Rain Bird XFD-09-18: 0.9 GPH (3.4 lph) emitters spaced 18" (45.7 cm) on-center
      6) Rain Bird XFD-09-24: 0.9 GPH (3.4 lph) emitters spaced 24" (61 cm) on-center
b. Available Rain Bird XFDP On-Surface Dripline model numbers for NON-POTABLE water systems, purple colored dripline tubing with emitter flow rates and spacing as shown:
      1) Rain Bird XFDP-06-12: 0.6 GPH (2.3 lph) emitters spaced 12" (30.5 cm) on-center
      2) Rain Bird XFDP-06-18: 0.6 GPH (2.3 lph) emitters spaced 18" (45.7 cm) on-center
      3) Rain Bird XFDP-06-24: 0.6 GPH (2.3 lph) emitters spaced 24" (61 cm) on-center
      4) Rain Bird XFDP-09-12: 0.9 GPH (3.4 lph) emitters spaced 12" (30.5 cm) on-center
      5) Rain Bird XFDP-09-18: 0.9 GPH (3.4 lph) emitters spaced 18" (45.7 cm) on-center
      6) Rain Bird XFDP-09-24: 0.9 GPH (3.4 lph) emitters spaced 24" (61 cm) on-center
   c. Dripline tubing material specifications and features include:
      1) XFD tubing, brown in color, conforming to an outside diameter (O.D.) of 0.634 inches (16 mm) and an inside diameter (I.D.) of 0.536 inches (13.6 mm) and wall thickness of 0.049 inches (1.2 mm).
      2) XFDP tubing, purple in color, conforming to an outside diameter (O.D.) of 0.634 inches (16 mm) and an inside diameter (I.D.) of 0.536 inches (13.6 mm) and wall thickness of 0.049 inches (1.2 mm).
      3) Factory installed, pressure-compensating, inline emitters welded to the inner circumference of the polyethylene tubing at spacing specified by model number.
      4) Inline emitters designed to pressure compensate by lengthening the emitter's turbulent flow path (Rain Bird patent pending).
      5) Consistent flow rate from each installed inline emitter when emitter inlet pressure is supplied between recommended operating range of 8.5 to 60 PSI (0.7 to 4.1 bar).
      6) Required filtration for XF Series dripline tubing and emitters is 120 mesh (125 micron).

PART 3 - EXECUTION

3.01 INSPECTIONS AND REVIEWS

A. Pre-construction Site Inspection
   1. Verify construction site conditions and note irregularities affecting work of this section. Report irregularities in writing to Owner's Representative prior to beginning work. Commencement of work implies acceptance of existing site conditions.
B. Utility Locates ("Call Before You Dig")
   1. Arrange and coordinate Utility Locates with local authorities prior to construction.
   2. Repair underground utilities that are damaged during construction. Make repairs at no additional cost to contract price.

3.02DRIPLINE LAYOUT OF WORK

A. Stake out dripline irrigation system. Items staked include manifold/header pipe and tubing, sleeves, control zone assemblies, flush valves, air relief valves and check valves.
B. Dripline Irrigation System Layout Review: Dripline irrigation system layout review will occur after staking has been completed. Notify Owner's Representative one week in advance of review. Modifications will be identified by Owner's Representative at this review.

3.03DRIPLINE EXCAVATION, TRENCHING, AND BACKFILL

A. Excavate and install pipes at minimum cover indicated in drawings or specifications. Excavate trenches at appropriate width for connections and fittings.
B. Minimum cover for dripline components (distance from top of pipe to finish grade):
   1. Buried PVC manifold and supply header pipe to dripline grid layouts: 12" (30.5 cm) to top of pipe.
   2. Buried dripline lateral pipe downstream PVC manifold and supply header pipe: 4" (10 cm) to top of pipe.
3. On-grade dripline lateral pipe downstream PVC manifold and supply header pipe: Secure to finish grade with approved tubing stakes. Install and test prior to installation of landscape fabric and mulch.
C. Backfill only after buried lines have been reviewed, tested, and approved.
D. Excavated material is generally satisfactory for backfill. Use backfill free from rubbish, vegetable matter, frozen materials, and stones larger than 2" (50 mm) in maximum diameter. Remove material not suitable for backfill. Use backfill free of sharp objects next to pipe.
E. Dress backfilled areas to original grade. Incorporate excess backfill into existing site grades. Dispose of excess backfill off site.
F. Contact Owner's Representative for trench depth adjustments where utilities conflict with irrigation trenching and pipe work.

3.04ASSEMBLING PIPE AND FITTINGS

A. General:
   1. Keep pipe free from dirt and debris. Cut pipe ends square, deburr and clean as recommended by pipe manufacturer.
2. Keep ends of assembled pipe capped. Remove caps only when necessary to continue assembly.
B. PVC Pipe and Fittings:
   1. Use only strap type friction wrenches for threaded plastic pipe.
   2. PVC Solvent Weld Pipe and Fittings:
      a. Use appropriate primer and solvent cement. Join pipe in manner recommended by pipe and fitting manufacturers and in accordance with accepted industry practices.
b. Cure for thirty (30) minutes before handling and twenty four (24) hours before pressurizing or installing with vibratory plow.
c. Snake pipe from side to side within trench.
   3. PVC Threaded Connections:
      a. Use only factory formed threads. Field-cut threads are not permitted.
      b. Apply thread sealant in manner recommended by component, pipe and sealant manufacturers and in accordance with accepted industry practices.
C. Dripline Tubing and Fittings:
   1. Use only Rain Bird XF Series Insert Fittings or Rain Bird Easy Fit Compression Fittings for Rain Bird XF Series dripline tubing connections or transitions as recommended by the Manufacturer's representative for the specific site and system conditions.
   2. Dripline Insert Fittings:
      a. Install dripline tubing and fittings in manner recommended by manufacturer and in accordance with accepted industry practices.
   3. Dripline Compression Fittings:
      a. Install dripline tubing and fittings in manner recommended by manufacturer and in accordance with accepted industry practices.

3.05 INSTALLATION OF DRIPLINE IRRIGATION COMPONENTS

A. Control Zone Kit Assembly
   1. Flush mainline pipe before installing Control Zone Kit assembly.
   2. Locate where shown on drawings. Connect control wires to remote control valve wires using specified wire connectors and waterproof sealant. Provide connectors and sealant per manufacturer's recommendations.
3. Install a maximum of four (4) Low Flow or Medium Flow Control Zone Kits per standard rectangular valve box. Install a maximum of one (1) Medium Flow Commercial Control Zone Kits per standard rectangular valve box. Install a maximum of one High Flow Commercial Control Zone Kits per jumbo rectangular valve box.
      a. Locate valve boxes at least 1" (30.5 cm) from, and align with, nearby walls or edges of paved areas.
      b. Group Control Zone Kit assemblies together where practical. Align grouped valve boxes in uniform patterns. Allow at least 12" (30.5 cm) between valve boxes.
   c. Brand controller letter and station numbers on valve box lid in 2" (50 mm) high letters.
B. Lateral Piping and Dripline Tubing
   1. Install lateral piping and dripline tubing at locations and in grid patterns as indicated on drawings and installation details, and in strict accordance with manufacturer recommendations.
2. Thoroughly flush PVC lateral piping, supply headers, and dripline tubing immediately upon installation.
   C. Air Relief Valve Kit Assembly: Install at all high points in dripline tubing grid as shown and directed on drawings and installation details.
D. Flush Point Assembly: Install in flush header or at ends of each dripline zone segment as shown and directed on drawings and installation details. Install at least 12 inches from and align with adjacent walls or edges of paved areas.

3.06PROJECT RECORD (AS-BUILT) DRAWINGS

A. Document field changes from original design and construction documents. Maintain on-site and separate from original construction documents, one complete set of documents labeled "Project Field Documents". Keep documents current. Do not permanently cover work until accurate "record drawings" information is recorded.

B. Record pipe network alterations on a daily basis. Record work that is installed differently than shown on construction documents. Record accurate reference dimensions, measured from at least two permanent reference points, of each control zone kit assembly, each dripline zone boundary, each air relief valve assembly, each flush point assembly, and other dripline irrigation components enclosed within valve box.

C. Obtain from Owner's Representative one set of drawings or CAD files prior to construction completion. Duplicate information contained on "Record Documents" maintained on-site using technical drafting pen or AutoCAD. Label each sheet "Record Drawing".

D. Provide "Record Drawings" to Owner's Representative. Completion of Record Drawings is required prior to final construction review at completion of irrigation system installation.

3.07WINTERIZATION AND SPRING START-UP

A. Winterize irrigation system in fall following completion, or partial completion, of irrigation system construction. Start up irrigation system in spring following completion, or partial completion, of irrigation system construction. Repair any damage caused in improper winterization at no additional cost to Owner. Coordinate winterization and start up with landscape maintenance personnel.

3.08 MAINTENANCE

A. Maintain irrigation system for duration of 30 calendar days from formal written acceptance by Owner's Representative. Make periodic examinations and adjustments to irrigation system components in order to achieve the most efficient and uniform application of water.
B. Following completion of Contractor's maintenance period, Owner will be responsible for maintaining system in working order during remainder of guarantee/warranty period, for performing necessary minor maintenance, for protecting against vandalism, and for preventing damage after landscape maintenance operation.

3.09CLEANUP

A. Remove from site machinery, tools, excess materials, and rubbish upon completion of work.

Valve Box Specifications

VB 6RND SERIES 6" Round Valve Boxes

Valve boxes shall be used as durable, rigid enclosures for valves or other irrigation system components requiring subsurface protection for installation or maintenance. The valve box shall be made of HDPE resin that is resistant to UV light, weather, moisture and chemical action of soils.

The body shall have two openings molded into the sides.

The valve box shall have corrugated sides.

Lids shall have beveled edges to prevent or minimize potential damage from lawn equipment.

The valve box shall be manufactured by Rain Bird Corporation, Glendora, California.

VB-10RND 10" Round Valve Boxes

Valve boxes shall be used as durable, rigid enclosures for valves or other irrigation system components requiring subsurface protection for installation or maintenance. The valve box shall be made of structural foam HDPE resin that is resistant to UV light, weather, moisture and chemical action of soils.

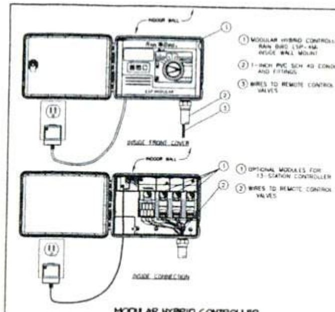
The body shall have knock outs molded into the sides that can easily be removed. The knock-outs shall remain an integral part of the body unless to run pipes or wires through the valve box.

The valve box shall have corrugated sides. The valve box shall have a stepped feature on the bottom that securely interlocks two boxes together when mated bottom - to - bottom for use in a deep installation.

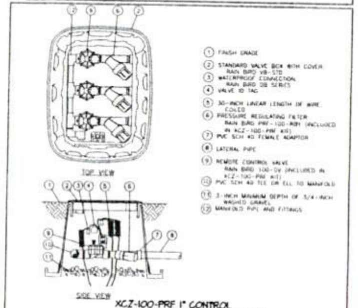
There shall be no hole in the valve box lid unless the bolt-hole knock-out is removed in order to use the locking bolt. Lids shall have beveled edges to minimize potential damage from lawn equipment. Lids shall be clearly marked with the words "Irrigation Control Valve" molded onto the top. Lids shall have a marking area measuring at least 6" by 2" that is suitable for branding or other means of identification.

The locking bolt, washer, and clip shall be made of stainless steel.

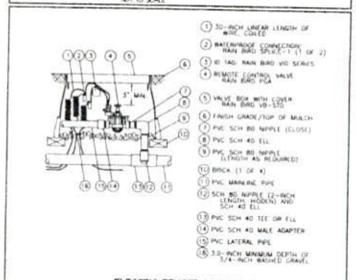
The valve box shall be manufactured by Rain Bird Corporation, Azusa, California.



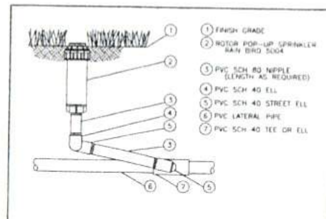
MODULAR HYBRID CONTROLLER
ESP-MODULAR SERIES (INDOOR)
NOT TO SCALE



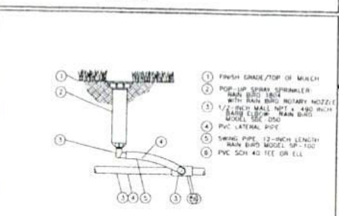
XCZ-100-PRF 1" CONTROL
ZONE KIT IN SQUARE VALVE BOX
NOT TO SCALE



ELECTRIC REMOTE-CONTROL VALVE
PGA SERIES
NOT TO SCALE



ROTOR POP-UP SPRINKLER - 5004
NOT TO SCALE



POP-UP SPRAY SPRINKLER
1804 WITH SWING PIPE
NOT TO SCALE

Raymond James Woodbridge

7995 Moorsbridge Road
Portage, Michigan 49024

ISSUED
2016-1-18 SITE PLAN SUBMITTAL
2016-1-19 SITE PLAN TO ACC
2016-2-5 SITE PLAN RE-SUBMITTAL

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IRRIGATION SPECS + DETAILS

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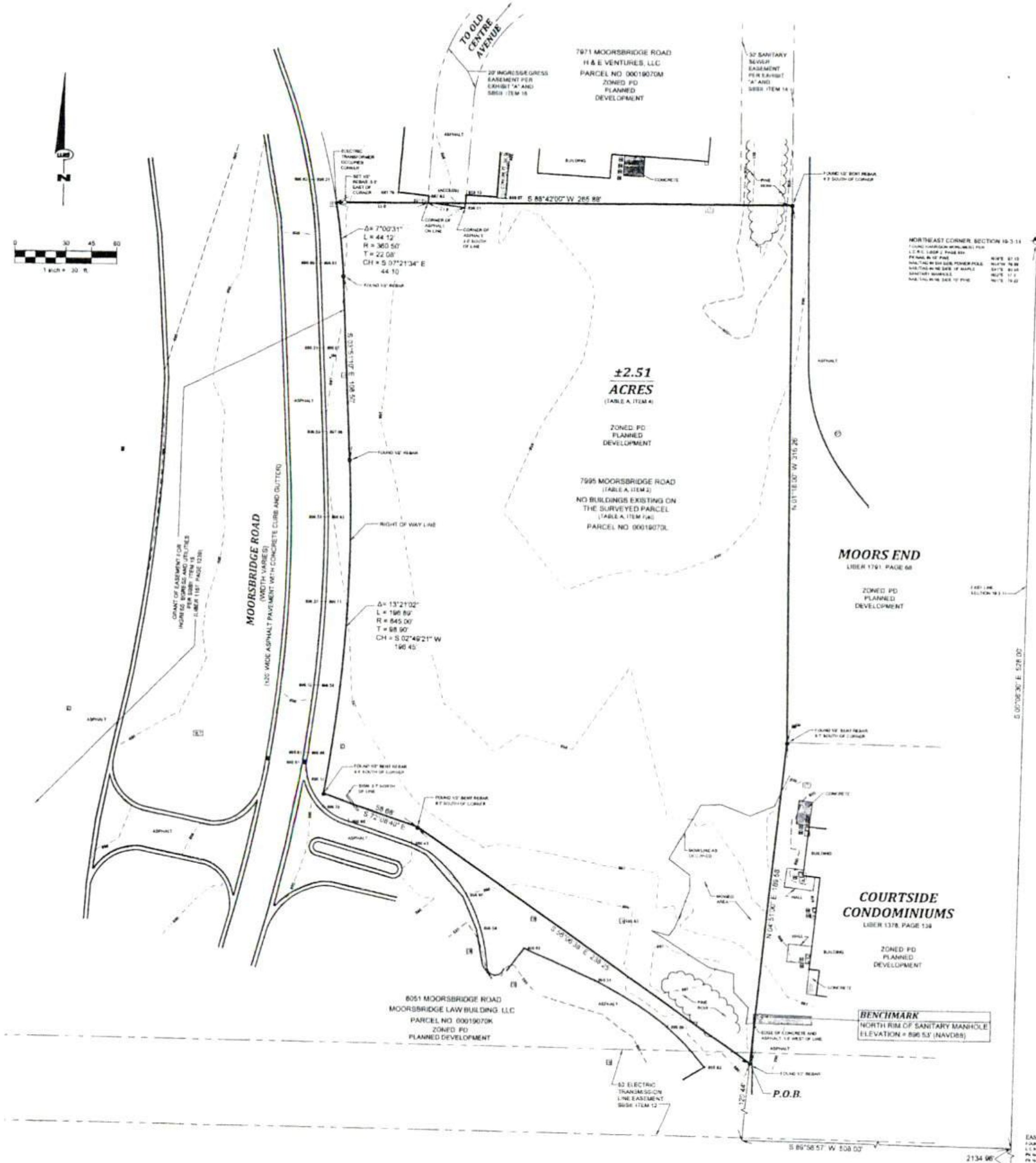

ALTA/ACSM LAND TITLE SURVEY

IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN.

DESCRIPTION PER EXHIBIT "A", COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE OF MICHIGAN, TITLE NO. 390691082CML, EFFECTIVE DATE, OCTOBER 16, 2015:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PORTAGE, KALAMAZOO COUNTY, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 19, T3S, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, THENCE S00°08'30"E ALONG THE EAST LINE OF SAID SECTION, 528.00 FEET, THENCE S89°58'57"W 508.00 FEET, THENCE N04°51'00"E 120.44 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N04°51'00"E 189.58 FEET, THENCE N01°18'00"W 481.26 FEET, THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT 91.87 FEET, SAID CURVE HAVING A RADIUS OF 283.00 FEET AND A CHORD BEARING AND DISTANCE OF N84°42'18"W 91.47 FEET, THENCE N75°22'18"W 50.58 FEET, THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT 181.12 FEET, SAID CURVE HAVING A RADIUS OF 217.00 FEET AND A CHORD BEARING AND DISTANCE OF S80°43'03"W 175.91 FEET, THENCE S08°48'22"W 11.86 FEET, THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT 127.32 FEET, SAID CURVE HAVING A RADIUS OF 590.30 FEET AND A CHORD BEARING AND DISTANCE OF S23°48'47"E 127.08 FEET, THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT 88.50 FEET, SAID CURVE HAVING A RADIUS OF 360.50 FEET AND A CHORD BEARING AND DISTANCE OF S10°43'36"E 88.29 FEET, THENCE S03°51'10"E 108.50 FEET, THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT 290.04 FEET, SAID CURVE HAVING A RADIUS OF 845.00 FEET AND A CHORD BEARING AND DISTANCE OF S02°49'21"W 196.45 FEET, THENCE S72°08'40"E 58.68 FEET, THENCE S58°06'38"E 238.25 FEET TO THE POINT OF BEGINNING.

EXCEPT: COMMENCING AT THE NORTHEAST CORNER OF SECTION 19, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, THENCE S00°08'30"E ALONG THE EAST LINE OF SAID SECTION 528.00 FEET, THENCE S 89°58'57"W 508.00 FEET, THENCE N04°51'00"E 310.00 FEET, THENCE N01°18'00"W 316.28 FEET TO THE POINT OF BEGINNING, THENCE N01°18'00"W 165.00 FEET, THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT 91.87 FEET, SAID CURVE HAVING A RADIUS OF 283.00 FEET AND A CHORD BEARING AND DISTANCE OF N84°41'18"W 91.47 FEET, THENCE N75°22'18"W 50.58 FEET, THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT 181.12 FEET, SAID CURVE HAVING A RADIUS OF 217.00 FEET AND A CHORD BEARING AND DISTANCE OF S80°43'03"W 175.91 FEET, THENCE S 08°48'22"W 11.86 FEET, THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT 127.32 FEET, SAID CURVE HAVING A RADIUS OF 590.30 FEET AND A CHORD BEARING AND DISTANCE OF S23°48'47"E 127.08 FEET, THENCE SOUTHEASTERLY 42.38 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 360.50 FEET AND A CHORD BEARING AND DISTANCE OF S14°13'58"E 42.35 FEET, THENCE N88°42'00"E 265.88 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR SANITARY SEWER PURPOSES OVER THAT PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION, THENCE S00°08'30"E ALONG THE EAST LINE OF SECTION 19, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN 528.00 FEET, THENCE S89°58'57"W 508.00 FEET, THENCE N04°51'00"E 310.00 FEET, THENCE N01°18'00"W 316.28 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION, THENCE N01°18'00"W 165.00 FEET, THENCE WESTERLY ALONG A CURVE TO THE RIGHT 30.01 FEET, SAID CURVE HAVING A RADIUS OF 283.00 FEET AND A CHORD BEARING AND DISTANCE OF S89°03'01"W 30.00 FEET, THENCE S01°18'00"E 165.16 FEET, THENCE N88°42'00"E 30.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THAT PART OF THE SOUTHEAST QUARTER OF SECTION 18, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION, THENCE S00°08'30"E ALONG THE EAST LINE OF SECTION 19, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN 528.00 FEET, THENCE S89°58'57"W 508.00 FEET, THENCE N04°51'00"E 310.00 FEET, THENCE N01°18'00"W 481.26 FEET, THENCE WESTERLY ALONG A CURVE TO THE RIGHT 65.41 FEET, SAID CURVE HAVING A RADIUS OF 283.00 FEET AND A CHORD BEARING AND DISTANCE OF N87°22'30"W 65.26 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION, THENCE WESTERLY ALONG A CURVE TO THE RIGHT 28.48 FEET, SAID CURVE HAVING A RADIUS OF 283.00 FEET AND A CHORD BEARING AND DISTANCE OF N78°03'59"W 28.45 FEET, THENCE N 75°22'18"W 3.58 FEET, THENCE S11°02'02"W 32.11 FEET, THENCE N87°28'29"W 11.23 FEET, THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT 141.37 FEET, SAID CURVE HAVING A RADIUS OF 90.00 FEET AND A CHORD BEARING AND DISTANCE OF S47°33'31"W 127.28 FEET, THENCE S02°33'31"W 82.30 FEET, THENCE N88°42'00"E 22.06 FEET, THENCE N02°33'31"E 60.82 FEET, THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT 106.82 FEET, SAID CURVE HAVING A RADIUS OF 68.00 FEET AND A CHORD BEARING AND DISTANCE OF N47°33'31"E 96.17 FEET, THENCE S87°28'29"E 38.28 FEET, THENCE N11°02'02"E 49.24 FEET TO THE POINT OF BEGINNING.

