FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
MAY 21, 2019

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. National Gun Violence Awareness Day

A. Consent Agenda: To hear about items included on the Consent Agenda, visit: www.portagemi.gov/544/Podcasts

1. Approval of City Council Meeting Minutes:
   a. Regular and Committee of the Whole Meeting Minutes of May 7, 2019.
   b. Pre-Council Meeting Minutes of May 20, 2019.
2. Approval of the Accounts Payable Register of May 21, 2019 as presented.
3. Accept Ordinance Amendment #18/19-A, Sign Amendments, for first reading and set a public hearing for June 25, 2019.
4. Approve a contract to perform general contractor services to Hall Builders, LLC, for

   1. construction of Fire Station No. 2 in the amount of $5,855,926 and
   2. drainage improvements to Retention Basin No. 5 in the amount of $175,000

   in the total contract amount of $6,030,926 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
5. Minutes of Boards & Commissions:
   a. Youth Advisory Committee of April 15, 2019.
6. Materials Transmitted for May 7, 2019.

B. Petitions and Statements of Citizens:

C. Communications:

1. Calendar of Meetings:

   1. Special Meeting of the Portage City Council to tour Celery Flats and inspect improvements to the park, Wednesday, May 22, 2019, at 11:30 a.m. at the Celery Flats Pavilion, 7328 Garden Lane, Portage.
   2. Special Meeting of the Portage City Council for the purpose of meeting with Robert Slavin to discuss the City Manager recruitment process, Wednesday, May 22, 2019, 1:30 p.m., City Hall Room No. 1.
   3. Youth Advisory Committee, Tuesday, June 4, 2019, at 6:00 p.m. in Council Chambers.
   4. Historic District Commission, Wednesday, June 5, 2019, at 8:15 a.m. in City Hall Room No. 2.
   5. Park Board, Wednesday, June 5, 2019, at 6:30 p.m. at Lexington Green Park.
   6. Human Services Board, Thursday, June 6, 2019, at 6:30 p.m. in City Hall Room No. 1.
   7. Planning Commission, Thursday, June 6, 2019, at 7:00 p.m. in Council Chambers.
   8. Zoning Board of Appeals, Monday, June 10, 2019, at 7:00 p.m. in Council Chambers.
2. Presentation by the Historic District Commission with an update on annual goals and objectives.

D. Public Hearings:

1. Public hearing on the expansion of Industrial Development District No. 82 to include 8065 Merchant Place to facilitate an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue, and subsequently adopt Resolution No. 2-19, expanding Industrial Development District No. 82.

E. Regular Business Agenda:

1. Approve the Fiscal Year 2019-2020 Proposed Budget with Revisions, and adopt the General Appropriations Act and Salary and Wage Resolutions.

2.
    1. Award a construction contract to Peters Construction Company of Kalamazoo, Michigan, for the Zylman Avenue Reconstruction project in an amount not to exceed $3,471,461.36;
    2. Amend a contract with Abonmarche Consultants, Inc., in the amount of $224,750 to provide construction engineering services for the Zylman Avenue Reconstruction project;
    3. Amend the Fiscal Year 2018-2019 Capital Improvement Program budget in the amount of $350,000,

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

3. Award a construction contract to Dunigan Brothers, Inc., of Jackson, Michigan, for the Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement project in an amount not to exceed $1,496,676 and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

1. Appoint individuals to the Youth Advisory Committee, Planning Commission, Construction Board of Appeals and Local Officers Compensation Commission.

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.

CITY OF PORTAGE
PROCLAMATION

NATIONAL GUN VIOLENCE AWARENESS DAY PROCLAMATION

WHEREAS, this proclamation declares June 8, 2019, to be National Gun Violence Awareness Day in the City of Portage to honor and remember all victims and survivors of gun violence and declare that we as a country must do more to reduce gun violence; and

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is the highest Responsibility of the Mayor; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 21st birthday; and

WHEREAS, to help honor Hadiya – and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 8, 2019, as the fifth annual National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods, and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 8th to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 8th Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, Mayor of the City of Portage, do hereby declare June 8, 2019, to be National Gun Violence Awareness Day and encourage all citizens to support their local community efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Signed this 21st day of May, 2019

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM MAY 7, 2019

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

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs and in support of those who struggle with mental illness.

Following the moment of silence, City Council and the audience recited the Pledge of Allegiance.

PROCLAMATION: Mayor Randall invited Mr. Scott Anderson of Kalamazoo HOPE to read a proclamation recognizing May as "Mental Health Awareness Month." Next, Mr. Anderson shared that he was the founder of Kalamazoo HOPE and the goal of the organization is to address stigma, discrimination and self-stigma as it relates to mental illness in the community.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Mayor Pro Tem Pearson asked that Item A.4, Redevelopment Ready Communities, be removed from the Consent Agenda. Motion by Pearson, seconded by Reid, to approve the Consent Agenda as amended including the "Calendar of Meetings" under the "Communications" section of the agenda. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Pearson, seconded by Reid, to approve the Regular Meeting Minutes of April 23, Budget Review Session of April 30 and Pre-Council of May 6, 2019. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 7, 2019: Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of May 7, 2019. Upon a roll call vote, motion carried 7 to 0.

EXPANSION OF INDUSTRIAL DEVELOPMENT DISTRICT NO. 82: Motion by Pearson, seconded by Reid, to accept the application to expand Industrial Development District No. 82 to include 8065 Merchant Place to facilitate an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue, and adopt Resolution No. 1-19 establishing a public hearing on the expansion of Industrial Development District No. 82 to include the property addressed as 8065 Merchant Place on May 21, 2019. Upon a roll call vote, motion carried 7 to 0.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: Motion by Pearson, seconded by Reid, to approve the Community Development Block Grant (CDBG) Program FY 2019-20 Annual Action Plan and Analysis of Impediments to Fair Housing elements of the Consolidated Plan and authorize the City Manager to submit the application to the U.S. Department of Housing and Urban Development. Upon a roll call vote, motion carried 7 to 0.

LOCAL STREETS RECONSTRUCTION CONTRACT: Motion by Pearson, seconded by Reid, to award a construction contract to Northern Construction Services of Niles, Michigan for the 2018 Local Streets Reconstruction Phase 2 Program in an amount not to exceed $1,703,135.30 and

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authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Pearson, seconded by Reid, to receive the minutes of the Portage Public Schools Board of Education Committee of the Whole of March 11, 2019 and Historic District Commission of April 10, 2019. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

CALENDAR OF MEETINGS: Motion by Pearson, seconded by Reid, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

PROPOSED FISCAL YEAR 2019-2020 BUDGET AND TAX LEVY: Mayor Randall invited City Manager Shaffer to begin discussion and review the proposed budget. Mr. Shaffer thanked city staff for their efforts in crafting the budget and reviewed the total budget amount, budget for the Capital Improvement Program (CIP) and how the CIP and proposed budget compare with the previous year. Mr. Shaffer emphasized that the increase in the CIP reflects investments in infrastructure, especially roads. Mr. Shaffer next shared that at the last Budget Review Session City Council expressed a desire to see a reduction in the millage rate in the proposed budget. Mr. Shaffer shared that staff reviewed the proposed budget and identified reductions that would result in a decrease of 1.67%. He then reviewed the specific reductions. Mr. Shaffer commented that City Administration has made a good faith effort to reduce the budget and he is proud of the budget that is being presented. Mr. Shaffer concluded by stating that the proposed budget, for the first time in recent memory, is balanced in that proposed revenues are equal to proposed expenses.