ASSUMED THE EAST LINE OF SAID SECTION 19 TO BEAR SOUTH 00° 08' 30" EAST.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE.

THIS SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

SURVEY NOTES:

TABLE A, ITEM 3
SURVEYED PARCEL LIES WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FEMA FLOOD INSURANCE RATE MAP NUMBER 26077C0284D, EFFECTIVE DATE FEBRUARY 17, 2010.

TABLE A, ITEM 6(a)
SURVEYED PARCEL IS ZONED PD, PLANNED DEVELOPMENT DISTRICT PER THE ONLINE CITY OF PORTAGE ZONING MAP.

TABLE A, ITEM 8
SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THIS SURVEY ARE SHOWN HEREON.

TABLE A, ITEM 9
SURVEYED PARCEL IS VACANT WITH NO PARKING SPACES.

TABLE A, ITEM 11(a)
UTILITIES HAVE BEEN LOCATED FROM OBSERVED EVIDENCE ONLY.

TABLE A, ITEM 16
AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SURVEYED PARCEL.

TABLE A, ITEM 18
AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THE LEGAL DESCRIPTIONS OF RECORD FOR NON-PLATTED ADJOINING PARCELS WERE NOT PROVIDED.

SCHEDULE B, SECTION II EXCEPTIONS PER COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE OF MICHIGAN, TITLE NO. 390691082CML, EFFECTIVE DATE, OCTOBER 16, 2015:

ITEM 8: BUILDING AND USE RESTRICTIONS AS CONTAINED IN INSTRUMENT RECORDED IN LIBER 1139, PAGE 1181, WHICH IS AMENDED BY THE INSTRUMENT RECORDED IN LIBER 1273, PAGE 126, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN AFFECT THE ENTIRE SURVEYED PARCEL.

ITEM 9: GRANT OF EASEMENT FOR INGRESS, EGRESS AND UTILITIES RECORDED IN LIBER 1167, PAGE 1239 DESCRIBES MOORSBRIDGE ROAD AS SHOWN.

ITEM 10: AGREEMENT ESTABLISHING EASEMENTS AS EVIDENCED BY THE INSTRUMENT RECORDED IN LIBER 1400, PAGE 1472 DOES NOT AFFECT THE SURVEYED PARCEL.

ITEM 11: NOTICE OF INTENTION TO RETAIN MINERAL RIGHTS AS EVIDENCED BY THE INSTRUMENT RECORDED IN LIBER 1409, PAGE 521 AFFECTS THE ENTIRE SURVEYED PARCEL WHICH IS IDENTIFIED AS PARCEL "O-3" ON PAGE 136, SAID INSTRUMENT.

ITEM 12: EASEMENT IN FAVOR OF CONSUMERS POWER COMPANY (NOW KNOWN AS CONSUMERS ENERGY) AS RECORDED IN LIBER 742, PAGE 621 AFFECTS THE SURVEYED PARCEL AS SHOWN.

ITEM 13: BUILDING AND USE RESTRICTIONS AS CONTAINED IN INSTRUMENT RECORDED IN LIBER 1443, PAGE 1122, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN AFFECT THE ENTIRE SURVEYED PARCEL.

ITEM 14: EASEMENT AND THE TERMS, COVENANTS, PROVISIONS AND CONDITIONS OF THE SANITARY SEWER AGREEMENT AS RECORDED IN DOCUMENT NO. 2009-021872 BENEFITS THE SURVEYED PARCEL AND IS SHOWN HEREON.

ITEM 15: EASEMENT AND THE TERMS, COVENANTS, PROVISIONS AND CONDITIONS OF THE DRIVEWAY EASEMENT AGREEMENT AS RECORDED IN DOCUMENT NO. 2009-021873 BENEFITS THE SURVEYED PARCEL AND IS SHOWN HEREON.

LEGEND

- FOUND 1/2" REBAR
- SET 1/2" REBAR W/ CAP ID#38116
- AIR CONDITIONER
- SANITARY MANHOLE
- CATCH BASIN
- CURB INLET
- STORM MANHOLE
- GAS METER
- GAS MARKER POST
- GAS VALVE
- CABLE RISER BOX
- FIBER OPTIC POST
- TELEPHONE PEDESTAL
- COMMUNICATION VAULT
- ELECTRIC METER
- GROUND TRANSFORMER
- R/W = RIGHT OF WAY
- P.O.B. = POINT OF BEGINNING
- SBSII = SCHEDULE B, SECTION II
- SPOT ELEVATION (EXISTING GRADE)

VICINITY MAP
NOT TO SCALE

CERTIFICATION:

THE UNDERSIGNED HEREBY CERTIFIES TO CLIFFORD MULDER, JAMIE WILLIAMS, JAMES HEMENWAY, MIDWEST REALTY GROUP, CHICAGO TITLE INSURANCE COMPANY AND CHICAGO TITLE OF MICHIGAN, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(a), 8, 9, 11(a), 16, AND 18 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON NOVEMBER 26, 2015.

GARY D. HAHN, PS 38116
ghahn@wightman-assoc.com

STATE OF MICHIGAN · GARY D HAHN · LAND SURVEYOR · No 38116 · LICENSED PROFESSIONAL SURVEYOR

11/30/2015
DATE

WIGHTMAN & ASSOCIATES, INC.
ENGINEERING · SURVEYING · ARCHITECTURE
2303 Pipestone Road, Benton Harbor, MI 49022, Phone: (269) 927-0100
5838 Portage Road, Portage, MI 49002, Phone: (269) 327-3532
264 Western Avenue, Allegan, MI 49010, Phone: (269) 673-8465
www.wightman-assoc.com

PROJECT ADDRESS
7995 MOORSBRIDGE ROAD
PORTAGE, MI

MIDWEST REALTY GROUP
8115 CREEKSIDE DRIVE
SUITE 210
PORTAGE, MI 49024

REVISIONS

DATE: NOVEMBER 30, 2015
SCALE: 1" = 30'
DRAWN BY: ACK
CHECKED BY:

ALTA/ACSM LAND TITLE SURVEY

154244

1 OF 1

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Adoption of Bond Resolutions

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council adopt the *Resolution Approving the Capital Improvement Project and Approving Insertion of Intention of the City of Portage to Issue Capital Improvement Bonds.*

The 2015-2025 Capital Improvement Program includes revenue of $4,615,000 from bonds as part of the total revenue to fund fiscal year 2015-2016 projects. At the November 3, 2015 City Council meeting, a budget amendment was approved to transfer $2,961,755 from the General Fund to the Capital Improvement Fund to finance various projects and reduce the amount of new debt required. That transfer, along with existing resources, has reduced the required new debt from $2.375 million to approximately $875,000 to fund projects planned for 2015-2016.

Additionally, in January 2009, the city sold Capital Improvement Bonds totaling $3,440,000 to finance utility, streets, parks and public safety projects. The balance of this bond series, $2.11 million, maturing after July 1, 2016 can be refinanced and the bonds maturing after 2018 have interest rates of four percent (4%) or higher. As such, substantial savings are anticipated.

A Capital Improvement bond series can be issued to fund both the fiscal year 2015-2016 capital improvements and refund the series 2009 bonds.

The attached bond resolution was prepared by city Bond Counsel. If approved, the resolution approving the notice of intention to issue Capital Improvement bonds, will be published. A resolution authorizing the refunding of the Series 2009 bonds and approving the Undertaking to Provide Continuing Disclosure will be presented at the April 12, 2016 City Council meeting.

FUNDING: N/A

Attachments:
1. Resolution
2. CIP Bond Series 2009

CITY OF PORTAGE

At a _____ meeting of the City Council of the City of Portage, Michigan, held on the ___ day of _____, 2016, at __:__ _.m., Eastern Standard Time, at the City Hall in Portage, Michigan there were:

PRESENT: _____

_____

ABSENT: _____

The following preambles and resolution were offered by _____ and seconded by _____:

RESOLUTION APPROVING THE CAPITAL IMPROVEMENT PROJECT AND APPROVING INSERTION OF NOTICE OF INTENTION OF THE CITY OF PORTAGE TO ISSUE CAPITAL IMPROVEMENT BONDS

WHEREAS, there have been prepared and presented to the City Council (the "Council") of the City of Portage, Michigan (the "City"), a description of improvements to the City of Portage (the "Capital Improvement Project"), all as more fully described in EXHIBIT A, pursuant to the terms of Section 517 of Act No. 34, Public Acts of Michigan, 2001 as amended ("Act 34"); and

WHEREAS, it has been estimated that the period of usefulness of the Capital Improvement Project is not less than 20 years and that the total cost of the Capital Improvement Project and the portion of the bonds to pay for the Capital Improvement Project will not exceed $975,000 to be provided by the proceeds from the sale of bonds to be issued by the City pursuant to Act 34; and

WHEREAS, the City proposes to undertake the Capital Improvement Project and to incur taxable or tax-exempt debt (the "Reimbursement Obligations") to finance all or a portion of the costs of the Capital Improvement Project; and

WHEREAS, the City may make certain expenditures for said Capital Improvement Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures; and

WHEREAS, it is in the public interest and for the public benefit that the City designate an authorized officer for the purposes of declaring official intent of the City with respect to expenditures; and

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of notice entitled "NOTICE OF INTENTION OF THE CITY OF PORTAGE TO ISSUE CAPITAL IMPROVEMENT BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intention").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTAGE, MICHIGAN, AS FOLLOWS:

1. **Approval of Plans**: The preliminary plans and estimates relating to the Capital Improvement Project and identified in EXHIBIT A hereto are hereby approved and ordered filed with the City Clerk.

2. **Insertion of Notice of Intent**: It is hereby determined that the Notice of Intention provides information sufficient to adequately inform the electors and taxpayers of the City of the nature of the obligations to be undertaken by the City by the issuance of the bonds and of their right under Act 34 to file a petition requesting a referendum election on the issuance of the bonds.

3. **Form of Notice of Intent**: The form and content of the Notice of Intention as set forth in Appendix I, are hereby approved, and the City Clerk is hereby authorized and directed to cause the Notice of Intention to be published once in the *Kalamazoo Gazette*, a newspaper of general circulation within the City which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the City. The notice shall be inserted in an advertisement at least one-quarter of a page in size.

4. **Referendum Period**: The referendum period within which voters and taxpayers shall have the right to circulate petitions is 45 days after publication of the notice of intention authorized in paragraph 2.

5. **Official Intent**: The Finance Director of the City is hereby authorized to declare official intent of the City with respect to reimbursement.

6. **Individual Declarations of Intent**: Each declaration of official intent shall be substantially in the form set forth in APPENDIX II attached hereto and by this reference incorporated herein, and said form may be modified from time to time on the advice of bond counsel to the City and as necessary to conform to requirements of the reimbursement regulations as the same may be adopted by the Internal Revenue Service or amended from time to time, or with the requirements of applicable rulings or regulations relating to tax-exempt borrowings.

7. **Filing Official Intent**: The Finance Director of the City is hereby directed to file each declaration of official intent in the office of the Clerk of the City of Portage, which

location constitutes the customary location of the records of the City which are available to the general public.

8. **Declarations of Intent Available**: The City Clerk is further directed to assure that each declaration of intent is continuously available during normal business hours of the City on every business day of the period beginning the earlier of 10 days after the date of execution of said declaration of intent and ending on the date of issuance of the Reimbursement Bonds.

9. **Retention of Bond Counsel**. The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the City in connection with the issuance, sale and delivery of the Bonds.

10. **Retention of Financial Consultants**. Municipal Financial Consultants Incorporated, Grosse Pointe Farms, Michigan, is hereby retained to act as financial consultant and advisor to the City in connection with the sale and delivery of the Bonds.

11. **Conflicting Resolutions**. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

12. **Effective Date**. This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the City as soon as practicable after adoption.

A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: _____

_____

NO: _____

ABSTAIN: _____

The resolution was declared adopted.

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STATE OF MICHIGAN)
)ss.
CITY OF PORTAGE)

The undersigned, being the duly qualified and acting Clerk of the City of Portage, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the City of Portage City Council at its _____ meeting held on the _____ day of _____, 2016, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the City. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

_____
Clerk, City of Portage

DATED: _____, 2016

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EXHIBIT A
CAPITAL IMPROVEMENT PROJECT PROFILES

PROJECT TITLE:

Computer Aided Dispatch and Police Records Upgrade and Conversion

PROJECT DESCRIPTION:

Conversion of existing Computer Aided Dispatch (CAD) and Records Management Systems (RMS) from the AS/400 based programs to Windows.

PROJECT TITLE:

Major Street Reconstruction Program

PROJECT DESCRIPTION:

Reconstruction of major streets that were previously strip paved, or where heavy maintenance activities have been applied, that are anticipated to require a greater lever of sub-base and pavement rehabilitation to ensure long-term serviceability. Improvements will also include localized storm drainage improvements, necessary curb and gutter or paved shoulder replacement/repair, repair of necessary drive approaches and lawn restoration as appropriate. This project involves reconstructing the following street sections in FY 2015-16:

- East Osterhout Avenue, South Westnedge Avenue to Portage Road
- Portage Road, Romence Road Parkway to East Milham Avenue
- Constitution Boulevard, Romence Road to West Milham Avenue
- South Westnedge Avenue, Shaver Road to East Centre Avenue
- West Centre Avenue, Shaver Road to South Westnedge Avenue

These projects will be designated to include "complete street" enhancements such as crosswalk improvements and widened bike lanes where appropriate, and are part of the "Natural Place to Move" initiative.

These roadway projects will be constructed during the 2016 construction season.

TOTAL COST ESTIMATES

Construction Costs, Acquisition Costs, Engineering Costs, Equipment Costs, & Contingency	**$975,000**

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APPENDIX I

NOTICE OF INTENTION OF THE CITY OF PORTAGE
TO ISSUE NOT TO EXCEED $975,000 FOR A
CAPITAL IMPROVEMENT PROJECT TO BE PART OF A LARGER
CAPITAL IMPROVEMENT BOND ISSUE AND
NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF
THE CITY OF PORTAGE:

NOTICE IS HEREBY GIVEN that the City Council of the City of Portage, Michigan (the "City"), has authorized the issuance of not to exceed $975,000 in Capital Improvement Bonds, as part of a larger bond issue which will include the refunding of an outstanding City of Portage capital improvement bond issue, to provide for the acquisition and construction of improvements to the City of Portage located in the City described in Exhibit A attached hereto (the "Capital Improvement Project"). The Bond Resolution will provide further that the City will finance all or a portion of the total cost of the Capital Improvement Project by the issuance of one or more series of capital improvement bonds (the "Bonds") pursuant to the provisions of Section 517 of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"). The maximum amount of Bonds to be sold to finance the Capital Improvement Project shall not exceed $975,000 which Bonds will be sold as part of a larger bond issue to be issued in one or more series and shall include the refunding of an outstanding City of Portage capital improvement bond issue, the term of the Bonds shall not exceed 25 years and the Bonds shall bear interest at a rate or rates that will result in a net interest cost of not more than 7% per annum. The maximum Capital Improvement Project cost is estimated at not to exceed $975,000.

FULL FAITH AND CREDIT AND TAXING POWER OF
THE CITY OF PORTAGE WILL BE PLEDGED

NOTICE IS FURTHER GIVEN that in the Bond Resolution the City will obligate itself to make payments to the Bond Holder in amounts sufficient to pay the principal of and interest on the Bonds. The limited tax full faith and credit of the City will be pledged for the making of such bond payments. Pursuant to such pledge of its full faith and credit, the City will be obligated to levy such ad valorem taxes upon all taxable property in the City as shall be necessary to make bond payments, which taxes, however, will be subject to applicable statutory and constitutional limitations on the taxing power of the City. In addition to its obligation to make payments on the Bonds, the City will agree in the Bond Resolution to pay all costs and expenses of operation and maintenance of the Capital Improvement Project and all expenses of the City incidental to

the issuance and payment of the Bonds, to the extent such expenses are not payable from the proceeds of the Bonds.

RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the City to inform them of the right to petition for a referendum on the question of issuing the Bonds. The City intends to issue the Bonds without a vote of the electors thereon. If, within 45-days after publication of this notice, a petition for referendum requesting an election on the Bonds, signed by not less than 10% or 15,000 of the registered electors of the City, whichever is less, has been filed with the City Clerk, the Bonds shall not be issued unless and until approved by a majority of the electors of the City voting thereon at a general or special election.

This notice is given by order of the City Council pursuant to Act 34. Further information may be obtained at the office of the City of Portage City Clerk, 7900 S. Westnedge Avenue, Portage, Michigan 49002.

EXHIBIT A

CAPITAL IMPROVEMENT PROJECT PROFILES

PROJECT TITLE:

Computer Aided Dispatch and Police Records Upgrade and Conversion

PROJECT DESCRIPTION:

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These projects will be designated to include "complete street" enhancements such as crosswalk improvements and widened bike lanes where appropriate, and are part of the "Natural Place to Move" initiative.

These roadway projects will be constructed during the 2016 construction season.

TOTAL COST ESTIMATES

Construction Costs, Acquisition Costs, Engineering Costs, Equipment Costs, & Contingency	**$975,000**

James R. Hudson
City Clerk

DATED: [Date of Publication]

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APPENDIX II

FORM OF DECLARATION OF OFFICIAL INTENT

I, the undersigned _____ of the City of Portage, Michigan, do hereby certify as follows:

1. I am an officer of the City authorized to declare official intent of the City to reimburse expenditures made, prior to the issuance of debt, from the proceeds of said debt.

2. This Declaration relates to the following expenditures (the "Expenditures"):

Amount	General Purpose

3. The Expenditures are with respect to property (the "Property") having:

(A) the following general character, type or purpose: _____ _____;

(B) the following size, quantity or cost: _____ _____ ; and

(C) a reasonably expected economic life at least one (1) year.

4. I understand that a substantial deviation between the above description of the Property for which the Expenditures are being made and the actual Property which is acquired or constructed will invalidate this declaration of official intent with the result that any proceeds of tax-exempt debt which are used to reimburse for the Expenditures will not be deemed to have been expended upon such reimbursement.

5. The City intends to reimburse the Expenditures by incurring taxable or tax-exempt debt (the "Reimbursement Obligations").

6. The expected source of funds that will be used to pay the Expenditures is as follows: _____ _____.

7. The expected source of funds to be used to pay debt service on the Reimbursement Obligation is as follows:

_____
.

8. This declaration of intent is consistent with the budgetary and financial circumstances of the City as of the date hereof in that there are no funds which are now or are reasonably expected to be, (A) allocated on a long-term basis, (B) reserved, or (C) otherwise available pursuant to the City's budget, to pay the Expenditure.

9. The City does not have a pattern of failure to reimburse expenditures for which official intent has been declared in that at least seventy-five percent (75%) of all expenditures made after _____, for which the City has declared an intent to reimburse from the proceeds of taxable or tax-exempt debt have been, or are expected to be, so reimbursed.

10. I acknowledge that in the event that the City fails to use the proceeds of Reimbursement Obligations issued within three (3) years of the date hereof to reimburse expenditures the same may adversely affect the ability of the City to use the proceeds of tax-exempt obligations in the future to reimburse for expenditures made prior to the issuance of such obligations.

11. I further acknowledge that unless the Expenditures constitute preliminary expenditures (in the nature of architect services and soil testing but excluding land acquisition) for the Property not in excess of ten percent (10%) of the expected cost of the Capital Improvement Project of which the Property constitutes a part, the Expenditures will be paid within not in excess of two (2) years following the date hereof or, as an alternative, this declaration of intent will be renewed.

12. I further acknowledge that it is expected that the proceeds of Reimbursement Obligations will be used for reimbursement of each Expenditure not later than (A) the date that is one (1) year after the date on which such Expenditure is paid, or (B) the date that is one (1) year after the date on which the Property is placed in service.

13. I further acknowledge that I will assure that the allocation referenced in item 12 (A) will be evidenced by an entry on the records of the City maintained with respect to the Reimbursement Obligations, (B) will specifically identify the Expenditure being reimbursed, and (C) on the advice of the appropriate counsel will be sufficient to relieve the allocated proceeds of the Reimbursement Obligations covered by such entry from any restrictions under the relevant legal documents and applicable state law that apply only to unspent proceeds of Reimbursement Obligations.

14. I further acknowledge that I will assure that except as referenced in item 15 the proceeds of the Reimbursement

Obligations that are used to reimburse the Expenditures will not be used, directly or indirectly, (A) to pay debt service on an issue of tax-exempt obligations, (B) to create or increase the balance in a sinking fund established for the payment of debt service on the Reimbursement Obligations or another issue of tax-exempt obligations of the City or to replace funds that have been, are being, or will be so used for reserve or replacement fund purpose, or (C) to reimburse any expenditures or any payment with respect to financing of an expenditure that was originally paid with proceeds of any tax-exempt obligations of the City to any person or entity other than the City.

15. I understand that item 14 does not prohibit the use of those proceeds of the Reimbursement Obligations that are used to reimburse the Expenditures for (A) deposit in a bona fide debt service fund (that is, a fund established to pay debt service on any tax-exempt obligation of the City, other than the Reimbursement Obligation, which is depleted annually except for a reasonable carry over amount not in excess of one (1) year's interest earnings on said fund or one-twelfth (1/12th) of annual debt service), (B) to pay current debt service coming due within the next succeeding one-year period on any tax-exempt obligation of the City, other than the Reimbursement Obligations, or (C) to reimburse for expenditures originally made from the proceeds of a tax-exempt obligation of the City which were not reasonably expected by the City, on the date of issue of such obligation, to be used for such expenditure.

IN WITNESS WHEREOF, the undersigned has executed this declaration of official intent this _____ day of _____, ____.

_____

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MUNICIPAL FINANCIAL CONSULTANTS INCORPORATED

$3,440,000
City of Portage
Capital Improvement Bonds, Series 2009

DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total
01/01/10			$61,081.25	$61,081.25	$61,081.25
07/01/10	$190,000.00	2.50%	61,081.25	251,081.25	
01/01/11			58,706.25	58,706.25	309,787.50
07/01/11	190,000.00	2.50%	58,706.25	248,706.25	
01/01/12			56,331.25	56,331.25	305,037.50
07/01/12	190,000.00	2.50%	56,331.25	246,331.25	
01/01/13			53,956.25	53,956.25	300,287.50
07/01/13	190,000.00	2.50%	53,956.25	243,956.25	
01/01/14			51,581.25	51,581.25	295,537.50
07/01/14	190,000.00	3.00%	51,581.25	241,581.25	
01/01/15			48,731.25	48,731.25	290,312.50
07/01/15	190,000.00	3.25%	48,731.25	238,731.25	
01/01/16			45,643.75	45,643.75	284,375.00
07/01/16	190,000.00	3.25%	45,643.75	235,643.75	
01/01/17			42,556.25	42,556.25	278,200.00
07/01/17	190,000.00	3.50%	42,556.25	232,556.25	
01/01/18			39,231.25	39,231.25	271,787.50
07/01/18	195,000.00	3.75%	39,231.25	234,231.25	
01/01/19			35,575.00	35,575.00	269,806.25
07/01/19	195,000.00	4.00%	35,575.00	230,575.00	
01/01/20			31,675.00	31,675.00	262,250.00
07/01/20	150,000.00 *	4.00%	31,675.00	181,675.00	
01/01/21			28,675.00	28,675.00	210,350.00
07/01/21	150,000.00 *	4.00%	28,675.00	178,675.00	
01/01/22			25,675.00	25,675.00	204,350.00
07/01/22	155,000.00 **	4.00%	25,675.00	180,675.00	
01/01/23			22,575.00	22,575.00	203,250.00
07/01/23	155,000.00 **	4.00%	22,575.00	177,575.00	
01/01/24			19,475.00	19,475.00	197,050.00
07/01/24	155,000.00 ***	4.10%	19,475.00	174,475.00	
01/01/25			16,297.50	16,297.50	190,772.50
07/01/25	150,000.00 ***	4.10%	16,297.50	166,297.50	
01/01/26			13,222.50	13,222.50	179,520.00
07/01/26	150,000.00 ****	4.30%	13,222.50	163,222.50	
01/01/27			9,997.50	9,997.50	173,220.00
07/01/27	155,000.00 ****	4.30%	9,997.50	164,997.50	
01/01/28			6,665.00	6,665.00	171,662.50
07/01/28	155,000.00 ****	4.30%	6,665.00	161,665.00	
01/01/29			3,332.50	3,332.50	164,997.50
07/01/29	155,000.00 ****	4.30%	3,332.50	158,332.50	158,332.50
	$3,440,000.00		$1,341,967.50	$4,781,967.50	$4,781,967.50

Dated Date:	07/01/09	Principal:	$3,440,000.00
Closing Date:	01/07/09	Accrued Interest:	(59,384.55)
Arbitrage Yield:	3.80878%	Credit Enhancement:	0.00
		Orig Issue Prem/(Disc):	14,060.45
			$3,394,675.90

Mailing Address: 21 Kercheval, Suite 360, Grosse Pointe Farms, Michigan 48236
Phone: 1-800-383-MFCI (6324) • 313-884-1550 • Fax 313-884-0626

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Michigan Department of Transportation Contract #16-5012 - Portage Road (Romence Road to East Milham)

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council:

1. approve Contract #16-5012 between the Michigan Department of Transportation and the City of Portage for improvements along Portage Road (Romence Road to East Milham Avenue);
2. adopt a Resolution authorizing the City Manager to sign Contract #16-5012;

and authorize the City Manager to sign all other documents related to this project on behalf of the city.

The 2015-2016 Capital Improvement Program includes projects contained in the 2014-2017 Kalamazoo Area Transportation Study (KATS) Transportation Improvement Program (TIP). Street improvements in the TIP focus on preserving and restoring pavement conditions on major streets. Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. Portage Road between Romence Road Parkway and East Milham Avenue is the major street project for Portage contained in the 2014-2017 TIP. Improvements will include widening from four lanes to five from Ramona Avenue to approximately 500 feet north, concrete gutter repair where needed and construction of a non-motorized trail along the east side of Portage Road from Romence Road Parkway to East Milham Avenue. The trail will utilize easements granted to the city by the Air Zoo and Kenco Logistics Company. The project will be administered by the Michigan Department of Transportation (MDOT).

In the State of Michigan, street conditions are rated using the PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description follows:

Rating	Description
9-10	Excellent (new pavement)
8	Very Good (little to no maintenance required)
6-7	Good (sound structural condition with crack sealing maintenance)
4-5	Fair (candidates for pavement overlay)
3	Poor (needs patching and repair or failed areas prior to an overlay)
2	Very Poor (severe deterioration,requires reconstruction with totalbase repair)
1	Failed (requires total reconstruction)

On a scale of 1-10, Portage Road from Romence Road to East Milham Avenue has a PASER rating of 4 which places it is in fair condition. This section of street is deteriorating in areas and regressing towards a PASER rating of 3. The rehabilitation of this section of pavement will address structural breakdown and strengthen the base material prior to new paving. This project meets city asset management strategies for street condition and will restore the street back to a 9-10 PASER rating when the project is complete.

On August 25, 2015, Wightman & Associates was awarded an engineering services contract for this project in the amount of $67,300 for design and construction engineering. The project is scheduled for bid opening by MDOT on March 4, 2016. MDOT requires that an agreement with the local agency be executed prior to construction award. The estimated cost of the project is $771,400, with $475,300 utilizing Federal Highway funds and the balance of $236,100 included in the city's 2015-2016 Capital Improvement Program major street account.

Therefore, it is recommenced that City Council approve Contract #16-5012 between the Michigan Department of Transportation and the City of Portage for improvements along Portage (Romence Road to East Milham Avenue), adopt a Resolution authorizing the City Manager to sign Contract #16-5012 and authorize the City Manager to sign all documents related to this project on behalf of the city.

FUNDING: Funds in the amount of $771,400 are budgeted in the 2015 – 2016 Capital Improvement Program Budget.

Attachments: 1. Resolution for Contract #16-5012

CITY OF PORTAGE

Resolution

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 2016 at 7:30 p.m., local time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following resolution was offered by Councilmember_____and seconded by Councilmember_____.

RESOLVED, the City Council for the City of Portage, does hereby authorize the City Manager, Larry Shaffer, to sign contract 16-5012 between the City of Portage and the Michigan Department of Transportation. This contract is for hot mix asphalt cold milling, and resurfacing work along Portage Road from Romence Road northerly to East Milham Avenue including non-motorized pathway construction, trenching, concrete curb and gutter, drainage improvements, and slope restoration work; and all together with necessary related work.

ADOPTED: YEAS:

NAYS:

ABSENT:

_____

James R. Hudson, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2015 that the foregoing is a true and complete copy of the original on file in my office.

_____

James R. Hudson, City Clerk

APPROVED AS TO FORM

DATE 2/26/16

CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: 2016 March Board of Review

SUPPORTING PERSONNEL: Edward VanderVries, City Assessor

ACTION RECOMMENDED: That City Council make appointments to the two Boards of Review.

The City Council appoints members to the Board of Review under Section 8 of the City Charter. Beginning in January 2011, an amendment to the Charter restructured the Board of Review to terms of one year except for those members serving with terms remaining at the time of adoption of the amendment whose respective terms continue until expiration. Under the provisions of the Charter, when six members are appointed the membership of the Board of Review shall be divided into committees of three members each.

At a Special Meeting on January 12, 2016, City Council made six appointments to the Board of Review and determined that there should be two individual boards. However, City Council determined to make the appointments to each individual board at a later date. Leonard Lamberson, Patrick J. Buckley, Carol Eddy and Justin Gish are first time appointments and have never served on the Board of Review. Lori Knapp and Michael Quinn have completed two and four years of service, respectively.

It is the recommendation of the Assessor's office that prior Board of Review experience, education, real estate knowledge and gender are all considered in this request. It is important that Michael Quinn and Lori Knapp each serve on separate boards so that their experience can help guide the four new board members. Each board has been strategically organized to equalize the educational background and real estate knowledge as can be seen on the attached chart. Therefore, it is recommended that City council appoint Lori Knapp, Patrick Buckley and Leonard Lamberson to one board and appoint Michael Quinn, Carol Eddy, and Justin Gish to the second board.

FUNDING: N/A

Attachments: 1. 2016 Board of Review

2016 Board of Review

Recommendation

Board 1	Education	Qualifications	Experience
Lori Knapp	Bachelor of Laws; Queens University at Kingston	Experience in real property and commercial law. Board of Directors of Portage Community Centre and active in community.	Two consecutive years of experience on the City of Portage Board of Review.
Patrick Buckley	Some College	Long term experience in community. Minimal real estate experience.	New to Board for 2016
Leonard Lamberson	Ph.D. Industrial Engineering; Texas A&M	Former Dean of Engineering; Western Michigan. Remodeled and owned serveral homes and aware of property values.	New to Board for 2016

Board 2	Education	Qualifications	Experience
Michael Quinn	MS-Statistics; Western Michigan	Resident since 1985. Served as Kalamazoo County Commissioner.	Four consecutive years of experience on the City of Portage Board of Review.
Carol Eddy	MA-Public Administration	Resident for 34 Years and active in community. Has been through the Appeal Process.	New to Board for 2016
Justin Gish	MA-Anthropology; Western Michigan	Supervisor for Non-Proft Housing opportunities	New to Board for 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Director of Human Resources

SUPPORTING PERSONNEL: Rob Boulis, Deputy City Manager

ACTION RECOMMENDED: That City Council confirm the appointment of Donald Wood as the Director of Human Resources effective March 21, 2016.

As the Council is aware, during the current fiscal year the Department of Human Resources was established. Following an extensive search and review of both internal and external candidates, I am pleased to recommend the appointment of Donald Wood to the position of Director of Human Resources for the City of Portage, effective March 21. 2016. Mr. Wood, a Certified Senior Professional in Human Resources with a Masters Degree in Labor/Industrial Relations from Michigan State University is currently the Executive Director of Human Resources for Ypsilanti Community Schools. Previous employment includes Director of Human Resources positions at the City of Allen Park, Michigan and for the City of Taylor, Michigan, as well as Eastern Michigan University. Mr. Wood was clearly the most qualified of all the applicants for the position. His experience, especially with collective bargaining, is directly in line with the city's needs. His Master's Degree in Labor/Industrial Relations is perfectly suited for the position and, in and of itself, distinguished him from the other candidates.

Consistent with the City Charter, Section 6.3 "City Manager" subsection B.2, which states, "*The City Manager shall Appoint such of the administrative officers, subject to confirmation by the Council, as are not required by this Charter to be appointed by the Council,*" it is recommended that City Council confirm the appointment of Donald Wood as the Director of Human Resources to be effective March 21, 2016.

FUNDING: Funding for the position of Director of Human Resources is included in the FY 2015-2016 Human Resources Department budget. Funding for next fiscal year has been budgeted in the proposed FY 2016-2017 budget.

Attachments: 1. 2015 02-05 Communication from the City Attorney

Randall Brown

From: "Randall Brown" <attorneybrown@att.net>
Date: Thursday, February 5, 2015 11:41 AM
To: "Rob Boulis" <boulisr@portagemi.gov>
Cc: "Laurence Shaffer" <shafferl@portagemi.gov>
Subject: Re: Employee Development Director

Rob:

You have asked whether the City can combine the duties of the Department of Employee Development and Department of Benefit Services into one department to be named the Human Resource Department and, thereafter, appoint a director of that department. It is my opinion that the City can make these changes even with the existence of Portage Ordinance Section 2-63 which establishes the office of the Director of Employee Development.

There is no question that the City Manager has power to make the changes the City desires. Portage Ordinance Section 2-82 states as follows:

> "In accordance with the provisions of the Charter relating to the administration of the city, the city manager shall be the coordinator of all departments and may effect any organization or reorganization of a department that he may deem necessary for its proper and efficient administration."

Further, Section 2-83 provides that:

> "The city manager may cause one department to perform work for another, or require an employee to perform several duties in one or any department, and he may add to the duties of an employee."

These two sections taken together would permit the City Manager to combine the duties of the Employee Development Department and the Benefit Services Department into one newly named department.

The appointment of the new human resource director, however, is not as clear in the ordinance but still permissible. Charter Section 6.1(a) states that:

> "The administrative officers of the City shall be the City Manager, the Assessor, the Clerk, the Treasurer, the Chief of Police, the Fire Chief, the <u>heads of the several departments of the City</u>, and any additional administrative officers created by or under authority of Section 3.1 of this Charter." (Emphasis added.)

Therefore, any officer who is a head of a department is an administrative officer by Charter. An "additional administrative officer", which can be created pursuant to Charter Section 3.1, does not apply to a department head. Section 6.2(b) requires that all administrative officers, except the City Manager and the City Attorney shall be:

> "appointed by the City Manager subject, to the approval of and confirmation by the Council, and shall serve at the pleasure of the City Manager for indefinite terms."

As we discussed, in May of 2011, the City Council confirmed the appointment of Richard White as the City of Portage Director of Public Safety-Police/Fire Chief. The City Manager consolidated the police

2015-15

and fire departments into the Department of Public Safety and, thereafter, the City Council confirmed the appointment of a director. Similarly, when the consolidation of the two departments into a Human Resources Department takes place, the City Council can thereafter confirm the appointment of its new director.

If you should have any questions, please do not hesitate to contact me.

Randy

From: Rob Boulis
Sent: Tuesday, February 3, 2015 1:14 PM
To: 'Randall Brown'
Subject: Employee Development Director

Good Morning Randy,

Not official, but the plan is to eliminate or consolidate the Department of Benefit Services with the Departments of Employee Development and the Finance, moving duties more closely related to Finance to the Finance Dept and the HR type duties to the Employee Development Department, creating a more traditional Human Resources Department. Part II Article 3 of the city Code of Ordinances references a Director of Employee Development. Given this, will we be able to have a Human Resource Department and Human Resource Director versus an Employee Development Department & E.D. Director?

Thanks

Rob Boulis
Deputy City Manager
7900 South Westnedge Avenue
Portage, MI 49002
269-329-4402
boulisr@portagemi.gov
website: www.portagemi.gov

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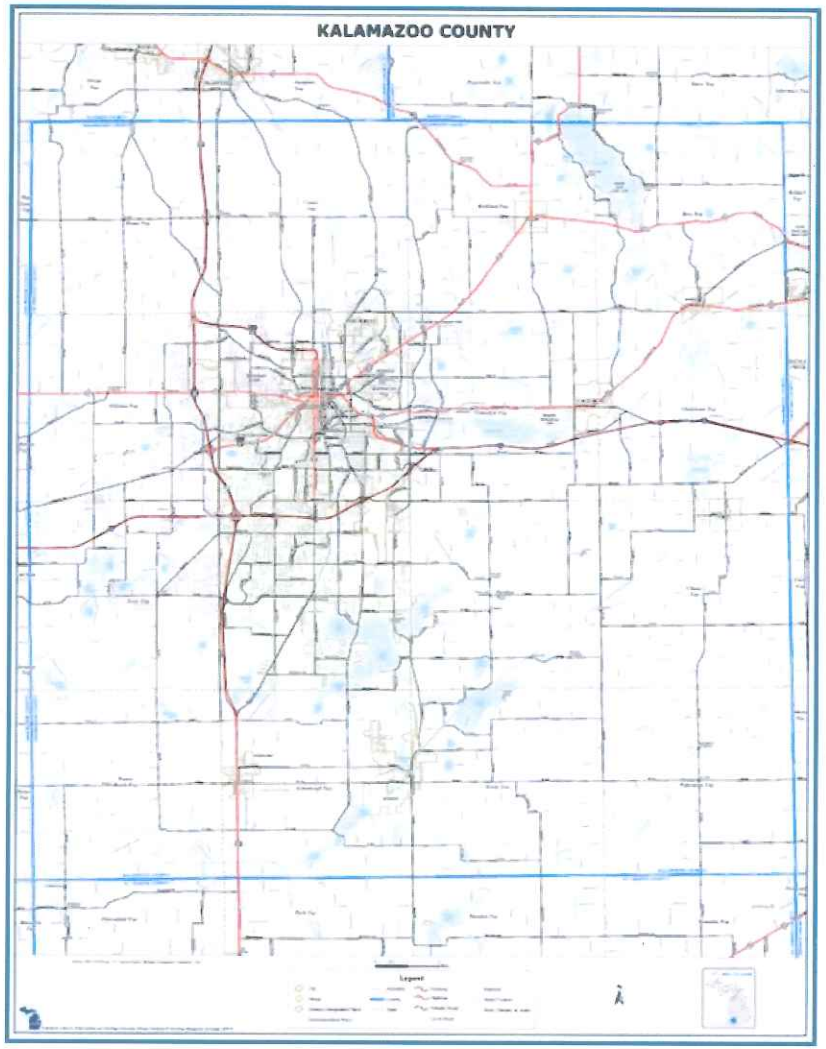
Kalamazoo County



Law Enforcement Millage Renewal: May 3, 2016

Public Information and Engagement
On Behalf of Kalamazoo County

Law Enforcement Millage Origin

- In 1980, the voters of Kalamazoo County gave their authority to levy a special millage in the amount of 1.5 mills to support law enforcement functions at the County level for six years
- It has been renewed every six years since then
- There have been two Headlee rollbacks since 1980, which resulted in the current level of 1.4491 mills
- All jurisdictions in the County receive services from the Law Enforcement Millage

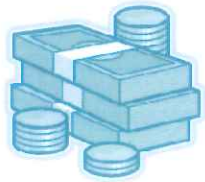
About this Millage

- On May 3, 2016, Kalamazoo County residents will be voting on the six year renewal 1.4491 mill levy for law enforcement
- This millage is proposed based on the County's efforts to keep pace with inflationary factors and the demands of the community in the area of public safety
- A provision in this millage is a policy to not reduce the General Fund portion of the regular operating budget more than 5% below 64.4%
- The maintenance of effort in the 2016 Budget meets this requirement

Ballot Proposal Wording

"For the purposes of maintaining portions of the Law Enforcement and Safety functions for the citizens of Kalamazoo County in the areas of Sheriff, Prosecuting Attorney, Circuit Court Trial and Family Divisions, District Court, Animal Services & Enforcement, and Community Corrections shall the limitation on the amount of taxes which may be imposed on taxable property in Kalamazoo County be increased by 1.4491 mills of taxable value on all taxable property in Kalamazoo County for a period of six (6) years, being 2016 to 2021, inclusive. It is estimated that 1.4491 mills would raise approximately $11,879,000 when first levied in 2016."