Mayor Randall thanked Mr. Shaffer for his comments and opened the public hearing. There being no member of the public asking to speak, motion by Reid, seconded by Knapp, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Mayor Randall shared that City Council was just learning about specific reductions in the proposed budget. She reviewed the budget process utilized by City Council and shared that the proposed budget is checked line by line. She also stated that a priority of City Council is to lower the millage rate. Mayor Randall shared that City Administration had been looking at staffing delays and reductions in the arena of public safety to reduce the budget. However, she indicated that Councilmember Urban had expressed strong reservations about using cuts and delays in public safety personnel. She stated that she shares those same reservations and emphasized that she and the City Council put public safety as a top priority. In response to an inquiry, Mr. Shaffer confirmed that the proposed reductions will not have an impact on personnel. Councilmember Urban confirmed his opposition to a budget that incorporated cuts to public safety personnel or hiring delays.

Mayor Pro Tem Pearson pointed out the health of the local economy and recent major industrial developments. He commented that given the fiscal health of the community, City Council felt a millage reduction was appropriate and thanked City Administration for following through. Councilmember Reid expressed appreciation for the work of City Administration. She pointed out that citizens may not see a reduction in their tax bill due to increased property valuations. She continued by sharing that while City Council cannot control valuation, it can control the millage rate. Ms. Reid pointed out that another priority of City Council is to lower debt and reduce bonding for projects. Councilmember Reid inquired what CIP projects were being altered as part of the effort to

reduce the cost of the proposed budget. Mr. Shaffer stated that staff is in the process of finalizing the alterations but the changes would likely involve delaying park expansions.

Councilmember Ford stated that the General Fund Millage has been at 7.5 mills for as long as he has been on City Council. He stated that he is pleased to see it being reduced.

REDEVELOPMENT READY COMMUNITIES: Mayor Randall invited Mayor Pro Tem Pearson to begin discussion. Mr. Pearson shared that the "Redevelopment Ready Communities" program is sponsored by the Michigan Economic Development Corporation (MEDC) and that he is pleased the City of Portage is getting involved. He shared that this is great news and invited Mr. Shaffer to share more about the program. Mr. Shaffer summarized the program and explained that it involves a community implementing best practices when it comes to economic development. He then reviewed the process for getting certified by the MEDC as a Redevelopment Ready Community and where the City of Portage is in the process. At the invitation of Mr. Shaffer, Director of Community Development Vicki Georgeau provided additional information about the program and steps the city has taken and will take to gain certification. She highlighted that one of the primary challenges will be in identifying three potential redevelopment ready sites. Ms. Georgeau concluded by stating that gaining certification will put Portage in position to receive State funding for economic development efforts.

Councilmember Reid inquired as to whether the report from the MEDC and other information would be made available online. Ms. Georgeau responded in the affirmative and shared that the city is exploring ways to gather and incorporate citizen input into this process. She also indicated that prior public input efforts, such as Portage 2025, will be included in the city's efforts to gain Redevelopment Ready certification. Motion by Pearson, seconded by Reid, to adopt a resolution authorizing the implementation of recommended actions necessary to attain Redevelopment Ready Communities certification from the Michigan Economic Development Corporation. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Mayor Pro Tem Pearson shared that he attended a meeting of the Kalamazoo County Consolidated Dispatch Authority Finance Committee at which discussion was focused on securing long-term funding for the Dispatch Authority. Motion by Reid, seconded by Ford, to receive the Council Committee Report as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid reminded residents that openings are available on a variety of City of Portage Boards and Commissions and encouraged people to apply. She continued by sharing that she is a member of the Kalamazoo County Environmental Health Advisory Council and has been asked to encourage residents to visit the Kalamazoo County website and participate in a survey to help establish budget priorities. Finally, she encouraged the public to attend one of the upcoming open houses for the 2767 Stryke Force Robotics Team. She shared details about the open houses and encouraged area youth to consider joining the team.

Councilmember Knapp commented that with the arrival of spring there is a lot happening in the community such as the opening of the Farmers Market, an open house of the Garden Lane Water Treatment Facility and road construction projects. She encouraged residents to visit the City of Portage website and Facebook page for construction updates. Ms. Knapp concluded by stating that she, along with Mayor Randall, attended the annual awards ceremony for the Department of Public Safety. She commented that the event was a great opportunity to recognize the exceptional efforts of our public safety professionals.

Councilmember Burns reminded everyone that Sunday is Mother's Day.

Councilmember Ford thanked City Council and staff for their hard work and commitment over the last month as numerous evening meetings were held.

Mayor Randall shared that she had a very busy past couple of weeks that included participating in the Kalamazoo Child Abuse and Neglect Council awards ceremony, attending the Department of Public Safety awards ceremony, recording a podcast with City Manager Shaffer for Stryker employees, attending the Senior Citizen Volunteer Appreciation Dinner, attending the National Day of Prayer event with Councilmembers Knapp and Reid at First Reformed Church, attending a dinner recognizing retiring public safety officers and dispatchers and attending an Eagle Scout Court of Honor ceremony. Mayor Randall shared that this coming Saturday is the beginning of "Bike Week" in Kalamazoo County and invited residents to participate in related activities. She concluded by complimenting City Council for their work related to the budget and expressed appreciation for the efforts of staff.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:44 p.m.

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Adam Herringa, City Clerk

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MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE PORTAGE CITY COUNCIL OF MAY 7, 2019

Mayor Patricia Randall called the meeting to order at 5:16 p.m. The following Councilmembers were present by 5:20 p.m. - Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also present were City Manager Laurence Shaffer, Deputy City Manager Rob Boulis, City Attorney Randy Brown and City Clerk Adam Herringa.

Mayor Randall invited City Manager Shaffer to begin discussion and Mr. Shaffer shared that the purpose of the meeting is to review the status of the proposed Fire Station No. 2 replacement, projected costs and project history. Mr. Shaffer reviewed the bid process related to this project and shared that, after being rebid, the low bidder remains Hall Construction and the estimated cost remains at approximately $6 million of which approximately $175,000 is for drainage improvements. Mr. Shaffer then reviewed cuts made in the project between the first and second bid opportunities. He continued by stating that City Administration is unanimous in recommending approval of the project. Mr. Shaffer stated that the project has been bid twice, there were two bidders each time and the price has remained at a consistent $6 million. Next, Mr. Shaffer reviewed the impact the project would have on long-term debt. He stated that even with a new fire station and new Community Senior Center, debt will continue to decline. The debt forecast, he stated, would be for a reduction from approximately $58 million to $46 million by the end of 2022.

Deputy City Manager Boulis provided additional information related to the bid process and shared that Hall Construction was the only company to bid each time. He continued by stating that staff and the consultant from American Village Builders worked diligently in an attempt to reduce projected costs. Oftentimes, Mr. Boulis continued, projected savings by eliminating a project component were nearly offset by architectural fees related to making the change. Mr. Boulis concluded by commenting that care was taken to avoid making cuts that result in short-term savings at the expense of long-term benefits.

Mr. Boulis introduced Mr. Jack Michael of American Village Builders (AVB) who is serving as the Owner's Representative and Construction Manager for the city on this project. Mr. Michael shared that AVB has estimated project costs on several occasions and the result is a consistent cost of approximately $6.1 million. He stated the cost of the proposed bid is an accurate and good price; that the project has been bid twice; and there are no more bidders who might come in lower. He stated that construction inflation is averaging 6% per year and delaying the project would result in higher costs. Mr. Michael shared that an expertise of AVB is "value-engineering." He stated that the proposed bid incorporates value-engineering, and the project is as efficient as a fire station project can be. He cautioned against making small dollar changes to cut costs as long-term functionality and quality would be compromised.

Councilmember Reid asked for a list of changes that had been made since the original proposal. Mr. Michael reviewed a few changes such as altering the door design and eliminating the snow-melt system. Mayor Pro Tem Pearson inquired specifically about eliminating the training tower. Mr. Shaffer commented that every fire station needs a tower in which to dry hoses so that while there may be some savings, they would be limited by the fact that a tower remains necessary. Mr. Michael continued by stating that the architectural costs to switch from the proposed training tower to a standard hose tower would result in diminished returns. Councilmember Knapp inquired if the proposed training attributes from the first proposal remained intact. Mr. Boulis responded in the affirmative and stated that analysis revealed that

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eliminating the training aspects would only result in relatively minor savings.

Councilmember Urban stated that the City of Portage is now home to two hotels and three large office buildings in addition to the Pfizer campus. He commented that he has trained with Portage firefighters in the past in such areas as high-angle rescue and confined space rescue. He emphasized the importance and value of training for firefighters and that having on-site training in Portage allows for staff to remain in service while undergoing training. Mr. Urban confirmed with Mr. Shaffer that the proposed design still has four equipment bays and commented that while this station does not have a ladder truck currently, it is wise to build for the possibility. He concluded by stating that police and fire need the best that can be provided and trying to save money by removing training is not in the best interest of the employees.

Mayor Randall inquired as to the cost-benefit of reducing the square footage of the facility and how this translates into savings. Mr. Michael stated that there are diminishing returns when altering plans after a design is complete. He likened it to shrinking the size of a conference room in that HVAC, lighting, fire suppression and other attributes are still necessary even though the actual floor space may be smaller. With regard to fire stations in particular, Mr. Michael commented that there are expensive spaces such as the “clean” and “dirty” rooms. Mayor Randall shared her belief that the proposed fire station is over-designed and that too much has been spent on architectural fees. She pointed out that the proposed building contains numerous rooms and attributes but will only be staffed by three or four employees at a time. She pointed to custom home building and inquired why modifying a fire station should be so different. Mr. Michael stated that the structural and mechanical components of a fire station are dramatically different from a home. Redesigning such a structure, he stated, takes significant more time and effort than redesigning a custom home.

With regard to the architect fee, Mayor Randall inquired as to how the dollar figures are calculated. Mr. Boulis commented that the city approached the architect and asked for an estimate as to the cost of reducing living space, converting the training tower to a simple hose tower, etc. and the architect provided the estimated cost based on the time it would take to redo the drawings and design work.

Mayor Pro Tem Pearson inquired as to the staffing levels of the fire stations. Assistant Fire Chief Stacy French responded. Deputy City Manager Boulis commented that while most stations are staffed with three or four firefighters the plan is to grow the department as the city grows. The proposed station, he stated, should be built to accommodate future need. Councilmember Ford inquired regarding the necessity of hose drying towers and Mr. French responded that all three stations have them as they are critically important.

Mayor Randall stated that, recently, a spike in debt was forecast and asked for an explanation since such a spike was not evident in the debt projection document provided by Mr. Shaffer. Mr. Furry commented that debt reduction will continue but it will occur at a slower pace should the city bond for this project. Mr. Boulis commented that there is an increase in debt forecasted for the next fiscal year but then debt levels will resume decreasing.

Mayor Pro Tem Pearson commented on the scarcity of bidders and inquired as to the experience and capability of Hall Construction. Mr. Michael responded by stating that AVB, as Owner’s Representative, will be monitoring the construction efforts. Mr. Michael continued by stating that this would be a big project for Hall Construction but that he believes they can successfully complete the project.

In response to an inquiry, Public Safety Director Armold stated that the current building

would take significant investment to rehabilitate and cited a new roof, generator, and structural integrity improvements as examples. Assistant Fire Chief French commented that the current building lacks fire suppression and there are windows and doors that cannot be opened due to structural failures. Mr. Armold also commented that the station cannot currently support a more diverse workforce as separate living areas are needed for male and female firefighters. Mr. Armold continued by stating that the current facility lacks "dirty" and "clean" areas to separate gear contaminated during response efforts. Mr. Armold concluded by reminding City Council that the fire station has been well maintained and, while only staffed by three or four personnel at any one time, is in use 24 hours per day every day of the year.

In response to an inquiry, Mr. French shared that the call volume between Fire Station No. 1 and No. 2 are similar. Mr. Shaffer commented that the plan is to demolish the current facility once the new structure is built. The reason for the demolition, he stated is because the new first station will need that space to operate and the existing fire station is functionally obsolete and costly to rehab. Mr. Shaffer concluded by stating that now is the best time to build the new fire station and that the proposed price is accurate.

Councilmember Knapp inquired if demolition was included in the cost. Mr. French responded in the affirmative and stated that funds are also available to assist with remediation should, for example, asbestos be present. However, he continued, full remediation costs will not be known until further in the demolition process.

Councilmember Burns inquired as to the anticipated life expectancy of the new fire station. Mr. Michael responded that it will be built to last at least fifty years. In reaction, Councilmember Burns inquired as to when the other two fire stations might need replacing. Mr. Shaffer responded that the other two buildings are in good shape and investments continue to be made to promote their longevity. Director Armold stated that the other fire stations were built 10 years apart, can accommodate female firefighters and are structurally sound. Mr. Michael indicated that improvements in construction techniques and knowledge have improved dramatically since Fire Station No. 2 was constructed in 1974.