Cost to the Individual Taxpayer



- One mill is $0.001 on every dollar of taxable value of your property
- The taxable value of your property is approximately 50% of the value of your home
- For example, if your property is valued at $100,000 then the taxable value is $50,000
- A millage of 1.4491 levied against a property valued at $100,000 with $50,000 taxable value would be $72.46 per year ($6.03 per month)

What the Millage Supports

- Sheriff
- Prosecuting Attorney
- The Circuit Court Family and Trial Divisions
- District Court
- Animal Services and Enforcement
- Community Corrections
- Capital Contingency and Technological Support

Allocation of Funds

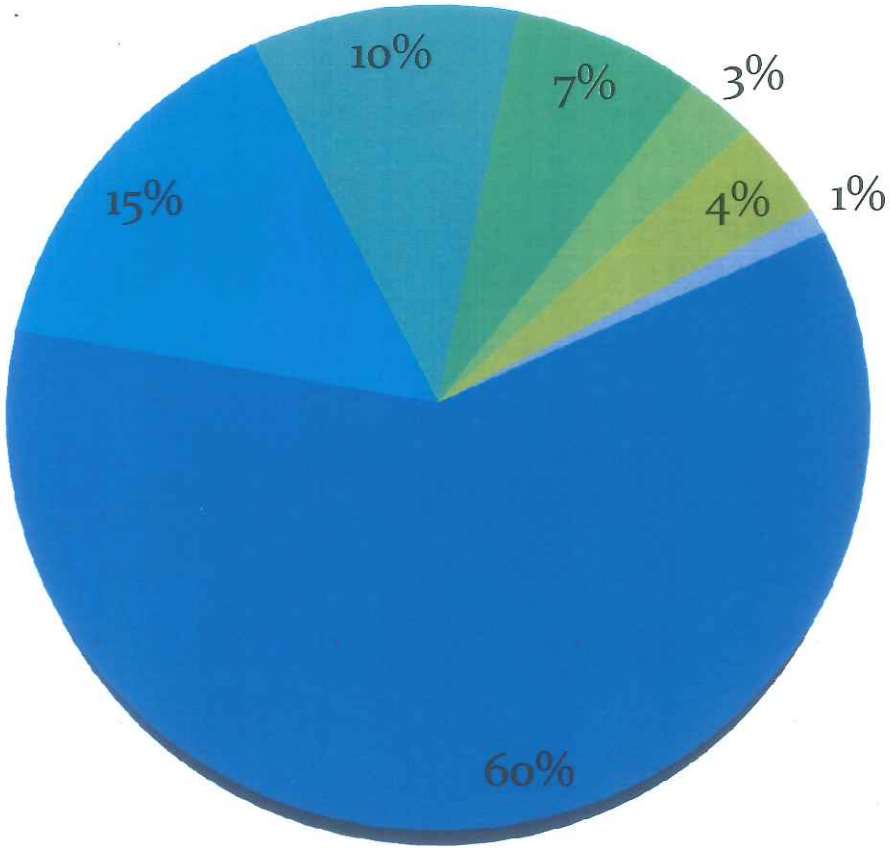
- In total, the County spends approximately $59.6 million annually on Law Enforcement operations.

- Of the $59.6 million, approximately 19.9% or $11.9 million comes from the Law Enforcement Millage.

Estimated Expenditures

Sheriff (32.2% of Office)	$ 7,123,400
Prosecuting Attorney (48.5% of Office)	$ 1,774,600
Circuit Court (7% of Court)	$ 1,235,100
District Court (14.5% of Court)	$ 865,500
Animal Services & Enforcement (40% of Dept)	$ 330,100
Capital, Contingency & Tech (2% of Funds)	$ 539,300
Community Corrections (1% of Dept)	$ 11,000
Estimated Total Generated Millage	$11,879,000

Distribution of Millage Expenditures



- Sheriff
- Prosecuting Attorney
- Circuit Court
- District Court
- Animal Services & Enforcement
- Capital, Contingency, Technology
- Office of Community Corrections

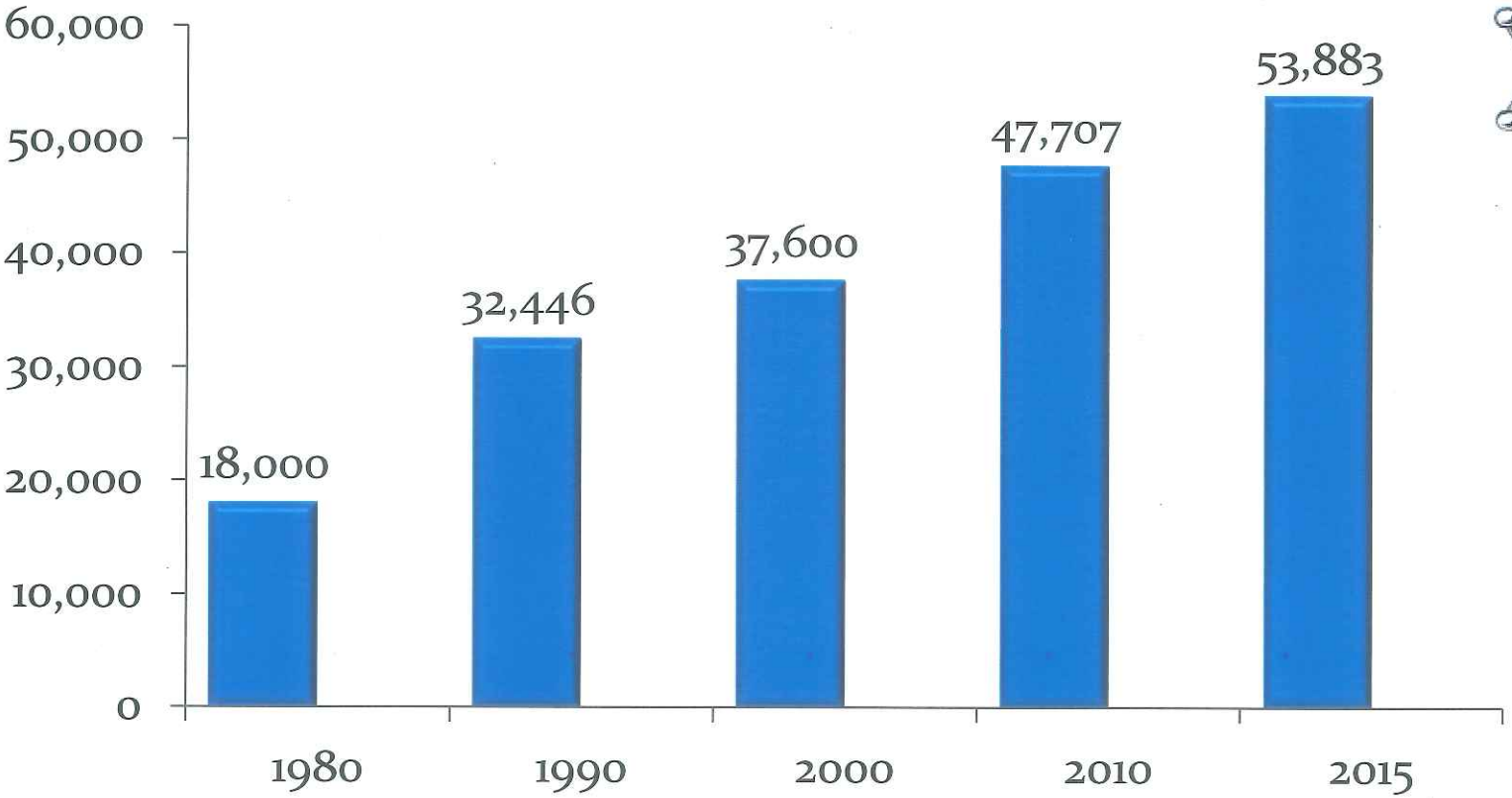
Staffing Paid for by this Millage

Sheriff's Office:

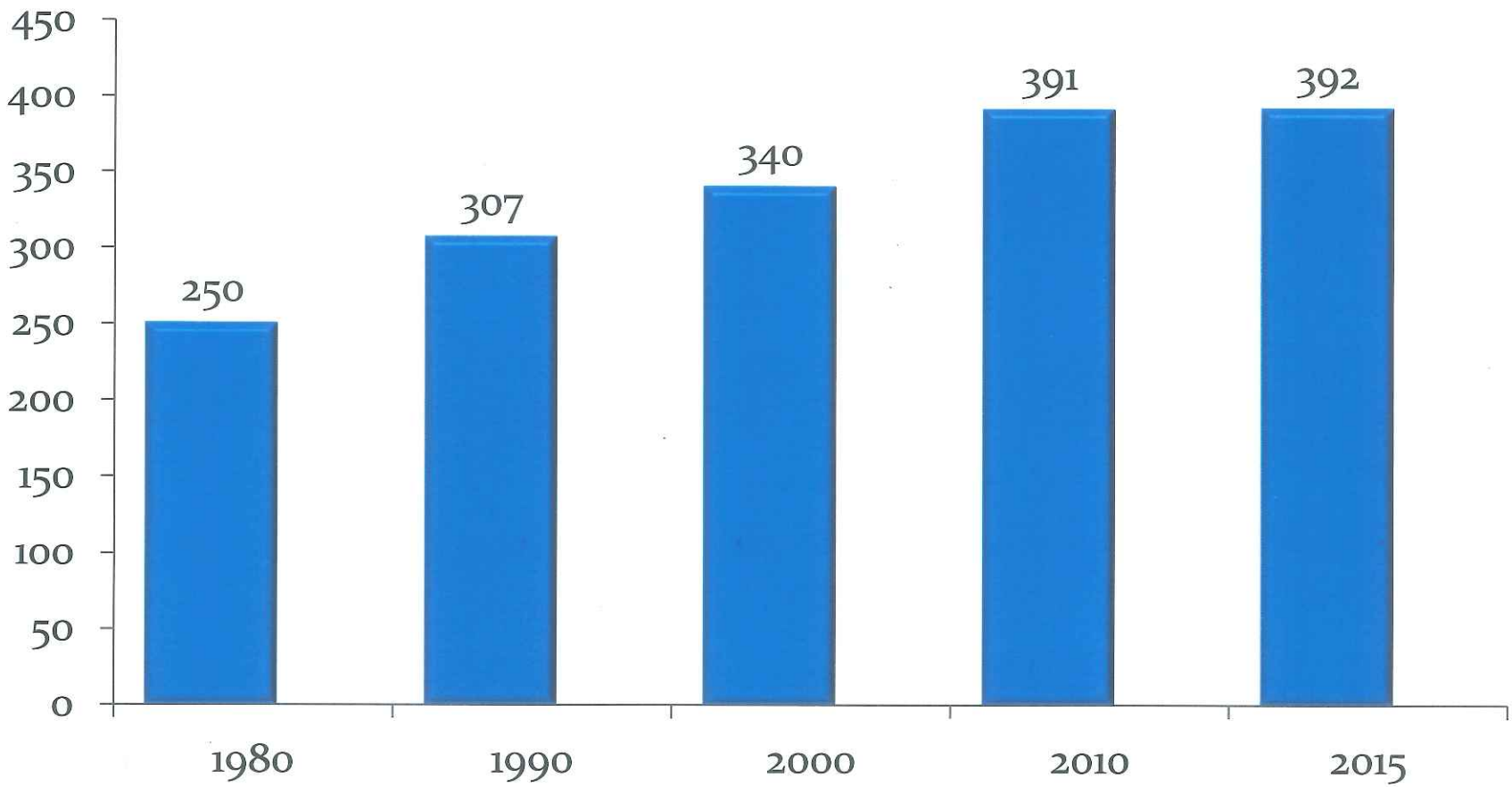
~ 68 Employees

~ 32.2% of Department

Sheriff's Office Complaints Handled



Average Daily Jail Population



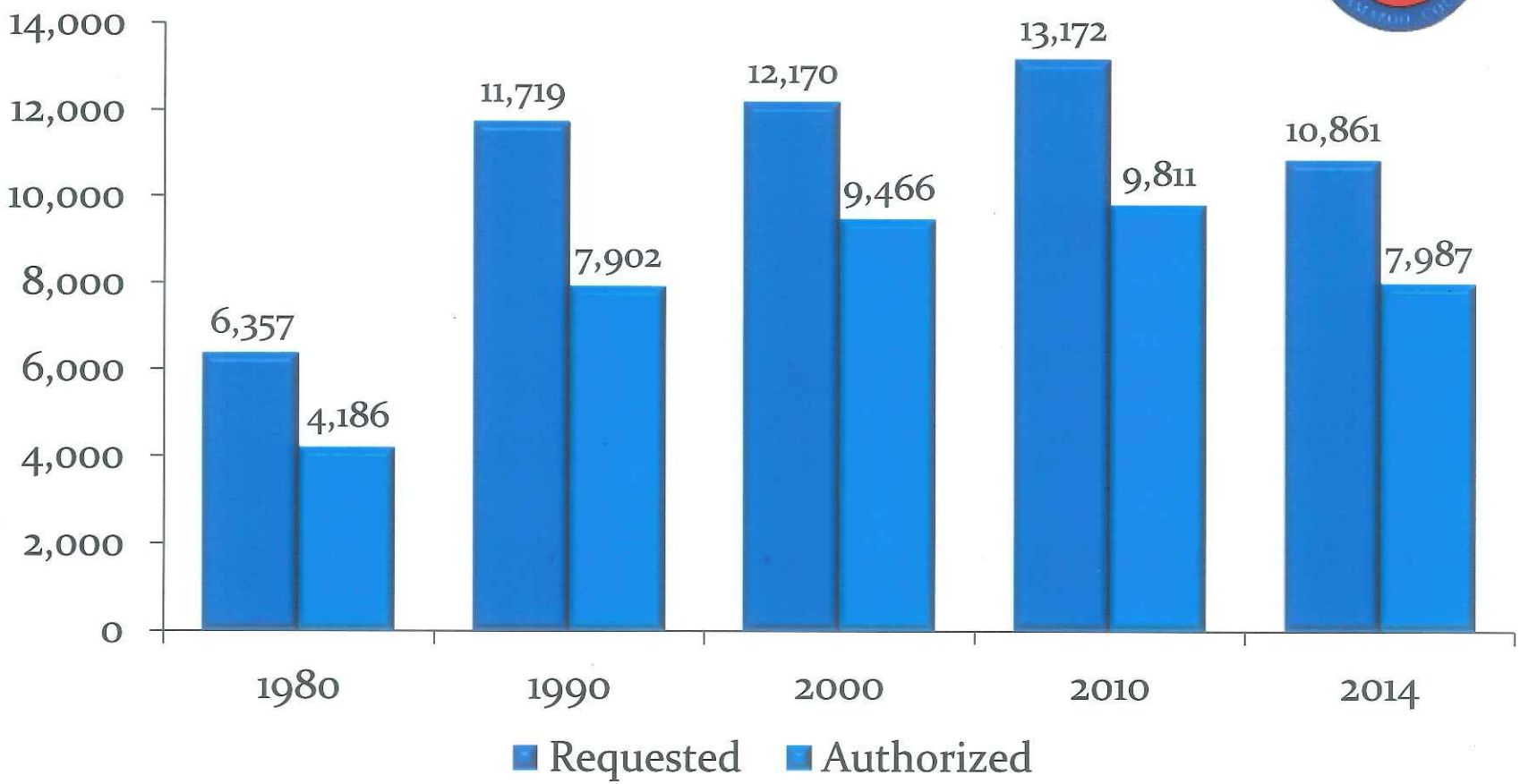
Staffing Paid for by this Millage

Prosecuting Attorney:

~ 21.25 Employees

~ 48.5% of Office of Prosecuting Attorney

Prosecutor Criminal Cases



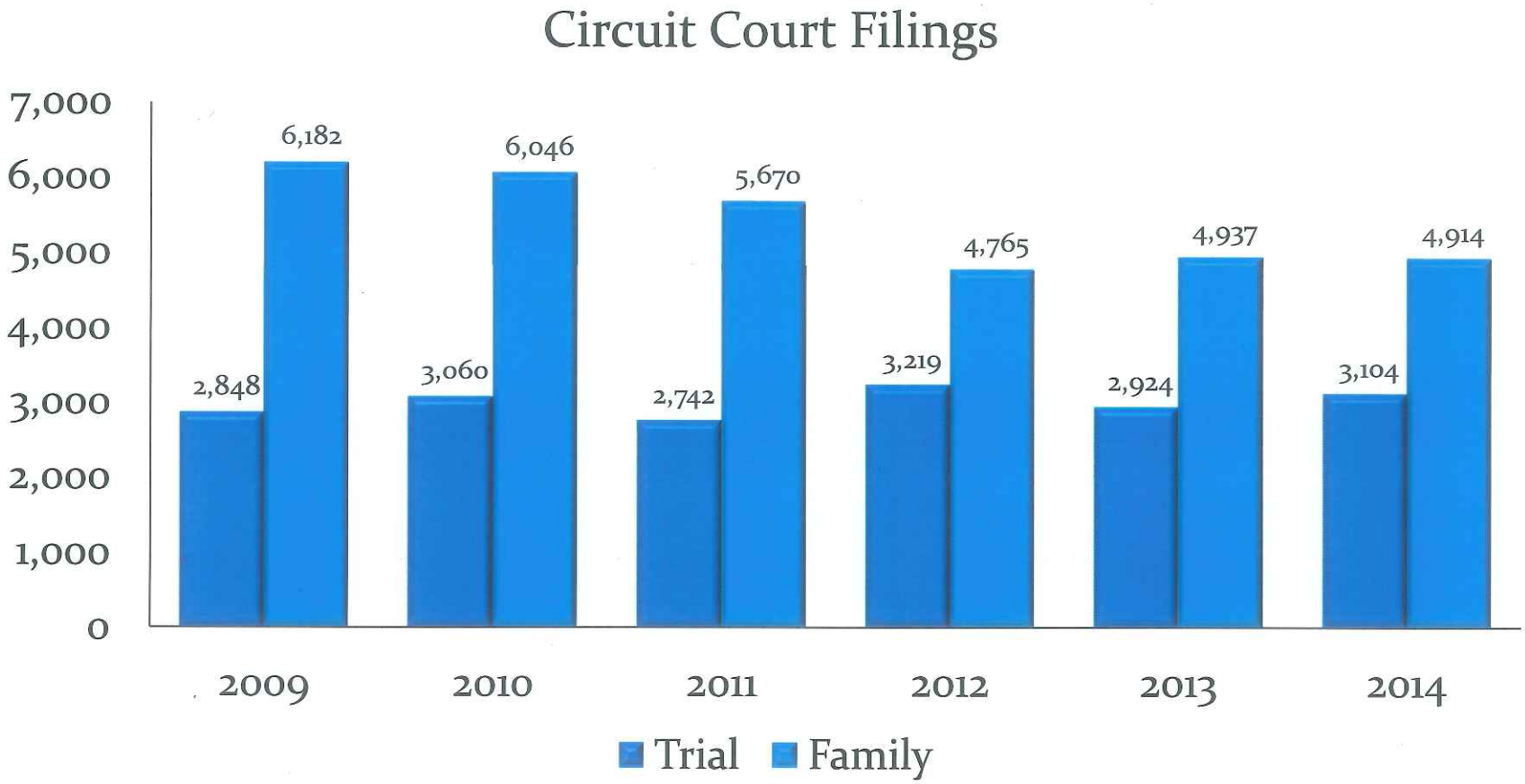
Staffing Paid for by this Millage

Circuit Court:

~ 13.5 Employees

~ 7% of Circuit Court

Circuit Court Cases Handled



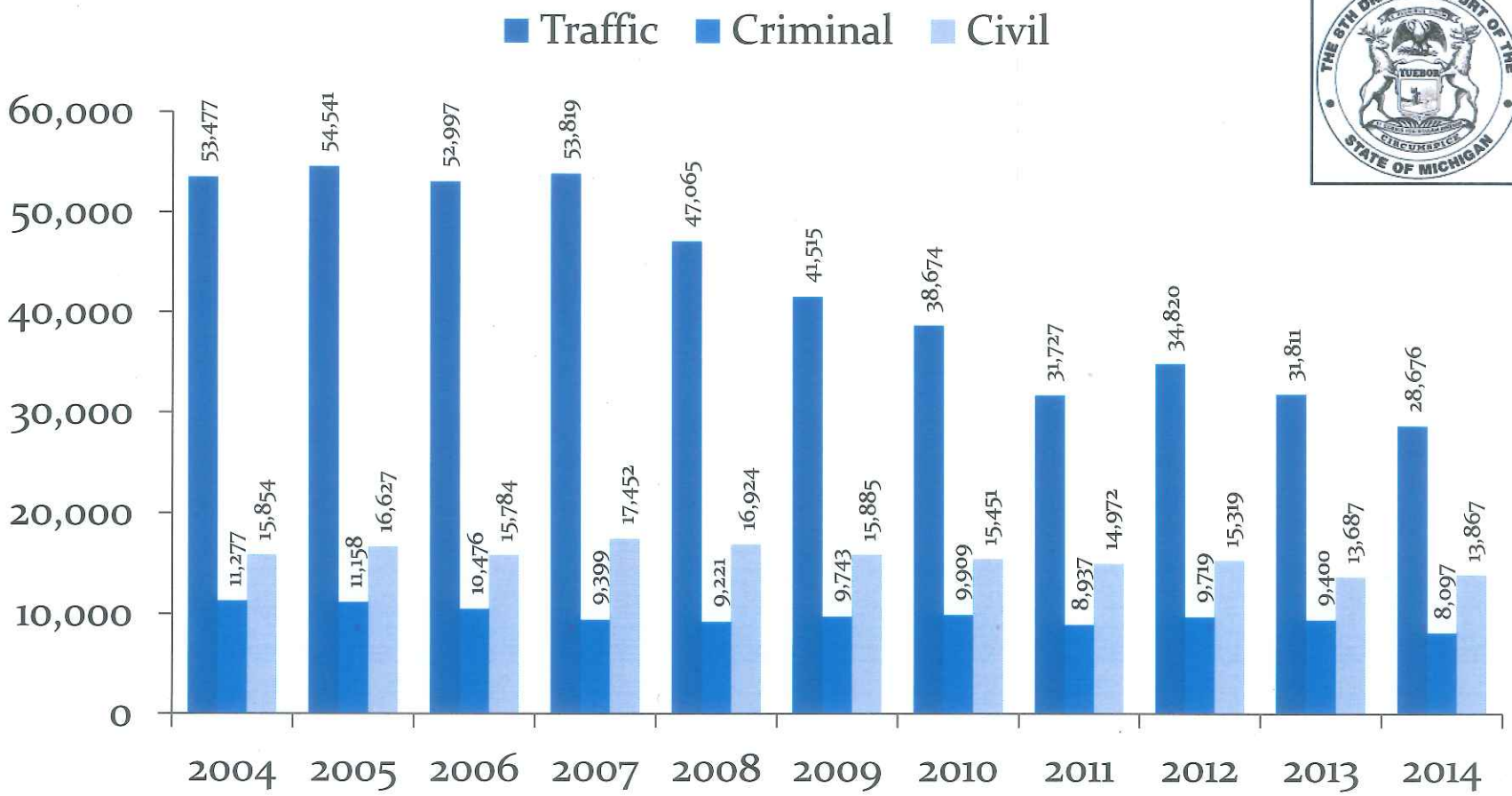
Staffing Paid for by this Millage

District Court:

~ 14.5 Employees

~ 19.6% of District Court

District Court Caseload/Dispositions



Staffing Paid for by this Millage

Animal Services & Enforcement:

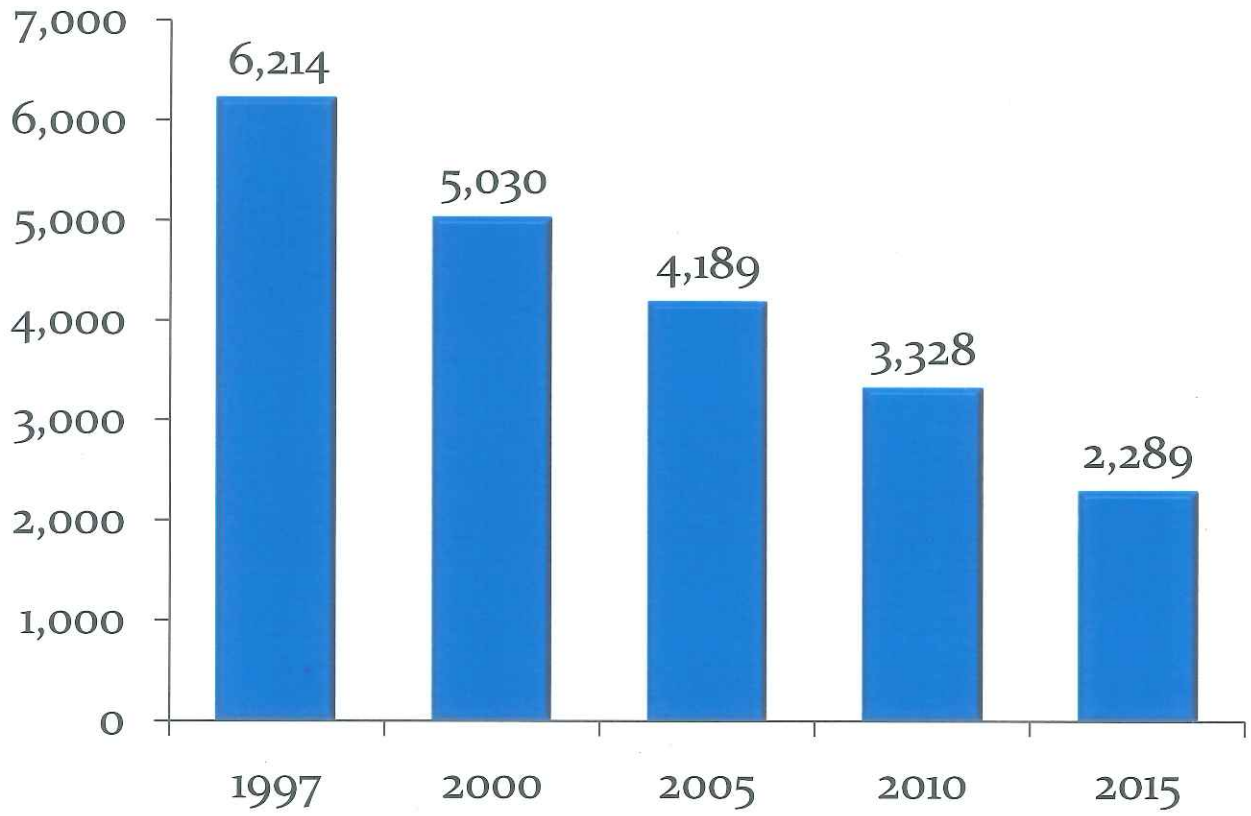
~ 6.0 Employees

~ 40% of Department

Animal Services & Enforcement

- In 2015 AS&E responded to 7,264 complaint calls
- 504 were cruelty, neglect or abandonment investigations
- 492 were animal bite cases
- 90% of adoptable animals were saved

AS&E Animals Received



Office of Community Corrections

- In 2015, OCC had 3,692 people under supervision through a court order
- 90% were successful in completing their supervision program
- 140,400 drug tests were administered to 20,619 offenders

For More Information Please Contact

Sheriff Richard Fuller

Phone: (269) 385-6173
Email: rcfull@kalcounty.com

Prosecutor Jeff Getting

Phone: (269) 383-8900
Email: jsgett@kalcounty.com

Webpage: www.kalcounty.com

Law Enforcement Millage Renewal: May 3, 2016

Public Information and Engagement
On Behalf of Kalamazoo County

TO: Portage City Council

FROM: Peter J. Strazdas, Mayor

SUBJECT: 2016 Calendar Year City Council Committee Appointments

ACTION RECOMMENDED: That City Council accept the 2016 calendar year appointments to City Council committees.

Following review of the City Council committee preferences, I recommend that City Council accept the 2016 calendar year appointments to City Council Committees as noted on the attached listing. The appointments will be effective immediately, unless stated otherwise within respective external agreements.

FUNDING: N/A

Attachments: 2016 City Council Committee Listing

2016 City Council Committee Appointments

	Committee	Appointments
On-going Committees	City Manager Salary Review/Evaluation Committee	Pearson, Randall, Strazdas
	Water / Sewer (Utility) Rate Committee	Ford, Reid, Strazdas (citizens Ted Vliek, Randy Orwig)
	Investment Committee	Strazdas (citizens Aimee Kornowicz, Chris Burns, Richard Kraas)
	City Council School / Library Committee	***Committee of the Whole***
	Advisory Board Review Committee	***Committee of the Whole***
	Community Survey Committee	***Committee of the Whole***
	City Council Property Committee	***Committee of the Whole***
External / Community Committees	Kalamazoo Area Transportation Study Policy Committee	Urban, Reid
	Discover Kalamazoo Advisory Board	Ansari (voting), Ford (alt.), Randall (alt.)
	Kalamazoo County Environmental Health Advisory Council	Ford
	Austin Lake Governmental Lake Board	Pearson, Ansari
	Long Lake Governmental Lake Board	Urban
	Public Media Network (PMN) Board	Reid
	Kalamazoo County Public Arts Commission	Randall, Reid (alt.)
	Council of Governments	Ansari, Reid (alt.)
	Central County Transportation Authority (CCTA) Board	Pearson (exp. 9/16/2016), Urban (exp. 9/16/2017)
	Kalamazoo County Central Dispatch Authority (KCCDA) Board of Directors	Pearson (exp. 11/18/2017), Reid (exp. 11/18/2017), Strazdas (alt.), Ford (alt.)

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Amendment to Code of Ordinances - Discharge of Firearms

SUPPORTING PERSONNEL: Richard White, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: That City Council approve the amendment to Chapter 50, Article 3, Section 50-81, Discharge of Firearms.

In the spring of 2015, the Michigan Legislature passed an amendment to the Firearms and Ammunition Act (MCL 123.1101) to revise the state law to include “pneumatic guns" in local gun control laws. In light of this amendment, the City Attorney and the Public Safety Department reviewed Section 50-81 of the City of Portage Code of Ordinances, which prohibits the discharge of firearms. The City Attorney has advised that the current city ordinance be amended to eliminate the existing vague and overly broad language and to reflect the update in the state legislation. The principal difference between the state amendment and the City Ordinance is that the state amendment outlines a distinction between what are termed "firearms" and "pneumatic guns," and places certain restrictions on the regulation of pneumatic guns by local ordinance.

This first reading of this ordinance amendment was tabled for further discussion at the February 9, 2016 City Council meeting in order to allow the City Administration to provide Council further information regarding the potential impacts of this ordinance. The attached communication dated February 10, 2016 is offered as supplementary information to Council.

The proposed amendment to the city ordinances updates the statutory definitions of "firearm" and "pneumatic gun," amongst others. With this update, firearms can still be regulated in the manner and to the degree specified in the city ordinance. Additionally, in accordance with the amendment to MCL 123.1101 the proposed city ordinance amendment requires adult supervision for possession of pneumatic guns by persons under 16 years of age (except on private property when authorized by their parent or guardian and the owner or person in possession of the property) and prohibits "brandishing" firearms to induce fear or shooting in a heavily populated area (with stipulations).

Therefore, it is recommended that City Council accept the amendment to Chapter 50, Article 3, Section 50-81, Discharge of Firearms.

FUNDING: N/A

Attachments:
1. Ordinance Amendment - Discharge of Firearms
2. February 10, 2016 Communication from Director White

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 3, OFFENSES AGAINST PUBLIC SAFETY, SECTION 50-81, DISCHARGE OF FIREARMS, OF CHAPTER 50, OFFENSES AND MISCELLANEOUS PROVISIONS

THE CITY OF PORTAGE ORDAINS:

That Chapter 50 shall be amended as follows:

CHAPTER 50. OFFENSES AND MISCELLANEOUS PROVISIONS.

ARTICLE 3. – OFFENSES AGAINST PUBLIC SAFETY.

Sec. 50-81. - Discharge of firearms and pneumatic guns.

(a) *Purpose.* The purpose of this section is to secure and maintain the public peace, health, safety, welfare and convenience of the residents and property owners of the city by the regulation of the use of pneumatic guns, pistols, firearms, bows and arrows, cross bows, and other devices capable of expelling a projectile in the city and the approval of pistol and other firearms ranges.

(b) *Definitions.* As used in this section:

1. Approved range means a range for the shooting of pistols and other firearms, constructed in such manner as to prevent the projectile from any weapon so fired on such range from exceeding the physical limits of such range.

2. Building, structure and edifice mean a space within walls and usually, but not necessarily, covered with a roof.

3. Firearm means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.

4. Pistol means that term as defined in section 222 of the Michigan penal code, 1931 PA 328, MCL 750.222.

5. Pneumatic gun means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

6. *Bow* means a device for propelling an arrow from a string drawn, held, and released by hand if the force used to hold the string in the drawn position is provided by the archer's muscles.

7. *Crossbow* means a weapon consisting of a bow, with a draw weight of 100 pounds or more, mounted transversely on a stock or frame and designed to fire an arrow, bolt, or quarrel by the release of a bow string controlled by a mechanical or electric trigger with a working safety.

8. *Other device capable of expelling a projectile* means a device other than a firearm, pistol, or pneumatic gun from which is propelled a missile, projectile, pellet or other mass by means of springs, rubber, elastic strip, levers or other mechanical devices.

(c) *Discharge of pistols and other firearms prohibited; exceptions.* No person shall discharge a pistol or other firearm in or into the city except as follows:

(1) An authorized officer of the law may discharge a pistol or other firearm in the performance of his official duties.

(2) When permitted by law, a person may discharge a pistol or other firearm for the protection of a human life.

(3) A person may discharge a shotgun with a load of shot shell only for skeet, trap or target practice purposes in a safe manner upon a range which has been approved by the council for such purpose.

(4) A person may discharge a shotgun for the hunting of game and birds in season as prescribed by the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.) in those areas owned by the state and controlled by the state department of environmental quality or state department of natural resources.

(5) A person may discharge a shotgun at any time for the purpose of preventing depredation to property by birds or other animals in accordance with the provisions of the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.).

(d) *Firearms ranges.* No pistol or other firearms practice range may be used in the city unless approved by the council upon the recommendation of the director of the department of public safety; provided, however, that such range is so constructed as to prevent the discharge of a shotgun with a load of shot shell from exceeding the limits of such range. Use of a firearm other than a shotgun with a load of shot shell shall be grounds for withdrawal of the approval for such range.

(e) *Minors.* No person under the age of 17 years shall discharge a pistol or other firearm in the city unless under the direct supervision and control of and accompanied by a parent, legal guardian or other adult person authorized by such parent or legal guardian to have direct supervision of the person under the age of 17 years. However, every parent, guardian or other person having the physical custody or charge of a minor under the age of 17 years shall control such minor and prevent him from violating or attempting to violate any of the provisions of this section.

(f) *Possession of pneumatic gun, bow, crossbow, or, other device capable of expelling a projectile by individual below the age of 16.* An individual below the age of 16 may not possess a pneumatic gun bow, crossbow, or, other device capable of expelling a projectile unless he or she is under the supervision of a parent, a guardian, or an individual 18 years of age or older, except that an individual below the age of 16 may possess a pneumatic gun on or within private property within the city if the individual below the age of 16 is authorized to possess the pneumatic gun by a parent or guardian and the property owner or legal possessor of the property.

(g) *Discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile prohibited; exceptions.* The discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile is prohibited in any area within the city that is so heavily populated as to make that conduct dangerous to the inhabitants of that area, except that the discharge of pneumatic guns, bows, crossbows, or, other devices capable of expelling a projectile is not prohibited within the city at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

(h) No person may point, wave about, or display a pneumatic gun, bow and arrow, crossbow, or, other device capable of expelling a projectile in a threatening manner with the intent to induce fear in another individual within the city.

Dated: _____

_____
Peter J. Strazdas, Mayor

FIRST READING:
SECOND READING:
ORDINANCE #:
EFFECTIVE DATE:

CERTIFICATION

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 20___.

_____
James R. Hudson, City Clerk

PREPARED BY:
Charles R. Bear (P34107)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:
Date: 2-2-16
CRB
_____
City Attorney

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CITY OF PORTAGE **COMMUNICATION**

RECEIVED
FEB 11 2016
CITY MANAGER'S OFFICE
PORTAGE, MI

TO: Laurence Shaffer, City Manager **DATE:** February 10, 2016

FROM: Richard J. White, Public Safety Director – Police/Fire Chief RJW

SUBJECT: Amendment to Portage Code 50-81

The current City of Portage Code of Ordinances, Chapter 50, Section 81, Subsection 'b' defines a firearms as follows:

> *Firearm* means a weapon or device from which is propelled a missile, projectile, bullet, shot, pellet or other mass by means of explosives, compressed air or gas, or by means of springs, rubber, levers or other mechanical devices.

Subsection 'c' of the same section and chapter prohibits the discharge of a firearm in or into the city with the following exceptions:

1) An authorized officer of the law may discharge a firearm in the performance of his official duties.
2) When permitted by law, a person may discharge a firearm for the protection of a human life.
3) A person may discharge a shotgun with a load of shot shell only for skeet, trap or target practice purposes in a safe manner upon a range which has been approved by the council for such purpose.
4) A person may discharge a shotgun for the hunting of game and birds in season as prescribed by the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.) in those areas owned by the state and controlled by the state department of environmental quality or state department of natural resources.
5) A person may discharge a shotgun at any time for the purpose of preventing depredation to property by birds or other animals in accordance with the provisions of the Natural Resources and Environmental Protection Act (MCL 324.101 et seq., MSA 13A.101 et seq.).

The last section of this same ordinance, Section 1 governs discharge of a firearm as follows:

> (e) *Minors.* No person under the age of 17 years shall discharge a firearm in the city unless under the direct supervision and control of and accompanied by a parent, legal guardian or other adult person authorized by such parent or legal guardian to have direct supervision of the person under the age of 17 years. However, every parent, guardian or other person having the physical custody or charge of a minor under the age of 17 years shall control such

minor and prevent him from violating or attempting to violate any of the provisions of this section.

Literally interpreted, our ordinance could apply to Nerf guns, paintball guns, water balloon launchers, baseball/tennis ball machines, T-shirt launchers, and a variety of children's toys identifying them as firearms. A 14-year-old playing with a Nerf ball gun could be in violation of our code, as would an adult discharging a paintball gun in our city.

Our city code mirrored state law until July 1, 2015, when MCL 123.1101 was amended. It is believed that the legislature recognized that the definition of firearm was overly broad. The Michigan statute now reads as follows:

FIREARMS AND AMMUNITION (EXCERPT)
Act 319 of 1990

123.1101 Definitions.

Sec. 1

As used in this act:

a) "Firearm" means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.

b) "Local unit of government" means a city, village, township, or county.

c) "Pistol" means that term as defined in section 222 of the Michigan penal code, 1931 PA 328, MCL 750.222.

d) "Pneumatic gun" means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

As noted by the amendment to this law, this definition has been made very narrow for firearm. Additionally, a definition has been provided for pneumatic gun.

Section 2 of the new act identifies prohibitions on local units of government pertaining to firearms, pistols, and pneumatic guns. These prohibitions are identified as follows:

123.1102 Regulation of pistols, other firearms, pneumatic guns, or ammunition.

Sec. 2.

A local unit of government shall not impose special taxation on, enact or enforce any ordinance or regulation pertaining to, or regulate in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms, except as otherwise provided by federal law or a law of this state.

Section 3 of the law allows local units of government to do the following:

a) Prohibiting or regulating conduct with a pistol, other firearm, or pneumatic gun that is a criminal offense under state law.

b) Prohibiting or regulating the transportation, carrying, or possession of pistols, other firearms, or pneumatic guns by employees of that local unit of government in the course of their employment with that local unit of government.

c) Regulating the possession of pneumatic guns within the local unit of government by requiring that an individual below the age of 16 who is in possession of a pneumatic gun be under the supervision of a parent, a guardian, or an individual 18 years of age or older, except that an ordinance shall not regulate possession of a pneumatic gun on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun.

d) Prohibiting an individual from pointing, waving about, or displaying a pneumatic gun in a threatening manner with the intent to induce fear in another individual.

A similar group of regulations that a local unit of government may also enact can be found in Section 4 as follows:

Sec. 4.

This act does not prohibit a city or a charter township from doing any of the following:

a) Prohibiting the discharge of a pistol or other firearm within the jurisdiction of that city or charter township.

b) Prohibiting the discharge of pneumatic guns in any area within the jurisdiction of the city or charter township that is so heavily populated as to make that conduct dangerous to the inhabitants of that area, except that an ordinance shall not prohibit the discharge of pneumatic guns at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

The proposed amendment to City Ordinance Article 3, Chapter 50, Section 50-81 follows the amended state laws and accomplishes:

- Firearms are now more narrowly defined.
- Removes the possibility that a child's toy, such as a Nerf ball gun, could be identified as a firearm.
- Now permits the discharge of pneumatic guns on private property if reasonable care is given to prevent the projectile from leaving the confines of the property.
- Now permits an individual 16 or younger to possess a pneumatic gun or other device capable of expelling a projectile on private property if authorized by a parent or guardian.

Based upon the behavior now permitted by the proposed code amendment, unless a toy can expel a projectile by action of an explosion, it cannot be classified as a firearm. Toys may be pneumatic guns; however, the proposed ordinance puts in place reasonable guidelines.

RJW:jh

Legislative Analysis

Phone: (517) 373-8080
http://www.house.mi.gov/hfa

Analysis available at
http://www.legislature.mi.gov

PNEUMATIC GUN

Senate Bill 85 as passed by the Senate without amendment
Sponsor: Sen. Dave Hildenbrand
House Committee: Judiciary
Senate Committee: Judiciary
Revised on 4-20-15

SUMMARY:

The bill would amend Public Act 319 of 1990, which prohibits local units of government from taxing or regulating the ownership of pistols or other firearms, to do the following:

- Extend the authority of the act to include pneumatic guns.
- Define the terms "firearm" and "pneumatic gun."
- Expand current provisions regarding the authority of local units of government over pistols or firearms to include pneumatic guns.
- Allow a local government to require a minor be under parental supervision when using a pneumatic gun (unless the minor has permission to do so on private land).
- Allow a local government to prohibit brandishing a pneumatic gun.
- Allow a city or charter township to prohibit the discharge of a pneumatic gun in heavily populated areas.

The bill would take effect 90 days after enactment.

Senate Bill 85 is part of a larger package of bills to align the definition of "firearm" in various state statutes with each other and with federal law and to no longer treat pneumatic guns and pellet guns as firearms. House Bills 4151-4156 have passed the House and are pending Senate floor action. See the analysis of those bills at: http://www.legislature.mi.gov/documents/2015-2016/billanalysis/House/pdf/2015-HLA-4151-BC81FBB9.pdf

Definitions

"Firearm" would mean any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive. "Pneumatic gun" means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with pain for the purpose of marking the point of impact.