Mayor Randall commented that it is unfortunate a building can be obsolete after only 45 years. She then asked staff to provide additional information as to the resumes of the two latest bidders. Next, Mayor Randall asked why a construction manager such as AVB needs to be utilized for this project. Mr. Shaffer stated that construction managers are wise to use on major construction projects due to their expertise and ability to be on-site. They ensure a building is constructed to specification and address issues that may arise. City of Portage staff, he stated, are experts in their field and in codes/compliance but managing a construction project requires a different skillset. Mr. Michael indicated that there are mandatory bid bonds that require the contractor to construct the project at the bid cost. Project modifications, he stated, are what can drive up costs. In response to an inquiry from Mayor Pro Tem Pearson, Mr. Michael indicated that the cost of AVB's construction management contract is $78,800.

Mayor Pro Tem Pearson revisited that capability of Hall Construction and inquired about Mr. Michael's knowledge of the other bidder, NRC Construction. Mr. Michael indicated that this firm is based in Farmington Hills and his knowledge of them is limited. However, he stated that he could conduct additional research. Mr. Michael stated that the fire station project would be a larger than normal project for Hall Construction but AVB would work with them and their subcontractors to keep things on schedule.

Councilmember Reid pointed to on-going increases in project cost estimates. She stated

that the latest cost is double from what was originally proposed. In hindsight, she inquired what could have been done differently to prevent this from happening and what steps can be taken going forward. Deputy City Manager Boulis stated that rather than asking the architectural firm for a projected cost, the plans should be provided to a construction company such as AVB to obtain an estimate. In agreement with Mr. Boulis, Mr. Shaffer stated that the price estimate from an architect should not be requested. Rather, it should be evaluated by a construction firm. Mayor Pro Tem Pearson commented that the new fire station was initially proposed to be $3 million with an alternative to renovate the current station at $2.5 million. To him, it made sense to build new. Now, he stated, the city seems to be stuck with a project that has been overly engineered and complicated.

Mayor Randall shared that she believes the proposed cost for the fire station is fair. However, she stated, she believes the proposed fire station is excessive and opulent. She continued by stating that she does not believe it looks like a fire station nor is appropriate for the location. She continued by stating that, if built, it would be the nicest building in the city but only be home to three or four staff. Councilmember Urban commented that this station will service a large residential area along with hotels, office buildings and senior housing. Mr. Michael commented that, to his knowledge, the proposed fire station is not dissimilar to other fire stations being built in urban areas.

Mayor Randall inquired as to the pleasure of the City Council with regard to the proposed fire station. Councilmember Reid commented, and others concurred, that she was not prepared to vote on the proposal at the Regular Meeting immediately following this COW Meeting. Councilmember Knapp inquired as to when the bid expired and Mr. Boulis commented that it expired in three days so he would need to work with Hall Construction to extend their bid. Mr. Shaffer commented that he should have arranged a COW meeting earlier in the year as requested by City Council at their retreat. Mayor Pro Tem Pearson stated that he has additional questions and analysis that he would like to see answered.

Mayor Randall inquired, related to the training features, how much would be saved in overtime and time spent using other regional training facilities. Mr. French stated that while he does not have an exact figure, he does not anticipate the savings to be substantial. Councilmember Reid inquired if the training space could be rented to other fire departments and Mr. Shaffer responded that it would be unlikely.

Mayor Randall again inquired as to the pleasure of the City Council. Mayor Pro Tem Pearson stated that he has additional questions and would like more information about the other bidder. Councilmember Ford pointed to the tradition of City Council not putting items on the agenda at the last minute. Doing so, he stated, severely restricts the ability for the public to comment. Councilmember Urban commented that, should Hall Construction not be willing to extend their bid or only do so for a large fee, an emergency special meeting may be necessary. City Manager Shaffer stated his hope for unanimous support from City Council and the city would work with Hall Construction to hold the bid until after the May 21st City Council Meeting. In addition, he stated, staff will work to address any questions that arise from City Council.

ADJOURNMENT: Mayor Randall adjourned the meeting at 6:38 p.m.

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Adam Herringa, City Clerk

MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MAY 20, 2019

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

Mayor Randall inquired if someone would be present to read and receive the proclamation. City Clerk Herringa confirmed.

With regard to Item A.2, Accounts Payable, Councilmember Knapp asked for more information regarding Check No. 309626 which was a payment to Nova Consulting for retention basin work. She also inquired about Check No. 309664 which was a payment to Christopher Ayoub for forfeited funds. Mr. Shaffer stated that he would research and respond with additional information.

With regard to item A.3, Sign Ordinance Amendment, Mayor Pro Tem Jim Pearson commented that the last time the sign ordinance was amended was several years ago and it involved significant public input. He stated his intention to remove the item from the Consent Agenda and asked that Attorney Brown and staff be prepared to provide background for the ordinance amendment, review proposed changes, and go into greater detail on proposed changes to the regulation of temporary signs. Councilmember Knapp reviewed a proposed change to the ordinance involving language about reducing traffic and pedestrian hazards. She asked staff to be prepared to discuss whether the application of this provision will be based on uniform or subjective standards. Councilmember Reid commented that, the last time the ordinance was updated there were guidelines as far as the strobing effect of signs, length between transitions of digital imagery, etc. Councilmember Reid referenced the application of the proposed sign ordinance to home-based businesses. She asked staff to be prepared to discuss potential impacts in this regard.

Mayor Pro Tem Pearson commented that under the current ordinance a business has to pay a sign permit fee and have their sign content reviewed and approved. He inquired if the verbiage on signs will no longer be subject to review. Mayor Pro Tem Pearson commented that it will be good to have the discussion and asked that fees be included in the conversation.

With regard to Item A.4, Replacement of Fire Station No. 2, Mayor Randall stated that at the last Committee of the Whole Meeting Mayor Pro Tem Pearson asked for additional information about the second bidder. She asked that the information be provided to help assure City Council that the low bidder is qualified and capable of executing this project. Councilmember Reid inquired if, after the last Committee of the Whole Meeting, the bidders were willing to extend their bids and, if so, if there was an associated cost. Mr. Shaffer stated that both vendors extended their bids at no additional cost.

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With regard to Item D.1, Public Hearing on Expansion of Industrial Development District No. 82, City Manager Shaffer confirmed that staff would provide a brief summary.

With regard to Items E.2 and E.3, which involve awarding two contracts, Councilmember Reid inquired as to why the items were not included as part of the Consent Agenda. Mr. Shaffer stated that the projects involve funding for next fiscal year which necessitates adoption of the proposed budget prior to allocating funds.