Regulation by local governments

Currently, the act prohibits a local unit of government (defined as a city, village, township, or county) from imposing special taxation on, enacting or enforcing any ordinance or regulation pertaining to, or regulating in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms, except

as allowed by federal law or Michigan law. Senate Bill 85 would apply this provision also to pneumatic guns.

The act allows a local unit of government to prohibit or regulate conduct with a pistol or other firearm that is a criminal offense under state law or the transportation, carrying, or possession of pistols and other firearms by employees of a local government in the course of employment with that local government. The bill would apply these provisions to a pneumatic gun, as well.

The bill would also allow a local unit of government to require, within its jurisdiction, that an individual below the age of 16 who is in possession of a pneumatic gun be under the supervision of a parent, guardian, or an individual 18 years of age or older. An ordinance could not, however, regulate possession of a pneumatic gun on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun.

The local unit of government could also prohibit an individual from pointing, waving about, or displaying a pneumatic gun in a threatening manner with the intent to induce fear in another individual.

Regulation by a city or charter township

A city or charter township could prohibit the discharge of pneumatic guns in any area within its jurisdiction that is so heavily populated as to make that conduct dangerous to the inhabitants of the area. However, an ordinance could not prohibit the discharge of pneumatic guns at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

MCL 123.1101 et al.

FISCAL IMPACT:

Senate Bill 85 would not have a significant fiscal impact on the state or local units of government.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Paul Holland

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

Legislative Analysis

Phone: (517) 373-8080
http://www.house.mi.gov/hfa

Analysis available at
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PNEUMATIC GUN

Senate Bill 85 as passed by the Senate without amendment
Sponsor: Sen. Dave Hildenbrand
House Committee: Judiciary
Senate Committee: Judiciary
Complete to 4-13-15

SUMMARY:

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- Define the terms "firearm" and "pneumatic gun."
- Expand current provisions regarding the authority of local units of government over pistols or firearms to include pneumatic guns.
- Allow a local government to require a minor be under parental supervision when using a pneumatic gun (unless the minor has permission to do so on private land).
- Allow a local government to prohibit brandishing a pneumatic gun.
- Allow a city or charter township to prohibit the discharge of a pneumatic gun in heavily populated areas.

The bill would take effect 90 days after enactment.

Senate Bill 85 is part of a larger package of bills to align the definition of "firearm" in various state statutes with each other and with federal law and to no longer treat pneumatic guns and pellet guns as firearms. House Bills 4151-4156 have passed the House and are pending Senate floor action. See the analysis of those bills at: http://www.legislature.mi.gov/documents/2015-2016/billanalysis/House/pdf/2015-HLA-4151-BC81FBB9.pdf

Definitions

"Firearm" would mean any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive. "Pneumatic gun" means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with pain for the purpose of marking the point of impact.

Regulation by local governments

Currently, the act prohibits a local unit of government (defined as a city, village, township, or county) from imposing special taxation on, enacting or enforcing any ordinance or regulation pertaining to, or regulating in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms, except

as allowed by federal law or Michigan law. Senate Bill 85 would apply this provision also to pneumatic guns.

The act allows a local unit of government to prohibit or regulate conduct with a pistol or other firearm that is a criminal offense under state law or the transportation, carrying, or possession of pistols and other firearms by employees of a local government in the course of employment with that local government. The bill would apply these provisions to a pneumatic gun, as well.

The bill would also allow a local unit of government to require, within its jurisdiction, that an individual below the age of 16 who is in possession of a pneumatic gun be under the supervision of a parent, guardian, or an individual 18 years of age or older. An ordinance could not, however, regulate possession of a pneumatic gun on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun.

The local unit of government could also prohibit an individual from pointing, waving about, or displaying a pneumatic gun in a threatening manner with the intent to induce fear in another individual.

Regulation by a city or charter township

A city or charter township could prohibit the discharge of pneumatic guns in any area within its jurisdiction that is so heavily populated as to make that conduct dangerous to the inhabitants of the area. However, an ordinance could not prohibit the discharge of pneumatic guns at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

MCL 123.1101 et al.

FISCAL IMPACT:

Senate Bill 85 is linked to a series of House bills, all of which are tie-barred to Senate Bill 85 and depend on the definition of "pneumatic gun" found in the bill. Some of those bills exclude the use of pneumatic guns from certain offenses while others would newly include the use of pneumatic guns under certain offenses (including both misdemeanor and felony offenses). For the fiscal impact of the package of bills as a whole, see the link to the HFA analysis provided above.

Legislative Analyst: Susan Stutzky

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

Act No. 29
Public Acts of 2015
Approved by the Governor
May 12, 2015
Filed with the Secretary of State
May 12, 2015
EFFECTIVE DATE: August 10, 2015

STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2015

Introduced by Senator Hildenbrand

ENROLLED SENATE BILL No. 85

AN ACT to amend 1990 PA 319, entitled "An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms," by amending the title and sections 1, 2, 3, and 4 (MCL 123.1101, 123.1102, 123.1103, and 123.1104).

The People of the State of Michigan enact:

TITLE

An act to prohibit local units of government from imposing certain restrictions on the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms.

Sec. 1. As used in this act:

(a) "Firearm" means any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.

(b) "Local unit of government" means a city, village, township, or county.

(c) "Pistol" means that term as defined in section 222 of the Michigan penal code, 1931 PA 328, MCL 750.222.

(d) "Pneumatic gun" means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Pneumatic gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

Sec. 2. A local unit of government shall not impose special taxation on, enact or enforce any ordinance or regulation pertaining to, or regulate in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols, other firearms, or pneumatic guns, ammunition for pistols or other firearms, or components of pistols or other firearms, except as otherwise provided by federal law or a law of this state.

Sec. 3. This act does not prohibit a local unit of government from doing any of the following:

(a) Prohibiting or regulating conduct with a pistol, other firearm, or pneumatic gun that is a criminal offense under state law.

(b) Prohibiting or regulating the transportation, carrying, or possession of pistols, other firearms, or pneumatic guns by employees of that local unit of government in the course of their employment with that local unit of government.

(c) Regulating the possession of pneumatic guns within the local unit of government by requiring that an individual below the age of 16 who is in possession of a pneumatic gun be under the supervision of a parent, a guardian, or an individual 18 years of age or older, except that an ordinance shall not regulate possession of a pneumatic gun on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun.

(d) Prohibiting an individual from pointing, waving about, or displaying a pneumatic gun in a threatening manner with the intent to induce fear in another individual.

Sec. 4. This act does not prohibit a city or a charter township from doing any of the following:

(a) Prohibiting the discharge of a pistol or other firearm within the jurisdiction of that city or charter township.

(b) Prohibiting the discharge of pneumatic guns in any area within the jurisdiction of the city or charter township that is so heavily populated as to make that conduct dangerous to the inhabitants of that area, except that an ordinance shall not prohibit the discharge of pneumatic guns at authorized target ranges, on other property where firearms may be discharged, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.

Secretary of the Senate

Clerk of the House of Representatives

Approved

Governor

City of Portage - Historic District Commission
Wednesday, January 6, 2016
Portage City Hall – Conference Room #2

MINUTES

Called to Order at 8:25 a.m.

Present: Suzanne Nemeth, Katie VanLonkhuyzen, Fred Grunert, Jessie Duniphin, Christine Broberg, Russ Randall, Jim Ebert, Collin Forrest and Erica Eklov (SL). Citizens Matt & Dave Nieuwenhuis

Absent: Marty Maytnier (excused).

Old Business:

1) Minutes from the regular meeting of December 16 were approved.
2) 5720 Oakland (Vergunst): No update.
3) 3221 W. Milham – Supplementary Materials & Quotes (Nieuwenhuis):
    a. Katie noted the additional quotes for the barn received from the property owner. Matt summarized the quotes; Building Restoration quoted $130,000, CE2 quoted $120,000 and his personal labor would be $106,000. Katie thanked Matt for providing the quotes as a measure for review.
    b. Matt noted that Building Restoration noted that restoration/repair of the current barn is too dangerous and that the barn is beyond repair.
    c. Matt noted salvage of that existing siding where possible and either salvage or recreation of the existing diamond roof peak vents.
    d. Matt displayed siding color samples (Metal Sales Red 24), noting the preference for the more "rusty" color red versus bright red. Discussion followed.
    e. Katie requested that any salvageable wood be used on the faux doors, followed by the Milham Avenue elevation. Discussion followed.
    f. Matt offered any additional salvageable wood to any other district owners.
    g. Katie recommended that any wood and doors would be painted to match the metal siding color. Commissioners and owner agreed. Additional discussion continued.
    h. Matt confirmed the driveway will remain in the same location.
    i. Discussion regarding trim size, location and decoration.
    j. Matt confirmed the new barn structure will have asphalt shingle roofing (Heathered Wood color; will match the shingles on the house).
    k. Katie requested a progress update from Matt following the old barn's demolition and new barn's construction to provide the Commission with an idea of how much existing wood will be salvageable. Matt agreed – if minimal wood is found to be reusable, Katie asked that he relay that information so as to allow for review and evaluation if needed.
    l. Katie then asked about the garage door design and mentioned the examples the Commission has provided at the last meeting. Matt relayed that those options were beyond his budget and Katie agreed but that the examples were provided for design insight only (barn design). Discussion followed. Sliding door style was preferred by the Commission. It was agreed that Matt would do additional product searching to relay to the Commission as the construction isn't planned until spring.
    m. Katie asked about the service door location. Matt relayed he would like to locate it on the same (north / Milham Avenue) elevation as the current door. Erica confirmed that the east elevation was agreed upon during the last Commission meeting and the conference call with Matt. Matt suggested the north elevation but disguising the door with siding. Discussion followed. Susan suggested placement on the east elevation, which would allow for any style of door due to the lower visibility. Fred suggested a steel flush door with the steel flush siding and avoid affixing any siding to a new door and creating holes. Matt inquired on the color and the Commission confirmed to match the faded red color he has proposed.
    n. Katie asked Erica about the next steps in the process for approval of the application with regard

to a zoning variance. Erica relayed that once the Commission approved Matt's application for demo and a new barn, that the information would be relayed to the Community Development Department pending an application by Matt for a variance on the proposed new structure. Following Mark Reile's comments from the December 16, 2015 meeting, the Commission has offered to compile a letter of support for Matt's variance. It was noted that the variance would be required before any work could commence.

o. Katie inquired about additional drawings of the new structure. Fred relayed that additional drawings, including all 4 elevations, was requested at the 12/15/16 meeting, but recommended that the additional drawings be submitted in a package form with the additional cut sheets and information requested at this meeting and be provided by Matt for the February 3 meeting for final review. Katie summarized that revised drawings, color pictures of all four sides of the current barn, cut sheets for the siding, all doors, color and roof would be needed. Matt stated he would get a packet together and e-mail the information to Erica for review prior to the next meeting. He also mentioned review with Community Development for input. Katie relayed that if the packet was received for the February 3 meeting, then the Commission could work on final action to assist with a spring project start.

p. Matt inquired about his pending code enforcement case with Community Development. Erica relayed that she would provide the information and discussion from this meeting to Community Development as an update.

q. Dave Nieuwenhuis inquired about window installation on the east elevation. Katie noted it would need to be in his supplementary materials for the application and that they would need to match existing (scale and design) to allow for comparison. Dave noted there are current six pane windows currently. Katie suggested trying the Heritage Company in Kalamazoo for supplementary windows.

r. Matt inquired about demolition of the existing barn. Fred highlighted the narrative from the Building Restoration quote and Katie stressed the continued need for care in salvage.

s. Matt inquired about an exterior light. Katie requested that it be noted on the supplementary drawing. Discussion closed pending additional information at the February 3rd meeting.

t. Fred noted his gratitude for everyone's continued patience and cooperation on this matter.

4) 1521 E. Centre (Davis): Erica provided a draft development plan received from Community Development regarding a multi-family complex in a Planned Development that would retain the historic house. Discussion followed. No action was requested from the Commission at this time.
5) 2663 Mandigo (Kiley): Katie inquired about the status. Erica relayed the ongoing code enforcement and Community Development action.
6) 8007 Cox's Drive: No update.
7) Newsletter: There was discussion about restarting the newsletter. Additional discussion was tabled until later meetings.

New Business:

1) 10209 Portage Road (Lynch): January 4, 2016 application for new shingled roof due to current roof failing.
   a. There was discussion regarding the prior June 15, 2015 application to re-roof with metal roofing, also noted on the new application.
   b. Fred noted that the home's current roofing is asphalt shingle and the proposal would be same for same. Christine moved to approve the January 4th application as written for either proposed asphalt shingle or previously approved metal roofing. Jim seconded. Application approved with owner's follow-up pending on material chosen.

Citizen Comments: None.

Member Comments: None.

Adjournment: 9:20 a.m.

City of Portage – Historic District Commission
Wednesday- February 3, 2016
Portage City Hall – Conference Room #2

Meeting Called to Order at 8:30 AM

Present: Katie VanLonkhuyzen, Suzanne Nemeth, Collin Forrest, John Lotz, Jesse Duniphin, Erica Eklov, Martha Maytnier

Absent: Russell Randall, James Ebert, Fred Grunert

Guests: Carl Kunda and Jordan Bartle from Full Circle Communities

Old Business:

Minutes from regular meeting of January 6, 2016 approved without changes.

New Business:

Presentation and discussion of Selinon Park, a new development proposed by Full Circle Communities that includes properties located at 1521, 1603, and 1605 E. Centre.

- **1521 East Centre Avenue is a single-family historic home. It is proposed that this home will be retained and used as the on-site manager residence.**
- Local, state and federal funding sources will be used to provide for residents with (1) physical and sensory impairments and other special needs that require barrier free units, (2) for under-housed, working families burdened with housing costs, and (3) for households with annual incomes between 30-60% of area median income.
- The building nearest East Centre Avenue frontage will be three stories and consist of 48 units. The southern portion of this building will be one-story and provide community and property management areas. In addition, the one-story portion of the building incorporating the community and property management space has been designed to appear as an office building to be consistent with the office corridor designation of East Centre Avenue.
- Two additional townhouse buildings to the north will be two-story and contain 13 units per building.
- All buildings include varied rooflines and other building materials intended to add interest and also reflect local design.
- Buildings will be constructed of high-quality, durable materials designed to reduce maintenance and replacement costs.
- Exterior materials will include brick, masonry, and fiber cement siding in various colors and textures.
- **The project will be developed in one phase. It is expected that construction will begin in March 2017 and conclude in March 2018.**

1521 East Centre Avenue Historic Residential Building and Barn

- Full Circle Communities is aware that a Certificate of Appropriateness is needed from the Portage Historic District Commission before the start of construction.
- Encroachment onto this historic property has intentionally been minimized.
- Full City Communities is aware that in addition to the home, an historic barn accessory to the property recently collapsed and has been removed from the property.
- Prior to this proposal from Full Circle Communities, HDC was negotiating replacement of the barn with Davis, the current property owner.
- Full City Communities is aware that receiving a Certificate of Appropriateness from the Historic District Commission is contingent on replacement of the prior barn with a structure similar in design to the original structure or the possible relocation to the historic property of a barn currently located at 1603 East Centre Avenue that is of the appropriate age and design of the barn that has been removed from the property.

Old Business:

3221 W. Milham (Nieuwenhuis)/ barn:

- On January 30, 2016, a letter was sent to the Nieuwenhuis' outlining items of concern and clarification that were discussed during a conference call to Matt Nieuwenhuis at the December 16th, 2015 HDC meeting.
- HDC has nothing to review, there has been no further communication from the property owners.

5720 Oakland (Vergunst)/barn and outbuildings:

- Noted that property owners had removed a pool, fence and poured concrete foundation to the property.
- No further communication about the barn and outbuildings.

2663 Mandigo (Kiley)/ house & outbuildings:

- Code enforcement still on-going.

8007 Cox Drive (Kasten)/ building designation

- No news

New Business:

10234 East Shore (Giem) / property status

- Nothing has been done.
- Airstream still parked on property.
- Windmill needs maintenance.
- Original house is gone. Current house using the foundation.
- Entire barn is NOT original. Only the part facing the house. The Garage and silo were added to original structure.

Train Barn (on same property)

- City Manager toured the property to explore how the concept could be preserved.
- There has been no public access to the barn for 7-8 years.
- Downstairs there is a retail shop with merchandise stock still in place. Upstairs there are model train displays.
- Structure is not compatible with ADA access guidelines.
- There has been some slight damage to the building that would need repairs, and other possible safety issues.
- If the city were to take over the project, code infringements would have to be addressed.
- Question about whether the property could be run privately without adherence to current codes under the "grandfather" designation.

Non-historic Property Development Inquiry

- 12 acres
- House is historical but does not have an HDC designation. (Note* about 16 properties originally identified by the HDC – not part of original designation.)
- Owned by trust – owner passed.
- Property owners would like to move the house.
- Property has a barn built in the 1880's.
- Property also has several other out-buildings that may have historic value. Fellow district property owners might be interested in possibly moving some of the out-buildings to their properties.

Other Business:

On-going discussions:

- Should HDC have a newsletter?
- Should HDC hold an annual event highlighting something to do with historic preservation?
- Property assignments for committee members to be on the agenda for March meeting.
- Proposed amendment to 1970 Public Act 169, the law that allows local Michigan communities to protect their history throughout local historic districts.

On January 27, 2016, the Michigan Historic Preservation Network issued a press release informing citizens that Rep. Chris Afendoulis, R-Grand Rapids and Sen. Peter McGregor, R-Rockford, planned to introduce legislation that would weaken protection afforded to Michigan's historic districts.

Significantly, the proposed amendment would: (1) dispose of current process for dissolving historic districts, allowing local legislative bodies to eliminate local historic districts without guidelines or justification or community input. (2) Change the appeals process for an aggrieved property owner within a district, removing review by a third party, the State Historic Preservation Review Board. (3) Automatically dissolves historic districts after 10 years.

A letter **against** support for this amendment was sent (on behalf of the City Manager) to Senator Margaret O'Brien and Representative Brandt Iden.

Meeting adjourned at 9:30 AM.
Submitted by Martha Deming Maytnier

BOARD OF EDUCATION
BOARD RETREAT, ORGANIZATIONAL MEETING
AND COMMITTEE OF THE WHOLE WORK SESSION MINUTES

January 11, 2016

The retreat meeting of the Board of Education of the Portage Public Schools held on Monday, January 11, 2016, was called to order at 4:30 p.m. by Past President Van Antwerp in Conference Room 1 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

Board Members Absent: None

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

Superintendent Bielang facilitated Board discussion pertaining to the following Bond related matters: Construction Manager / Owners Representative; Steering Committee; Interactive Planning Process; Board-Level Decisions and Communication. The Board also discussed the following Governance items: Handling Customer Complaints and Ends/Executive Limitations Revisions – Incorporating Excellence/High Expectations.

The Board adjourned at 6:20 p.m.

ORGANIZATIONAL MEETING/COMMITTEE OF THE WHOLE WORK SESSION

The organizational meeting and committee of the whole work session of the Board of Education of the Portage Public Schools held on Monday, January 11, 2016, was called to order by Past President Van Antwerp at 6:30 p.m. in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 10 people and all in attendance recited the Pledge of Allegiance.

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

Board Members 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 include an Action Item nominating a candidate for the Michigan Association of School Boards Board of Directors (Region 6).

Motion carried unanimously.

ORGANIZATIONAL ITEMS

Mr. Van Antwerp opened the floor to nominations for the office of Board President for the 2014/2015 school year.

Mrs. Willson nominated Mr. Van Antwerp for the position of Board President. There being no further nominations from the floor, Mr. Van Antwerp declared himself elected to the office of President by acclamation.

Mr. Snyder nominated Mrs. Novaria for the position of Board Vice President. There being no further nominations from the floor, President Van Antwerp declared Mrs. Novaria elected to the office of Vice President by acclamation.

Mr. Rathburn nominated Dr. Shelton-Harris for the position of Board Secretary. There being no further nominations from the floor, President Van Antwerp declared Dr. Shelton-Harris elected to the office of Secretary by acclamation.

Motion offered by Mrs. Willson, seconded by Mr. Rathburn, that the Board of Education approve the appointment of Edna Kent, Administrative Assistant, as Recording Secretary to the Board of Education.

Motion carried unanimously.

Motion offered by Mr. Snyder, seconded by Mrs. Novaria, that the Board of Education approve the following persons be authorized to access the District's safety deposit boxes at Comerica Bank: Superintendent, Assistant Superintendent for Operations, Director of Finance and the Board of Education Secretary.

Motion carried unanimously.

REPORTS

Superintendent's Report. Michigan Student Test of Educational Progress (M-STEP) Update. Mr. Larry Killips, Assistant Superintendent of Instruction and Assessment, and Mr. Michael Huber, Director of Curriculum, provided a report on the 2015 M-STEP results. Mr. Huber noted this was a baseline year; shared a sample parent report and explained the scores.

Superintendent's Report. Grand Rapids Building Services (GRBS) Update. Mr. Ron Herron, Assistant Superintendent of Operations, shared a mid-year update on District cleaning services provided by GRBS. He discussed a summary of the survey results pertaining to in-session and out-of-session cleaning performance as well as addressing any areas needing more attention.