Mayor Randall summarized the meeting and asked Mr. Shaffer to also provide information on the last time the city engaged in a large capital facility project.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:13 a.m.

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Adam Herringa, City Clerk

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approval of the Accounts Payable Register of May 21, 2019 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 April 28, 2019 through May 12, 2019 and notes $223,236.89 in automated clearing house payments, $472,010.23 in paper checks and $46,883.36 in auto-pay payments for a grand total of $742,130.48.

FUNDING: N/A

Attachments: 1. Accounts Payable of May 21, 2019

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
05/03/2019	10931(A)	ABONMARCHE CONSULTANTS, INC	SKETCH FOR DRAWINGS	1,450.00
05/03/2019	10932(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP STAFFING	678.04
05/03/2019	10933(A)	AIRGAS GREAT LAKES	SHOP MAINTENANCE	106.94
05/03/2019	10934(A)	ALL CITY MANAGEMENT SERVICES, INC.	SCHOOL CROSSING GUARDS	1,625.40
05/03/2019	10935(A)	ALL-PHASE ELECTRIC SUPPLY CO.	SUPPLIES - PARKS DIV	376.38
05/03/2019	10936(A)	AMERICAN SAFETY & FIRST AID	RANGER TRUCK	121.95
05/03/2019	10937(A)	ANALYTICAL TESTING & CONSULTIN	CDBG 5840 MT. VERNON	550.00
05/03/2019	10938(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICE	1,630.00
05/03/2019	10939(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 2019	225.00
05/03/2019	10940(A)	BAKER, MICHAEL	UMPIRE PAYROLL 2019	25.00
05/03/2019	10941(A)	BATTERIES PLUS	LIGHT BULBS FOR CITY	53.70
05/03/2019	10942(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 2019	250.00
05/03/2019	10943(A)	BURKE, GREGORY	EMPLOYEE TRAINING	45.00
05/03/2019	10944(A)	C M P DISTRIBUTORS, INC.	MISC POLICE EQUIP	280.95
05/03/2019	10945(A)	C T S TELECOM, INC.	TELEPHONE SERVICE	2,304.87
05/03/2019	10946(A)	CHARTER COMMUNICATIONS	CABLE TV	233.40
05/03/2019	10947(A)	CROWN TROPHY	RECOGNITION SUPPLIES	807.50
05/03/2019	10948(A)	D & D PRINTING CO.	RAMONA PERMITS	1,656.16
05/03/2019	10949(A)	DEER CONTRACTING & LANDSCAPE	CURB REPAIR	2,575.00
05/03/2019	10950(A)	DOSTER, KYLE	EMPLOYEE TRAINING	70.14
05/03/2019	10951(A)	ENGINEERED PROTECTION SYSTEMS, INC.	FIRE FACILITY MAINT.	721.00
05/03/2019	10952(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	FABRICATION SERVICES	3,085.03
05/03/2019	10953(A)	ETNA SUPPLY, INC.	CELERY FLATS PROJECT	69.92
05/03/2019	10954(A)	EXTREME POWER EQUIPMENT, INC.	MAINTENANCE SUPPLIES	2,232.96
05/03/2019	10955(A)	GAIL ANDRUS TRAVEL	TRIP VENDOR PAYMENT	1,479.25
05/03/2019	10956(A)	GORDON WATER SYSTEMS	WATER COOLER COFFEE	72.55
05/03/2019	10957(A)	GORNO FORD	NEW FLEET VEHICLES	52,781.00
05/03/2019	10958(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	8,921.77
05/03/2019	10959(A)	HARTMAN, CHARLES	UMPIRE PAYROLL 2019	24.00
05/03/2019	10960(A)	HOJNACKI, DAVID	UMPIRE PAYROLL 2019	115.00
05/03/2019	10961(A)	INDUSCO SUPPLY CO., INC.	PAPER PRODUCTS	228.82

Check Date	Check	Vendor Name	Description	Amount
05/03/2019	10962(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOM	55.00
05/03/2019	10963(A)	LOUTHAN, WILLIAM F	UMPIRE PAYROLL 2019	48.00
05/03/2019	10964(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 2019	150.00
05/03/2019	10965(A)	MEEKHOF TIRE SALES & SERVICE INC.	FIRE APPARATUS MAINT	5,444.44
05/03/2019	10966(A)	MEJEUR ELECTRIC LLC	ELECTRICAL MAINT. DP	1,605.00
05/03/2019	10967(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY	285.40
05/03/2019	10968(A)	MULDERS LANDSCAPE SUPPLIES INC	TOP DIRT	143.25
05/03/2019	10969(A)	NASON, RICHARD	FIRE OPS TRAINING	410.06
05/03/2019	10970(A)	NUYEN, ERIC	UMPIRE PAYROLL 2019	138.00
05/03/2019	10971(A)	NYE UNIFORMS	MISC UNIFOIRMS	326.94
05/03/2019	10972(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEES	4,264.24
05/03/2019	10973(A)	PACE ANALYTICAL SERVICES, LLC	SWEEPER DEBRIS TESTING	350.00
05/03/2019	10974(A)	PATESEL, TERRY	UMPIRE PAYROLL 2019	47.00
05/03/2019	10975(A)	PATTERSON, TREVER	EMPLOYEE TRAINING	135.00
05/03/2019	10976(A)	PEOPLEFACTS, LLC	EMPLOYEE BACKGROUND	29.70
05/03/2019	10977(A)	PERCEPTIVE CONTROLS, INC.	VICKERY LIFT CAB RPLCMNT	47,269.28
05/03/2019	10978(A)	PERCEPTIVE CONTROLS, INC.	SCADA SUPPORTS SERVICE	1,202.50
05/03/2019	10979(A)	PREMIER SAFETY	FIRE SCBA MAINTENANCE	600.00
05/03/2019	10980(A)	R W LAPINE INC.	PIPE REPLACED	886.05
05/03/2019	10981(A)	REYNHOUT, BRENT	EMPLOYEE TRAINING	225.00
05/03/2019	10982(A)	RHODES, KEVIN	UMPIRE PAYROLL 2019 FIRE	216.00
05/03/2019	10983(A)	RIDGE AUTO NAPA	APPARATUS MAINT	45.73
05/03/2019	10984(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	861.62
05/03/2019	10985(A)	RYAN, JOHNATHAN	UMPIRE PAYROLL 2019	164.50
05/03/2019	10986(A)	SAFETY SERVICES, INC.	HI-VIZ CLOTHING	96.63
05/03/2019	10987(A)	SEVERANCE ELECTRIC COMPANY,INC	LOCATING SERVICES	3,102.00
05/03/2019	10988(A)	SIMPLIFILE LLC	DOCUMENT RECORDING	108.00
05/03/2019	10989(A)	TRUCK & TRAILER SPECIALTIES	FLEET MAINTENANCE	3,096.29
05/03/2019	10990(A)	W W GRAINGER INC	EQUIPMENT MAINTENANCE	229.63
05/03/2019	10991(A)	WEST MICHIGAN INT'L LLC	MAINTENANCE SUPPLIES	1,828.17
05/03/2019	10992(A)	WOLVERINE LAWN SERVICE, INC.	SNOW REMOVAL SERVICE	2,105.00
05/03/2019	10993(A)	WOLVERINE POWER SYSTEMS	GENERATOR MAINTENANCE	1,100.00