Superintendent's Report. Superintendent Bielang introduced Mrs. Michelle Karpinski, the new Community Relations Manager for the District. He urged Trustees to attend the Kalamazoo County School Officers Meeting planned for January 13. The Superintendent informed the audience that the Revenue Estimating Conference is scheduled for Thursday, January 14. He reported the Kalamazoo Regional Educational Service Agency will begin using Eidex for transparency reporting.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no one come forward, President Van Antwerp opened the floor for Trustee comments.

Mrs. Willson shared details of the civic and education leaders call for repeal of gag provision in Public Act 269/Senate Bill 571. Mrs. Willson discussed how this 60-day gag order would essentially limit schools and local officials from distributing factual information on ballot issues 60 days prior to an election. Superintendent Bielang added this would also limit the District providing voters with information prior to future Bond Proposals or Millage Renewals.

Mrs. Novaria shared observations and highlights from attending the Northern High School vs. Lakeshore basketball game and congratulated Northern for their win.

Mr. Snyder wished all a Happy New Year and thanked all Trustees for the productive Retreat.

President Van Antwerp thanked Mr. Snyder and Mr. Rathburn for their service to the Board as Vice President and Board Secretary. He welcomed Mrs. Novaria and Dr. Shelton-Harris to their new roles as Vice President and Board Secretary.

ACTION ITEMS

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education approve Monitoring Report, Policy 1.5, Collaboration and Service to the Community, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang provided highlights on Monitoring Report 1.5.

Motion carried unanimously.

Motion offered by Dr. Shelton-Harris, seconded by Mr. Rathburn, that the Board of Education approve the Central High School International Baccalaureate Trip to Denmark from March 31 to April 13, 2016, as presented.

Motion carried unanimously.

Motion offered by Mr. Droppers, seconded by Mr. Rathburn, that the Board of Education adopt the Resolution of the declaration of intent for the 2016 Bond Construction Fund to reimburse the General Fund for expenditures incurred which are authorized under the approved ballot language. This reimbursement will come from the 2016 Bond Construction Fund proceeds once the bonds are sold, as presented.

Upon a roll call vote, all Trustees voted in favor of the motion.

Motion offered by Mr. Snyder, seconded by Mr. Rathburn, that the Board of Education nominate Mrs. Joanne Willson as a candidate to fill the one-year term on the Michigan Association of School Boards (MASB) Board of Directors for Region 6, as presented.

Motion carried unanimously.

DISCUSSION ITEMS

Recommendation to Replace Financial Accounting, Payroll and Human Resources Systems. Mrs. Colestock provided background information on the search for a software system that will allow the District to improve processes, integrate systems, gain efficiencies and improve service to staff. Initially, information was received from 10 companies and a formal Request For Proposal was sent to four companies. Three proposals were received and the committee narrowed the selection down to two companies. The two companies provided demonstrations of the functionality of their product. A decision will be made by January 13 and the formal request for approval that will be presented to the Board will contain more detailed information.

Recommended Chromebook Purchase. Mr. Dan Vomastek, Director of Information and Technology Systems, shared the recommendation to purchase 350 chromebooks from Trinity 3 Technology (St. Paul, MN) in an amount not to exceed $66,150.00, proceeds coming from the 2016 Bond Construction Fund. Funds would be advanced from the General Fund and then reimbursed from the 2016 Bond Construction Fund once the bonds are sold.

Recommendation for the Moorsbridge Elementary School Fire Alarm Replacement Project. Mr. Herron shared details on the recommendation to approve $48,250 for the Moorsbridge Elementary School Fire Alarm Replacement Project. This includes a construction contract with Circuit Electric Inc., of Kalamazoo, for $38,250, and $10,000 for Contingency and Architectural Design. This total project cost of $48,250 will come from the 2015/16 Building and Site Sinking Fund.

Review Policies: 3.5, President's Role; 3.6 Vice President's Role; and 3.7, Board Secretary's Role. President Van Antwerp led the discussion of using a structured approach to review the Board's Governance Process and Board/Superintendent Connection Policies (3.0/4.0 Policies). President Van Antwerp received consensus that no changes were necessary to Policies 3.5, 3.6 and 3.7.

There being no further business to come before the Board, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

RESOLUTION MAKING DECLARATION
OF INTENT TO REIMBURSE

PORTAGE PUBLIC SCHOOLS
County of Kalamazoo, State of Michigan

Minutes of a regular meeting of the Board of Education (the "Board") of the Portage Public Schools, County of Kalamazoo, State of Michigan (the "School District"), held on January 11, 2016 at 6:30 p.m., prevailing Eastern Time.

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

ABSENT: Members None

The following preamble and resolution were offered by Member: Mr. Droppers and supported by Member: Mr. Rathburn:

WHEREAS, Board has considered the need for issuing bonds to defray the costs of various improvements necessary for the health, safety and welfare of the School District described in Exhibit A-1 and Exhibit A-2 (the "Improvements"), and

WHEREAS, in preparing to issue the bonds and implement the Improvements, it is necessary to make a declaration of intent to reimburse certain expenditures which may be made from the proceeds of the bonds.

NOW, THEREFORE, THE BOARD RESOLVES AS FOLLOWS:

1. The Board makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) As of the date hereof, the School District reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the School District.

(b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Improvements which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the bonds from the general fund of the School District.

(c) The maximum principal amount of debt currently expected to be issued for the improvements, including issuance costs, is $86,400,000.00.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

(d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the Board's use of the proceeds of the debt to be issued for the Improvements to reimburse the Board for a capital expenditure made pursuant to this Resolution.

(e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(f) No proceeds of the borrowing paid to the Board in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.

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

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

NAYS: Member: None

RESOLUTION DECLARED ADOPTED.

Secretary, Board of Education
Portage Public Schools

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Education of the Portage Public Schools, County of Kalamazoo, State of Michigan, at a regular meeting held on January 11, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Secretary, Board of Education
Portage Public Schools

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

EXHIBIT A-1

Proposal 1
Middle Schools and District-Wide Improvements

- Constructing replacements for Central and North Middle School buildings and/or additions to and remodeling of existing School District buildings, including West Middle School;
- Improving and developing sites, including traffic flow and other safety improvements, and relocating athletic fields and structures at the high school campuses in the School District;
- Constructing a replacement pool as a new building or addition on each of the high school campuses;
- Furnishing, refurnishing, equipping and reequipping School District buildings, and acquiring school buses; and
- Acquiring and installing instructional technology, technology infrastructure and equipment in and connecting new and existing School District buildings.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

EXHIBIT A-2

Proposal 2
Multipurpose Outdoor Athletic and Performance Facilities

Cost of acquiring, improving, developing and equipping sites, including multipurpose outdoor athletic and performance facilities and structures at the Central and Northern High School campuses, in the School District.

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MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

BOARD OF EDUCATION
REGULAR BUSINESS MEETING MINUTES

January 25, 2016

The regular business meeting of the Board of Education of the Portage Public Schools held on Monday, January 25, 2016, was called to order at 6:30 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 30 people; all in attendance recited the Pledge of Allegiance.

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

Board Members Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Dr. Shelton-Harris, seconded by Mr. Rathburn, that the Board of Education approve the agenda as amended to include an additional Action Item approving a new teacher recommendation.

Upon a roll call vote, all Trustees voted in favor of the motion.

REPORTS

2016 Michigan School Band and Orchestra Association All-State Ensembles Student Recognition. The Board welcomed Band Teachers Mr. Dennis Kozian from West Middle School and Mr. Josh Bartz from Northern High School. Mr. Kozian and Mr. Bartz introduced five students (two high school and three middle school) that were selected to perform as members of the 2016 Michigan School Band and Orchestra Association All-State Ensembles. The Board congratulated the students and presented certificates of recognition.

Physical Education Report. Mr. Michael Huber, Director of Curriculum, welcomed Physical Education Teachers Ms. Nancy Martin, Elementary; Mr. John Dunlop, Middle School; and Mr. Pete Schermerhorn, High School. Ms. Martin, Mr. Dunlop and Mr. Schermerhorn provided updates on Physical Education classes at all building levels to promote healthy lifestyles for all students. Ms. Martin shared the following link to the Portage PE Connection website: pe.site.portageps.org. All Trustees thanked Ms. Martin, Mr. Dunlop and Mr. Schermerhorn for teaching the students these important building blocks for healthy lifestyles.

Superintendent's Report. Superintendent Bielang welcomed District interns to the meeting. The Superintendent gave notice to be recorded for public record that AVB is starting a new residential development in the District. This development will be located at the corner of Oakland Drive and Centre Avenue and it is anticipated that 95-100 attached homes will be located there.

Financial Report. Mrs. Karla Colestock, Director of Finance, shared the financial report for the six month period ending December 31, 2015. She reported attending the Revenue Estimating Conference and shared news of the school aid fund decline. Mrs. Colestock plans to bring the first budget amendments to the Board for discussion at the February 8 meeting.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no one come forward, President Van Antwerp opened the floor for Trustee comments.

President Van Antwerp informed Trustees an updated Agenda Plan through June was included with their materials. He shared information from the Michigan Association of School Boards pertaining to Superintendent Evaluations. President Van Antwerp also noted there is still time to register for the IPGA (International Policy Governance Association) Conference in June. He reminded Trustees he had sent out Committee assignments and Trustee comments on Monitoring Report evaluation of Policy 1.5.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: The minutes of the December 7, 2015, Regular Business Meeting; December 15, 2015, Special Meeting; and January 11, 2016, Retreat, Organizational Meeting and Committee of the Whole Work Session; the Recommended Chromebook Purchase (Recommendation to purchase 350 chromebooks from Trinity 3 Technology [St. Paul, MN] in an amount not to exceed $66,150.00, proceeds coming from the 2016 Bond Construction Fund. Funds would be advanced from the General Fund and then reimbursed from the 2016 Bond Construction Fund once the bonds are sold); and the Recommendation for the Moorsbridge Elementary School Fire Alarm Replacement Project (Recommendation for $48,250 for the Moorsbridge Elementary School Fire Alarm Replacement Project. This includes a construction contract with Circuit Electric Inc., of Kalamazoo, for $38,250, and $10,000 for Contingency and Architectural Design. This total project cost of $48,250 will come from the 2015/16 Building and Site Sinking Fund).

There being no objections, motion carried unanimously.

ACTION ITEMS

The following Owen, Ames Kimball (OAK) representatives were present: Mr. Tom Stanek, Project Director; Mr. Dan Rathburn, Project Manager; Mr. Cade Dammen, Field Supervision; Mr. Kirk Oosting, Field Supervision; Mr. Frank Bartoszek, Pre-Construction Director; and Mr. Frank Stanek, President and CEO. All provided an overview of OAK, clients served, similarity and alignment of values and their level of expertise with similar projects. Trustees discussed the aggressive schedule, fees, working with c2ae/Stantec and President Van Antwerp thanked Mr. Ron Herron, Assistant Superintendent of Operations, and his team for this recommendation. Superintendent Bielang noted the next step is to negotiate the agreement which will be brought back to the Board for approval.

Motion offered by Mr. Rathburn, seconded by Mrs. Novaria, that the Board of Education awards the Construction Management Services contract to Owen, Ames Kimball (OAK) and authorizes the Administration to finalize the contact terms and conditions in accordance with the submitted proposal and present the final agreement to the Board for Approval, as presented.

Upon a roll call vote, all Trustees voted in favor of the motion.

Motion offered by Mr. Snyder, seconded by Mr. Rathburn, that the Board of Education authorize the Superintendent or his designee to enter into a contract with Skyward, Inc. as Portage Public Schools' provider for our financial accounting, payroll, and human resources systems through June 30, 2020, with pricing as outlined in included details, as presented.

Mrs. Colestock highlighted fees noting the actual cost will be based on student count, and discussed the streamlining of internal processes and procedures. President Van Antwerp inquired about the family benefits and Mrs. Colestock shared news that this will allow families to manage payment programs such as Pay To Participate, parking fees, lunch and book fines in one place.

Upon a roll call vote, all Trustees voted in favor of the motion.

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education adopt the Resolution in Opposition to Public Act 269, as presented.

Dr. Shelton-Harris read the Resolution and Trustees shared comments.

Upon a roll call vote, all Trustees voted in favor of the motion.

Motion offered by Mr. Rathburn, seconded by Mrs. Novaria, that the Board of Education approve the recommended new teacher appointment of Ms. Maile Whipple, as presented.

Superintendent Bielang noted Ms. Whipple is filling a vacancy created by a retirement.

Upon a roll call vote, all Trustees voted in favor of the motion.

DISCUSSION ITEM

Recommendation for Owners Representative Services. Mr. Ron Herron, Assistant Superintendent of Operations, provided historical background on Owners Representatives assisting in the implementation and oversight of District Bond projects. Mr. Herron and Superintendent Bielang shared an update on the Request For Proposals received and the process being implemented to evaluate qualifications and experience for this service. Discussion pertained to cost expectations, work involved and a potential "out clause". Mr. Herron noted this will be brought forward for Board approval at the February 8, 2016, meeting.

There being no further business to come before the Board, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

Portage Public Schools
THE FUTURE LEARNS HERE

RESOLUTION
Opposition to Public Act 269
CERTIFICATION

WHEREAS, Governor Snyder signed into law, with immediate, effect Public Act 269 (Senate Bill 571) despite wide spread calls for a veto of this bill; and

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late into the night of December 16, 2015, just prior to recessing for the year; and

WHEREAS, one of the last minute amendments made to Senate Bill 571, without knowledge of school districts or other local governments, and approved without any public testimony, was the new language inserted into Section 57, subsection (3); and

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot, within 60 days of an election, and

WHEREAS, this law places an immediate gag order on entities with ballot questions on the March 8 ballot and every election thereafter; and

WHEREAS, locally elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them, upon which they may exercise their constitutional right to vote; and

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and

WHEREAS, because the new law bans only communication on local ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech;

NOW, THEREFORE, BE IT RESOLVED, that the School District of Portage calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this Resolution be forwarded to the school district's state representatives in the Michigan House of Representatives and the Michigan Senate.

Resolution was offered by Board member Mr. Rathburn and supported by Board member Mrs. Novaria and was passed at a regular meeting of the Portage Public School Board, held on 25 January, 2016, and that the vote was as follows:

Yeas: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp and Joanne Willson (via phone)

Nays: None

Absent: None

Dr. Celeste Shelton-Harris
Board Secretary

BOARD OF EDUCATION
COMMITTEE OF THE WHOLE WORK SESSION MINUTES

February 8, 2016

The work session of the Board of Education of the Portage Public Schools held on Monday, February 8, 2016, was called to order at 6:30 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 15 people; all in attendance recited the Pledge of Allegiance.

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

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

REPORTS

Superintendent's Report. Superintendent Bielang informed the audience of the recognition ceremony for Ms. Betty Ongley, former Mayor, Community Board member and retired District Counselor. This ceremony will be held in conjunction with her 90th birthday on February 9 at 6:30 p.m. at City Hall. He also announced a Special Board Meeting that has been scheduled for Monday, February 29, 2016, at 2 p.m. that pertains to the site master plan.

Facilities Master Plan Report. Mr. Bob McGraw, Principal In Charge, c2ae and Stantec, provided Steering Committee highlights; campus planning charrette; guiding principles utilized in creating the drafts; five draft campus master plan options, two for the Northern and North Middle site and three for the Central High and Central Middle site; and next steps. Mr. McGraw responded to Trustee questions pertaining to numerous aspects of the stadiums, multi-sport competitions, sports sites, Curious Kids and Community High. Trustees were impressed with the draft options given the complexity and variables of the projects. Mr. McGraw informed Trustees that a traffic impact analysis is being conducted and will be reviewed by the campus plan advisory group. Superintendent Bielang requested that Trustees contact him with comments on the Guiding Principles.

Second Quarter Focus Schools Report from Northern High School, North Middle School and Woodland Elementary School. Mr. Larry Killips, Assistant Superintendent of Instruction and Assessment, briefed the Board on the second Focus School Reports for the 2015/16 school year highlighting the progress of supports implemented and areas of improvement that Woodland Elementary, North Middle and Northern High School continue to work on.

Governor's Budget Update. Mrs. Karla Colestock, Director of Finance, reported receiving the retirement rate for 16/17 from the Office of Retirement Services and noted the rate dropped .08% and

the state reimbursement rate is expected to rise by 1%. More details will be available when the Governor's budget is released on Wednesday.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no citizens come forward, President Van Antwerp opened the floor for Trustee comments.

Mr. Droppers shared highlights from the Central High versus Northern High wrestling meet.

Mr. Rathburn recognized Northern High for raising over $2,000 for the Southwest Michigan Cancer Center.

Mrs. Willson noted some schools are participating in the Art Van water collection that makes daily deliveries to Flint. Some schools are utilizing this as a pen pal opportunity and are communicating with their peers as well as collecting water to donate.

Mrs. Novaria shared highlights from attending *Almost Maine* at Northern High and looks forward to seeing *Guys and Dolls* at Central High.

President Van Antwerp informed Trustees of an Action Item for the February 22 Agenda. The Board nominated Mrs. Willson for the Michigan Association of School Boards (MASB) Board of Directors, Region 6 at the January 11 meeting. The Board will take action at the next meeting to cast a ballot for Mrs. Willson to fill this one-year term. He also informed the audience that Haverhill Elementary third grade artwork will be on display at Bright Eyes Brewing Company until February 28. President Van Antwerp scheduled the next Policy Committee meeting.

President Van Antwerp noted there were no Board Committee Reports.

DISCUSSION ITEMS

2015/2016 Budget Amendments: General Fund Budget Amendment #1. Mrs. Colestock shared information on the Amendment #1 Resolution to the General Appropriations Act (General Fund) for the 2015/2016 year. She provided a revised memo that will appear as an Action Item on the February 22 Agenda.

2015/2016 Budget Amendments: Building and Site Sinking Fund Budget Amendment #1. Mrs. Colestock shared information on the Amendment #1 Resolution to the Building and Site Sinking Fund Appropriations Act for the 2015/2016 year. This will be an Action Item on the February 22 Agenda.

Accept the Recommendation from the Human Growth and Development Advisory Committee. Mr. Michael Huber, Director of Curriculum, provided background information on the recommendation that the Board accept the Human Growth and Development Advisory Committee's recommendation regarding two curriculum items: Gender Identify and Roles – Add a middle school lesson on gender roles and identity and Add a high school lesson on gender roles, gender identify and sexual orientation; and Puberty Videos: Replace a 5th grade video component and add a 6th grade video component.

Proposed Board of Education Meeting Schedule from July 18, 2016, through June 26, 2017. President Van Antwerp presented the proposed meeting schedule for the Board from July 18, 2016, through June 26, 2017.

Review of Policies 3.8, Board Committee Principles and 3.9, Board Committee Structure. President Van Antwerp led the discussion on Policies 3.8, Board Committee Principles and 3.9, Board Committee Structure. President Van Antwerp requested Trustees return comments to him.

ACTION ITEMS

Mr. Ron Herron, Assistant Superintendent of Operations, reviewed the Owners Representative interview process and discussed the selection of Walbridge based on their expertise, experience, collaboration, flexibility and local presence. Mr. Herron introduced Mr. Kirk Frownfelter, General Manager of Walbridge. Mr. Frownfelt provided an overview of Walbridge, clients served, similarity and alignment of values and their level of expertise with similar projects and introduced Mr. Doug Phillips, Preconstruction Director, and Mr. David Skinner, Project Manager. Trustees discussed the fees. Superintendent Bielang noted the next step is to negotiate the agreement which will be brought back to the Board for approval.

Motion offered by Mr. Rathburn, seconded by Mr. Snyder, that the Board of Education award the Owners Representative Services contract to Walbridge and authorizes the Administration to finalize the contact terms and conditions in accordance with the submitted proposal and present the final agreement to the Board for Approval, as presented.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Mr. Droppers, that the Board of Education approve Monitoring Report – Policy Sub End 1.4, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Motion carried unanimously.

Motion offered by Mr. Snyder, seconded by Mr. Rathburn, that the Board of Education approve Monitoring Report – Policy 2.4, Financial Planning/Budgeting, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang noted one revision on page three, Policy Language 2.4.3, deleting the following from the first sentence: "which was developed and approved prior to me being hired".

Motion carried unanimously.

There being no further business to come before the Board, the meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

Parks Board Meeting Minutes
Wednesday February 3, 2016

Board Present: Susan Atkinson, Marshall Cammack, Tim Earl, Emily Hirschman, Kathleen Hoyle, Roger Smith, Charles Thomas, Jan Whitcomb
Kendall Klingelsmith - Director of Parks, Recreation, and Senior Center Services
Rod Russell
Molly Ryan - Student Member
Board Absent: N/A
Excused Absence: Jon Peer
Guests: N/A

The meeting was called to order by Chairperson Kathleen Hoyle at 6:30 p.m. in Portage Senior Center.

Minutes from January's meeting were distributed and reviewed. Mr. Thomas motioned for approval of minutes, seconded by Mr. Whitcomb. Motion approved.