Check Date	Check	Vendor Name	Description	Amount
05/10/2019	10994(A)	A NEW LEAF	PLANT CARE	85.00
05/10/2019	10995(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP STAFFING	350.81
05/10/2019	10996(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SUPPLIES	460.56
05/10/2019	10997(A)	ARISTA TRUCK SYSTEMS	DUMP BODY CYLINDER	2,575.00
05/10/2019	10998(A)	BATTERIES PLUS	MISC BATTERIES	80.40
05/10/2019	10999(A)	BEST WAY DISPOSAL, INC.	SEDIMENT HAULING	2,676.48
05/10/2019	11000(A)	BRINK WOOD PRODUCTS, INC.	PLAYGROUND MULCH 24	1,242.00
05/10/2019	11001(A)	C M P DISTRIBUTORS, INC.	CASES OF AMMO	5,378.90
05/10/2019	11002(A)	CAPITAL ADVANTAGE LEASING	EQUIPMENT LEASES	18,745.25
05/10/2019	11003(A)	CONSUMERS CONCRETE CORP.	CELERY FLATS PROJECT	934.16
05/10/2019	11004(A)	CONTINENTAL LINEN SERVICES	MAT AND LINEN SERVICE	77.87
05/10/2019	11005(A)	DEER CONTRACTING & LANDSCAPE	LANDSCAPING SERVICES	3,895.00
05/10/2019	11006(A)	E J USA, INC.	ADA PLATES	2,265.84
05/10/2019	11007(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ICLASS HID CARDS	800.00
05/10/2019	11008(A)	GRIFFIN PEST SOLUTIONS, INC.	FIRE FACILITY MAINT.	47.00
05/10/2019	11009(A)	HOWARD PRINTING	FISCAL YEAR 2018-2019	2,858.00
05/10/2019	11010(A)	INDUSCO SUPPLY CO., INC.	CITY HALL RESTROOMS	115.54
05/10/2019	11011(A)	J-AD GRAPHICS, INC	TRAVEL BROCHURES	1,779.00
05/10/2019	11012(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOM	55.00
05/10/2019	11013(A)	KUSHNER & COMPANY, INC.	COBRA & FSA - 2018-2019	270.88
05/10/2019	11014(A)	LANDS END	UNIFORMS FOR RECORDS	285.43
05/10/2019	11015(A)	LOWE'S HOME CENTER	FIRE FACILITY MAINT	1,279.65
05/10/2019	11016(A)	MARANA GROUP	REFILL POSTAGE METER	274.29
05/10/2019	11017(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	134.21
05/10/2019	11018(A)	MEJEUR ELECTRIC LLC	ELECTRICAL SERVICES TOP	1,500.00
05/10/2019	11019(A)	MULDERS LANDSCAPE SUPPLIES INC	SOIL	480.00
05/10/2019	11020(A)	PARIS CLEANERS	UNIFORM CLEANING FIRE	950.78
05/10/2019	11021(A)	RIDGE AUTO NAPA	APPARATUS MAINT CDBG	107.63
05/10/2019	11022(A)	ROACH HOME IMPROVEMENT	5840 MT. VERNON UTILITY	2,750.00
05/10/2019	11023(A)	S B F ENTERPRISES, INC.	BILL PRINTING DATABASE	600.42
05/10/2019	11024(A)	TECHNOLOGY SOLUTIONS	MODIFICATION SAFETY	1,562.50
05/10/2019	11025(A)	W W GRAINGER INC	SUPPLIES	619.47

Check Date	Check	Vendor Name	Description	Amount
05/10/2019	11026(A)	WOLVERINE LAWN SERVICE, INC.	SNOW REMOVAL SERVICE	6,235.12
05/10/2019	11027(A)	WORLDPOINT ECC	FIRE EMS SUPPLIES	189.95
05/10/2019	11028(A)	XEROX CORPORATION	XEROX AGREEMENT	209.59
			Total ACH Transactions:	**223,236.89**
Check Type: Paper Check				
05/03/2019	309595	A T & T	TELEPHONE SERVICE	378.69
05/03/2019	309596	A T & T LONG DISTANCE	LONG DISTANCE	14.67
05/03/2019	309597	ACE PARKING LOT STRIPING, INC.	ARROW PAINTING	100.00
05/03/2019	309598	AR ENGINEERING LLC	ENGINEERING SERVICES	9,663.70
05/03/2019	309599	BAKER, STACEY	EMPLOYEE REIMBURSEMENT	189.00
05/03/2019	309600	BLAIN SUPPLY, INC.	SHOP MAINTENANCE	39.98
05/03/2019	309601	BO-MER PLASTICS, LLC	PLANTERS CELERY FLATS	3,081.00
05/03/2019	309602	CAMPBELL AUTO SUPPLY	FIRE APPARATUS MAINT	79.44
05/03/2019	309603	CINTAS CORP.	UNIFORM RENTAL	7.13
05/03/2019	309604	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	247,987.82
05/03/2019	309605	CLINGENPEEL, DAVID	UMPIRE PAYROLL 2019	210.00
05/03/2019	309606	COMPETITIVE EDGE, INC.	OPEN HOUSE SUPPLIES	285.92
05/03/2019	309607	DEVON TITLE AGENCY	TITLE INSURANCE	1,095.00
05/03/2019	309608	DUNKS, DANIELLE	HAYLOFT RENTAL CANCEL	760.00
05/03/2019	309609	GILCHRIST, PAMELA	TRIP REFUND	200.00
05/03/2019	309610	HOEKSTRA ROOFING CO.	SERVICE CALL DPW	382.71
05/03/2019	309611	HOME DEPOT	HARDWARE NEEDS	2,519.27
05/03/2019	309613	J & J LOCKSMITHS	CHAINSAW LOCKS	340.28
05/03/2019	309614	JAMESTOWN ADVANCED PRODUCTS	PICNIC SUPPORT EQUIP	3,405.00
05/03/2019	309615	KALAMAZOO COUNTY TREASURER	OAKBROOK MARCH/APRIL	645.00
05/03/2019	309616	KALAMAZOO FLAG COMPANY	FLAGS	662.00
05/03/2019	309617	KIDNEY, ART & ANDREA	TRIP REFUND	190.00
05/03/2019	309618	KIM CRITZ	WETHERBEE DESIGN	500.00
05/03/2019	309619	KNAPHEIDE TRUCK EQUIPMENT FLINT	ELECTRIC LOCKS	1,234.20
05/03/2019	309620	LESTER, DORIS	ACTIVITY REFUND LINE	46.00
05/03/2019	309621	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	55.00
05/03/2019	309622	MEDILODGE OF PORTAGE	SPECIAL LUNCHES	332.00

Check Date	Check	Vendor Name	Description	Amount
05/03/2019	309623	MITCHELL REPAIR INFORMATION CO	SUBSCRIPTION	1,728.00
05/03/2019	309624	NETWORKFLEET, INC.	GPS SERVICES	834.90
05/03/2019	309625	NORTHERN LAKE SERVICE, INC.	WATER SAMPLE TESTING	9,120.00
05/03/2019	309626	NOVA CONSULTANTS, INC	RETENTION BASIN	5,421.29
05/03/2019	309627	OFFICE DEPOT, INC.	OFFICE SUPPLIES	80.70
05/03/2019	309628	OLD TIME WOODEN NICKEL CO.	FARMERS MARKET TOKENS	157.07
05/03/2019	309629	OSWALT, SHARON	TRIP REFUNDS 190625	790.00
05/03/2019	309630	P K CONTRACTING, INC.	WALMART AND SHAVER	3,300.00
05/03/2019	309631	PETTY CASH-DEREK HENSON	REPLENISHMENT CHECK	254.01
05/03/2019	309632	PLAINWELL COMMUNITY SCHOOLS	POOL RENTAL LG TRAIN	600.00
05/03/2019	309633	PURITY CYLINDER GASES, INC	MAINTENANCE SUPPLIES	96.00
05/03/2019	309634	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATER	159.00
05/03/2019	309635	REEVES, SHANNON	FIRE HYDRANT EASEMENT	1,650.00
05/03/2019	309636	RHOMAR INDUSTRIES INC.	CHAIN AND SPREADER	2,472.25
05/03/2019	309637	RICHARDS DALE	BAIL BOND	55.00
05/03/2019	309638	SANDERSON DEHAAN IRRIGATION	IRRIGATION REPAIR	800.00
05/03/2019	309639	SIGN SHOP OF WESTERN MICHIGAN	VINYL LETTERING	80.00
05/03/2019	309640	SMITH, ADAM	DAMAGED MAILBOX REIMB	44.00
05/03/2019	309641	SMOKED DOWN BBQ LLC	GREEN-A-THON	125.00
05/03/2019	309642	STATE OF MICHIGAN (DOT)	TRAFFIC SIGNAL ENERGY	271.72
05/03/2019	309643	STEENSMA LAWN & POWER EQUIPMENT	MOWER	1,609.00
05/03/2019	309644	STUDENT HAULERS	ABATEMENT COSTS FOR	900.00
05/03/2019	309645	TJ HAMLETT/AFFORDABLE BILLIARD REPA	BILLIARDS TABLE REPAIR	275.00
05/03/2019	309646	TRACTOR SUPPLY CORP.	MAINTENANCE SUPPLIES	251.93
05/03/2019	309647	U S POSTMASTER	PORTAGER MAIL	235.00
05/03/2019	309648	UNITED PARCEL SERVICE	WEEKLY DELIVERY	23.80
05/03/2019	309649	VINCENT, LARRY	DAMAGED MAILBOX REIM	44.00
05/03/2019	309650	WHENTOWORK, INC.	PARKS STAFF SCHEDULING	200.00
05/03/2019	309651	WHITE, WHITNEY	RENTAL DEPOSIT REFUND	100.00
05/03/2019	309652	WYOMING ASPHALT PAVING CO. INC	ASPHALT MATERIALS	211.47
05/03/2019	309653	ZERO WASTE USA, INC.	PET WASTE BAGS	2,099.65
05/06/2019	309654	VAN, TRACELYNN	REFUND FIRE ESCROW	12,262.00

Check Date	Check	Vendor Name	Description	Amount
05/10/2019	309655	5TH CIRCUIT COURT	BAIL BOND	250.00
05/10/2019	309656	ALLEGRA PRINT & IMAGING	TRIPS FLYERS	1,668.00
05/10/2019	309657	AYERS BASEMENT SYSTEMS	BASEMENT WATERPROOFING	8,076.00
05/10/2019	309658	BAY AREA TOUCHLESS CARWASH LLC	2018/19 POLICE VEHICLES	144.00
05/10/2019	309659	BIDDLE CONSULTING GROUP, INC.	TESTGENIUS SOFTWARE	1,495.00
05/10/2019	309660	BINDER PARK ZOOLOGICAL SOCIETY, INC	MAY BINDER PARK PROG	200.00
05/10/2019	309661	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	25.98
05/10/2019	309662	CARTRIDGE WORLD	PRINTER SERVICES	1,874.04
05/10/2019	309663	CEREAL CITY WINDOW CLEANING	WINDOW CLEANING	170.00
05/10/2019	309664	CHRISTOPHER AYOUB AND	FORFEITED FUNDS	83,560.59
05/10/2019	309665	COCHRAN GLASS AND DOOR, LLC	DOOR INSTALLATION	7,703.63
05/10/2019	309666	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	1,847.37
05/10/2019	309667	FLETCHER ENTERPRISES	REPAIR/PAINT WALLS	450.00
05/10/2019	309668	GALL'S, LLC	RANGER UNIFORMS	305.64
05/10/2019	309669	HAINES, NICHOLAS	TUITION REIMBURSEMENT	749.00
05/10/2019	309670	HALT FIRE, INC.	FIRE APPARATUS MAINT	320.75
05/10/2019	309671	HARBEN, INC.	MAINTENANCE SUPPLIES	148.10
05/10/2019	309672	HOME DEPOT	MISC CLEANING	165.84
05/10/2019	309673	INT'L PUBLIC MGT ASSOC FOR HR	PUBLIC SAFETY TESTING	1,568.74
05/10/2019	309674	K D SALES	BINGO LOTTERY MACHINE	80.00
05/10/2019	309675	KALAMAZOO COUNTY TREASURER	2018 MTT MOAHR	17,138.57
05/10/2019	309676	KALAMAZOO KLASH - 08	SOFTBALL TOURN.	100.00
05/10/2019	309677	LKF MARKETING	SPRING EVENTS BOOKLET	451.35
05/10/2019	309678	MCALARY, TRENT	FIRE OPS TRAINING	607.75
05/10/2019	309679	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	50.00
05/10/2019	309680	MCGUIRE, INGRID	EMPLOYEE REIMBURSEMENT	292.10
05/10/2019	309681	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL	667.50
05/10/2019	309682	MLIVE MEDIA GROUP	APRIL LEGAL NOTICES	1,377.25
05/10/2019	309683	NATIONAL BUSINESS FURNITURE LLC	OFFICE CHAIR	269.00
05/10/2019	309684	OFFICE DEPOT, INC.	OFFICE SUPPLIES	501.91
05/10/2019	309685	OTTEN TROPHIES	PLAQUE	443.00
05/10/2019	309686	PAVER PET SUPPLY	MISC. K-9 SUPPLIES	124.00