New Business:

1) Department Update: Mr. Klingelsmith notes a Glen Miller Band will be playing July 5th. Tuesday night event at Overlander. Question if the park board would like to be involved in this event. No plans for food at this event. Could be a good fundraising opportunity for Friends of the Park. Understands that this will be a tough time for employees due to the holiday. Still in discussions with band on what will be needed exactly for this event. No timeline is in place at that time yet.
Package grant to be written by Mr. Klingelsmith to the Gilmore Foundation to consolidate efforts versus splitting it up like we have in the past. This will be for an operating grant, so that funds can be divided out as needed. Notes this is due in a month, Ms. Hoyle to provide assistance. Should know by April/May the outcome.
Preconstruction meeting for Eliason trail has taken place. Money has been allocated, now waiting on state for the okay. Currently in good standing for this project. Trees are planned to be removed this month.
Application for DEQ has been submitted for trail relocation. Awaiting status update at this time.
Met with OCBA (Landscape Architecture Firm) to come up with concepts for Interpretive Center and Millennium Ice Rink.
Portage Athletic Foundation does not plan to do Taste of Portage this year.
Possibility in the future of holding "Picnics in the Park" to create more interest in the parks. Could be a good opportunity for Friends of the Park fundraising and promotion. Maybe start with Lexington and Westfield parks. Would need to look for food and utility donations to put on event with little to no cost. Possibly plans some kid/family friendly activities. Maybe create an "activity kit" that could be used at these activities. Ms. Hoyle notes we have lots of craft supplies on hand from Recycled Art in the Park events. Mr. Charles and Mr. Earl would make great co-captains to champion this event. Public Services Director, Rod Russell discussed rental building

at Ramona. Foundation and frost walls are up now. Working on rental equipment that will be provided. Family changing room and bathroom will now be provided. Working to make very aesthetically appealing.
Notes library to grain elevator wire has been placed for wireless internet now.

2) **Friends Group Update:**

a. Newsletter: Plan to maintain member benefit of getting the electronic version of the newsletter prior to release. Will plan to add a section encouraging Adopting a Park. Mr. Charles plans to interview Mr. Klingelsmith for newsletter. Brainstorming ideas for names of the newsletter. Park board members to offer up one name for the newsletter at next meeting. Ms. Whitcomb recommended having a recurrent section in the newsletter, like a scavenger hunt or park trivia that encourages people to visit our website or Facebook page. Board members to bring ideas for this section next month. Mr. Cammack notes we could include an upcoming event and talk more about the event taking place. Ms. Hoyle notes current plan for newsletter is to have available at local public businesses and offer at events. Board agrees to have put on Facebook page. Will continue to look at other options for distribution. Plans to continue with newsletter being published quarterly at this time. Hopeful for first distribution in April.

c. Facebook: Mr. Peer has been continuing to keep updates for events on the Facebook page.

d. Coordinator Roles: Ms. Hoyle to email out template. Need to plan what our roles are and what we are planning to start working on. Should accomplish this task by early April/May. Focus is on promoting Friends of the Park and increasing memberships.

e. Website: Mr. Peer continues to keep up to date. Reviewed annual membership benefits. Will continue as is at this time. Will change Ramona park to "adopted" at this time. A Ramona Park Facebook page has been created per Ms. Whitcomb, unsure who has started this. Mr. Klingelsmith to look further into this.

3**) Recycled Art in the Park 2016 -** Ms. Atkinson notes Hired Hands band has been scheduled for event. Ms. Hoyle notes we need to continue with catering vendors that do not require payments from us as we do not have the funds to pay them at this time. Food trucks may be a possibility if we can find a convenient place for them to park. Ms. Atkinson to call around on vendors. Ms. Hoyle will ask Off the Cuff if they would like to cater the event again. May need to coordinate with Celery Flats Music Festival to let them cater that event also. Ms. Hoyle prepared promotional materials, Ms. Atkinson is preparing email list to distribute to. She is also alerting KIA, Arts Council, and teachers in the area to help promote the event and promote artist entries. Mr. Peer has been working with kazookids.com to advertise our events. Ms. Atkinson requested help from park board to help with event set up on May 6th. Molly to ask for help from 3-4 students to set up plant stands that afternoon. Ms. Atkinson notes she will not be at the March meeting but plans to send an update to the board prior to the meeting. Mr. Earl noted he was contacted by Gail Perkins, whom has a saxophone quartet is also interested in performing for an event. Board plans to keep her information and use her as able. Board to continue to brainstorm ideas of whom to reach out to for this event to gain more artists at the event. Board to send ideas to Ms. Atkinson to continue further outreach for the event.

4) Celery Flats Music Fest 2016 - Mr. Earl & Ms. Hirschman to co-chair event. KFO is very interested in getting grants for this event. Mr. Speeter has been in talks with Gilmore Foundation regarding grants. KFO is a 501c3. Parks board is limited on how much they can help them in these efforts. Possibility of making in to a park event vs a fundraiser like it has been in the past. May be an option for the KFO to use the parks as a rental option in the future if they plan to get a grant to cover costs versus a partnership with the parks. Mr. Klingelsmith to have meeting with KFO in the near future to discuss options.

5**) Calendar of Events:** Mr. Smith and Mr. Charles plans to cover booth at Green-A-Thon this year. Mr. Peer and Mr. Charles to cover Fishing Day. Mr. Earl and Ms. Hirschman to cover Recycled Art in the Park. Mr. Charles, Mr. Cammack, and Ms. Hirschman to cover Get Active Portage. Mr. Cammack and Mr. Earl to cover Picnics in the Parks, will start to plan this event will provide dates and parks at next event.

Summary Report:

- Review given by Mr. Klingelsmith.

Comments from the Board:

- Ms. Atkinson brought up idea of sponsoring memberships for Friends of the Park to increase memberships.
- Ms. Hoyle notes we will update goals next month to be submitted for approval in March.
- Ms. Hoyle to email list of events to Tricia to put in summer program by February.
- Mr. Earl notes he received a comment that the city is doing well with snow clean up.

Adjournment: Motion was made by Mr. Thomas, seconded by Ms. Whitcomb. Motion approved, meeting adjourned at 8:10pm.

Respectfully Submitted,
Emily Hirschman, Park Board Secretary

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting February 4, 2016

CALL TO ORDER: 6:30 p.m.

ROLL CALL: Staff member Elizabeth Money called roll: Diane Durian (arrived 6:37), Effie Kokkinos (aye), Ray LaPoint (aye), Elma (Pat) Maye (aye), Nadeem Mirza (aye), Edward Morgan (aye), Fiorella Spalvieri (aye), Amanda Woodin (aye), and Lindy Nebiolo, Youth Representative, (aye)

STAFF PRESENT: Elizabeth Money, Neighborhood Program Specialist and Vicki Georgeau, Director of Community Development

CITIZENS PRESENT: Thom Phillips

APPROVAL OF MINUTES: Spalvieri moved and Maye seconded approval of the minutes as submitted. Motion passed 8-0.

OLD BUSINESS:

1. Public Hearing 2016-2020 Consolidated Plan – Needs Assessment and Market Analysis – Community Development Director Vicki Georgeau: Spalvieri moved and Maye seconded opening the public hearing for the Needs Assessment and Market Analysis at 6:32 p.m. Motion passed 8-0. Director Georgeau began the presentation by handing out updated copies and explained that new data, including homeless data, had been received since part I was presented and the current agenda prepared. Continuation of the presentation commenced and summary information was provided on public housing, homeless needs, special needs populations and non-housing community development needs. With regard to the Market Analysis, data on the cost, condition and availability of affordable housing was presented. In addition, potential barriers to affordable housing, availability of facilities to assist homelessness and special needs housing was discussed. Morgan asked if vouchers were similar to Section 8 housing. Both Georgeau and Maye responded that vouchers were essentially the same and that recipients had housing choice options, and that participating landlords are required to make accessibility accommodations for tenants when needed. While there was no public housing in the county, Georgeau had indicated that the Michigan State Housing and Development Authority acts as the public housing authority. Spalvieri inquired how many beds the Gospel Mission had and Georgeau responded. Georgeau further explained that there is research that indicates it is more expensive to maintain homeless shelters than to rapidly re-house homeless individuals. Georgeau clarified that the homelessness data included in the plan are based on a point-in-time, one-day county-wide count, and annual data from 2014. With regard to non-housing community development needs, CDBG funds are not typically used for capital improvements, with the exception of small-scale playground and sidewalk improvements within low-moderate income neighborhoods. Board members had questions regarding nursing homes, those that accept Medicaid, new senior assisted living facilities being constructed in Portage, and how accessible these housing developments would be low-income special needs residents. The presentation was concluded by indicating if anyone had any questions on the information provided to please contact city staff, that the plan would be completed in early March 2016, and the 30-day public comment period would conclude with the April 7th Human Services Board meeting. Thom Phillips of Michigan Habitat for Humanity was asked how he heard about the public hearing and he indicated he had read about it in the *Portager*. There being no further comments, Spalvieri moved and Maye supported closing the public hearing at 7:17 p.m. Motion passed 9-0.

NEW BUSINESS:

1. FY 2016-17 Human/Public Service Application Review: Woodin opened the discussion noting that Board scoring was very consistent except for the applicant Goodwill Industries. The Board discussed their scores for this applicant and what basic human need tax preparation service filled. Woodin indicated that the program was not designed to be an educational tool but to assist low to moderate income households with securing qualifying refunds and submitting their returns electronically for no fee. Durian added that AARP provides free tax preparation service to qualifying individuals at several locations throughout the county. The Board was divided on whether or not this service constituted a quality of life enhancement. While the Board disagreed on what basic human need the tax service fulfilled, no Board member changed their individual scores. LaPoint noted that if you remove the Board's high and low score for each applicant that it did not affect the overall ranking of any of the applicants and that Board and staff ranking were similar. Nebiolo brought up that everyone received full points for the outreach (criterion question 6) and was that a necessary question. LaPoint and Mirza added that review of that criterion was ongoing and things like internet advertising verses personal outreach may need to be considered. Spalvieri inquired how much impact the Board recommendation had with City Council. Staff members Money and Georgeau explained that while staff offered their own recommendation, and it may or may not coincide with the Board's, that City Council took the Board's recommendation seriously as they were the Advisory Board charged with recommending action on human/public service funding. Durian asked for clarification on the Portage Community Center's (PCC) two applications being reviewed as one. Staff explained that PCC had always requested their CDBG grant and General Fund grant requests be considered as one application because grant funding amounts are not known at the time of application and CDBG grants funds can fluctuate significantly from year to year and General Fund monies may be needed to balance their request. As the Board was satisfied with their scores and ranking, no further discussion was had. LaPoint moved and Kokkinos moved to accept the ranking as indicated on the monitor: CDBG - 1. PCC (177); General Fund- 1. PCC (183), 2. Housing Resources, Inc. (181), 3. YWCA (174), 4. Catholic Charities (164), 5. Gryphon Place (153), 6. Lending Hands (132), 7. Goodwill Industries (126). Motion passed 9-0.

2. Kalamazoo Transit Authority LAC update - Maye: Maye indicated that the expanded bus services on Sunday would begin in February and not September as indicated at the last meeting. She had no further updates as the LAC had not met since the last meeting.

STATEMENT OF CITIZENS:

ADJOURNMENT: Georgeau reported to the Board that at a recent City Council meeting a motion was made to investigate/review a Nondiscrimination Ordinance that included sexual orientation and gender identity and that the Board may be asked to participate. The Board discussed that the issue had previously been brought before the Board. There being no further business of the Board, Maye moved and Spalvieri supported adjournment of the meeting at 8:14 p.m. Motion passed 9-0.

Respectfully Submitted,

Elizabeth Money,
Neighborhood Program Specialist

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PLANNING COMMISSION

February 18, 2016

The City of Portage Planning Commission meeting of February 18, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately eight citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Richmond (yes), Schimmel (yes), Dargitz (yes), Somers (no), Felicijan (yes), Welch (yes), Stoffer (no), Bosch (no) and Patterson (yes). A motion was offered by Commissioner Schimmel, seconded by Commissioner Richmond, to approve the role excusing Commissioners Bosch, Stoffer and Somers. The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the February 4, 2016 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

1. Specific Plan for Trade Centre III Office Building, 650 Trade Centre Way. Mr. Forth summarized the staff report dated February 12, 2016 regarding a request to construct a five-story, 78-foot tall, 105,270 square foot professional office building and associated site improvements. Mr. Forth discussed the August 2012 approved Conceptual Plan Amendment for the Trade Centre Commercial Planned Development (CPD) and also reviewed the February 4, 2016 Planning Commission review/recommendation regarding the height modification. Mr. Forth indicated City Council will be considering the height modification request at the February 23, 2016 meeting. Mr. Forth also noted the applicant is proposing to defer some of the required off-street parking spaces.

Mr. Todd Hurley of Hurley & Stewart LLC, representing H & G, LLC, was present to support the application and explain the development project. There being no further discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the Specific Plan for Trade Centre III Office Building, 650 Trade Centre Way, subject to City Council approval of the height modification request to allow construction of the five-story office building to a maximum height of 78-feet (top of mechanical screening wall). The motion was unanimously approved 6-0.

2. Final Plan for Raymond James, 7995 Moorsbridge Road. Mr. Forth summarized the staff report dated February 12, 2016 regarding a request to construct a 5,945 square foot administrative office building and associated site improvements. Mr. Forth stated the subject parcel is zoned PD, planned development

and located within the portion of the Woodbridge Hills PD identified for office land use. Mr. Forth discussed various aspects of the project including conflicting land use screening and cross access.

Mr. John Lovely of Bosch Architectural (applicant representative) was present to support the application and explain the development project. There being no further discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Patterson, to recommend to City Council that the Final Plan for Raymond James, 7995 Moorsbridge Road, be approved. The motion was unanimously approved 6-0.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

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

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: East Osterhout Avenue Reconstruction Project – Bid Tabulation

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council award a construction contract for the East Osterhout Avenue Reconstruction Project to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed $588,553.33 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The 2015–2016 Capital Improvement Program provides funding for the reconstruction of East Osterhout Avenue from South Westnedge Avenue to Portage Road. The project entails pavement reconstruction and shoulder widening along the entire project length, storm drainage improvements and restoration. This effort is a companion project to the recently completed West Osterhout Avenue Reconstruction project (Shaver Road to South Westnedge Avenue) completed in 2015.

In the State of Michigan, street conditions are rated using the PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description are as follows:

Rating	Description
9-10	Excellent (new pavement)
8	Very Good (little to no maintenance required)
6-7	Good (sound structural condition with crack sealing maintenance)
4-5	Fair (candidates for pavement overlay)
3	Poor (needs patching and repair or failed areas prior to an overlay)
2	Very Poor (severe deterioration, requires reconstruction with total base repair)
1	Failed (requires total reconstruction)

On a scale of 1-10, East Osterhout Avenue from South Westnedge Avenue to Portage Road has a PASER rating of 4 which places it is in fair condition. This section of street is deteriorating in areas and regressing towards a PASER rating of 3. The rehabilitation of this section of pavement will address structural breakdown and strengthen the base material prior to new paving. This project meets city asset management strategies for street condition and will restore the street back to a 9-10 PASER rating when the project is complete.

On August 25, 2015, City Council awarded a contract in the amount of $62,905 to Abonmarche Consultants for the design and construction engineering of the project. Project design is now complete

and on February 25, 2016, bids for the construction work were received from four contractors, with the low bid being submitted by Michigan Paving & Materials Company of Kalamazoo, Michigan in the amount of $588,553.33. Michigan Paving & Materials has successfully completed many similar projects for the city. If awarded, project construction will begin in spring 2016 and be completed by August 2016.

Therefore, it is recommended that City Council award a construction contract to Michigan Paving & Materials Company for the East Osterhout Avenue Reconstruction Project in the amount not to exceed $588,553.33 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: The Osterhout project is part of the larger Major Street Reconstruction program in the 2015-2025 CIP, with the total appropriation for this and the four other projects at $2,094,000. Of that amount, $770,254 is now encumbered, including the $588,553 for this project. Of the total, $1,247,618 remains available.

Attachments: 1. Bid Tabulation - East Osterhout Reconstruction Project

BID TABULATION
EAST OSTERHOUT AVENUE RECONSTRUCTION

BIDDER	BID
Michigan Paving & Materials Co. 2300 Glendenning Rd. Kalamazoo, MI 49001	$588,553.33
Hoffman Brothers, Inc. 8574 Verona Rd. Battle Creek, MI 49014	$599,599.00
Peters Construction Col 3325 E. Kilgore Rd. Kalamazoo, MI 49001	$635,467.69
Weick Brothers 3029 Weicks Drive Hopkins, MI 49328	$662,033.95

Bids Opened 2/25/2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Managed Printer Services Proposal

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: That City Council approve a one-year managed print services agreement, in the amount of $22,871 with the option for two one-year renewals with Cartridge World for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city.

As part of a 2009 cost reduction initiative, the Technology Services Department entered into a successful one-year pilot managed print services program allowing the city to consolidate all printer-related services with one vendor and utilize reliable refurbished print cartridges. Printer related expenditures have been reduced by approximately $15,000 annually as a result of this successful program. In January 2016, the city solicited bids for the continuation of the print services program and received bids from six vendors with the lowest and best bid submitted by Cartridge World in the amount of $22,871.

As part of this program, all refurbished toner cartridges and print-related services are provided to all city departments by Cartridge World including free parts and labor on all contracted printers. In addition, Cartridge World provides printer monitoring software and printer usage reports as part of the program.

Therefore, it is recommended that City Council approve a one-year managed print services agreement in the amount of $22,871 with the option of two one-year extensions with Cartridge World for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action.

FUNDING: Funding for printer supply items is included in the Information/Technology operating budget.

Attachments: 1. Tabulation of Proposals

TABULATION OF PROPOSALS
MANAGED PRINTER SERVICES

	Mono-Chrome Print			Color Print			
Firm	Est. Annual Qty.	Price Per Page	Total	Est. Annual Qty.	Price Per Page	Total	Grand Total
Cartridge World 4512 Stadium Dr. Kalamazoo, MI 49008	1,283,119	$0.009	$10,906.51	155,383	$0.077	$11,964.49	$22,871.00
Cornerstone Office Systems 7170 Beatrice Dr. Kalamazoo, MI 49009	1,283,119	$0.010	$12,831.19	155,383	$0.067	$10,410.66	$23,241.85
Dymanic Advantage, Inc. 100 E. Old Country Rd., Ste. 5 Mineola, NY 11051	1,283,119	$0.010	$12,831.19	155,383	$0.072	$11,187.58	$24,018.77
Precision Printer Services, Inc. 9185 Portage Industrial Dr. Portage, MI 49024	1,283,119	$0.0094	$12,061.32	155,383	$0.080	$12,430.64	$24,491.96
CBI Technologies 770 Kenmore Ave. SE, Ste. 102 Grand Rapids, MI 49546	1,283,119	$0.013	$16,680.55	155,383	$0.060	$9,322.98	$26,003.53
Konica Minolta Business Solutions 8362 Morning Dove Ln. Kalamazoo, MI 49009	1,283,119	$0.01285	$16,488.08	155,383	$0.09831	$15,275.70	$31,763.78

Proposals Opened 2/11/2016

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED

Friday, February 19, 2016

1. Communication from the City Manager regarding 2016 Committee of the Whole meetings – Information Only

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

7900 South Westnedge Avenue ▪ Portage, Michigan 49002 ▪ (269) 329-4400
www.portagemi.gov

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED
FEBRUARY 19, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: 2016 Committee of the Whole Meetings

As information for the City Council, the City Administration is interested in holding COW meetings to discuss each of the following topics:

- Medical Marihuana Ordinance
- Water (to include a tour of the Garden Lane Water Treatment Facility)
- Fire Station #2 (to include a tour of the facility)

COW meetings to discuss additional topics identified by the Council can also be scheduled. To this end, please provide a list of proposed topics and a brief description of your interest in / concern with the topic.

Additionally, the Council is asked to provide the dates you will NOT be available for a COW meeting, beginning with the first meeting in April (April 12). As a reminder, COW meetings are typically held on Tuesdays at 6 p.m. coinciding with the established City Council meeting schedule. For your convenience, the 2016 City Council meeting dates are attached.

Your proposed discussion topics and *unavailable* dates are requested by Friday, February 26. The Administration will compile a list of all submitted topics and present it to the Council along with suggested COW meeting dates for consideration of the Council at the Tuesday, March 8 scheduled meeting.

Attachments: 2016 City Council Meeting Dates

PORTAGE
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2016 City Council Meeting Dates

January

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February

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14	15	16	17	18	19	20
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28	29					

March

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20	21	22	23	24	25	26
27	28	29	30	31		

3/25 - Good Friday: City Hall Closed at 12 noon

April

Su	Mo	Tu	We	Th	Fr	Sa
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

May

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June

Su	Mo	Tu	We	Th	Fr	Sa
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12	13	14	15	16	17	18
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26	27	28	29	30		

July

Su	Mo	Tu	We	Th	Fr	Sa
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24	25	26	27	28	29	30
31						

August

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28	29	30	31			

September

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25	26	27	28	29	30	

October

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23	24	25	26	27	28	29
30	31					

November

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

11/8 - Election Day

December

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

12/23 - City Hall Closed at 12 noon
12/26 - Christmas Day Observed
PPS Christmas Break is undetermined at this time.

Council Meeting Date | H US Holiday (City Hall Closed) | PPS Break