Check Date	Check	Vendor Name	Description	Amount
05/10/2019	309687	POLDERMAN'S FLOWER SHOP	FLOWERS	97.95
05/10/2019	309688	PROJECT LIFESAVER INC	MISC SUPPLIES	845.60
05/10/2019	309689	QUADMED, INC.	FIRE EMS SUPPLIES	2,509.70
05/10/2019	309690	RANDALL L BROWN & ASSOC. PLC	ATTORNEY SERVICE	704.25
05/10/2019	309691	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATER	236.25
05/10/2019	309692	SAFEBUILT MICHIGAN, LLC	FILL IN INSPECTIONS	3,945.00
05/10/2019	309693	SKILLQUEST INTERNATIONAL LLC	DRUG SCREENING	1,300.00
05/10/2019	309694	SOFTBALL NATION	SOFTBALL TOURN.	100.00
05/10/2019	309695	STATE SYSTEMS RADIO, INC	12 MONTHS OF TOWER	1,551.67
05/10/2019	309696	STEENSMA LAWN & POWER EQUIPMENT	FIRE OPS SUPPLIES	680.04
05/10/2019	309697	TODD ARBANAS ENTERPRISES INC.	TREE TRIMMING	3,450.00
05/10/2019	309698	TRUGREEN PROCESSING	LANDSCAPE SERVICES	190.10
05/10/2019	309699	UNITED PARCEL SERVICE	WEEKLY DELIVERY	26.21
05/10/2019	309700	VANDERVEEN, BRADY	LARA BUILDING FORMS	75.00
05/10/2019	309701	VERIZON WIRELESS SERVICES, LLC	CELL PHONES	2,818.75
			Total Paper Checks:	**472,010.23**

Check Type: Auto-Pay Payment

04/30/2019	7857	CITY OF PORTAGE	WATER-SEWER	67.81
05/06/2019	7866	CONSUMERS ENERGY	GAS-ELECTRIC	46,815.55
			Total Auto-Pay Payments:	**46,883.36**
			Grand Total:	**742,130.48**

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Ordinance Amendment #18/19-A, Sign Amendments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Accept Ordinance Amendment #18/19-A, Sign Amendments, for first reading and set a public hearing for June 25, 2019.

In 2015, the U.S. Supreme Court struck down content-based sign regulations in Reed v Town of Gilbert, Arizona. The Court's decision applies to the regulation of all signs: permanent, temporary, business, residential, and to both commercial and non-commercial signs. Whether content-based "on its face" or content-neutral but justified in relation to content, the regulation is presumed to be unconstitutional and will be invalidated unless the government can prove that the regulation is narrowly tailored to serve a compelling governmental interest.

In light of the U.S. Supreme Court's content-neutral decision, city staff and the City Attorney reviewed the sign regulations to identify and modify sections that refer to the content displayed on a sign. The proposed substantive amendments are summarized below:

- The Intent, Purpose and Definitions sections were updated. Content-based sign definitions primarily relating to the following temporary signs were removed: construction sign, development sign, household goods sign, identification sign, election campaign sign, public event sign and real estate sign. In addition, three new definitions were added: flag, government sign, and property owner.

- Consistent with the revisions to sign definitions, the section related to temporary signs has been deleted and a new/expanded section added. The following summarizes the new language.

    - Single-family residential uses are allowed a total of six (6) square feet of sign area at any time with no permit required.

    - Non-single family residential uses are allowed one temporary sign up to 40 square foot in area for up to four display periods, but not to exceed a total of 30 days in any calendar year. Note: this regulation is consistent with temporary signs permitted concurrent with Business Special Events.

    - All zoning lots (regardless of use) are permitted up to 40 square feet of temporary signage 30 days before and 5 days after an election. No permit is required. The ordinance related to election signs limited the size to no more than six (6) square feet and did not specify a time period before the election date. The prior ordinance

section required removal 10 days after the election.

- During the sale or lease of property, zoning lots occupied by a single-family residential use are permitted one six (6) square foot sign. For a non-residential use, one 40 square foot sign is permitted. Signs must be removed within 15 days following the date of sale. No permit is required.

- A new section related to flags has been added and permits one non-governmental flag on either a freestanding pole or on a building in all zoning districts, whereas the current ordinance permits only a "corporate flag" in an industrial zoning district. In addition, the ordinance now differentiates between official governmental flags (which are not regulated) and the other flags noted above.

- Ordinance language related to sign content in various zoning districts has been deleted.

In addition to the above revisions relating to content neutrality, some additional minor changes have been incorporated into the ordinance as follows:

- Interior signs must comply with illumination and movement requirements in an effort to minimize glare and prevent distractions to vehicles. This revision is primarily in response to requests for electronic message displays on the interior of a window with full movement and video displays.

- The definition to *Obsolete or abandoned sign* has been revised to include signs that are deteriorated or hazardous.

- The section regarding signs identifying single-family residential developments (Section 42-545.D) has been modified so the size and height of signs is consistent with other signs permitted in the district.

The ordinance amendments were introduced to the Planning Commission on March 21, 2019. On April 18, 2019 and May 2, 2019, the Planning Commission held public hearings to garner public input on proposed changes. No citizens were present to speak at either meeting regarding the proposed sign amendments. The Commission subsequently recommended the approval of Ordinance Amendment 18/19-A, Sign Amendments, to City Council.

It is therefore recommended that City Council accept Ordinance Amendment #18/19-A, Sign Amendments, for first reading and set a public hearing for June 25, 2019, and subsequent to the public hearing, consider approving Ordinance Amendment #18/19-A Sign Amendments.

FUNDING: Not applicable

Attachments:
1. Planning Commission transmittal dated May 9, 2019
2. Planning Commission meeting minutes - March 21, 2019; April 18, 2019; May 2, 2019

3. Department of Community Development staff report dated April 26, 2019 (including Ordinance Amendment - highlight-strike and clean versions)
4. First Reading - Sign Ordinance

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: May 9, 2019

SUBJECT: Ordinance Amendment #18/19-A, Sign Regulations

In response the 2015 U.S. Supreme Court decision in Reed v Town of Gilbert, Arizona that struck down content-based sign regulations, the City Administration and Office of the City Attorney prepared several amendments to the Sign Regulation's to modify sections that refer to the content (message) displayed on a sign. These proposed amendments were introduced to the Commission during a workshop meeting held on March 21, 2019. At the conclusion of the review/discussion, the Planning Commission held a public meeting on April 18, 2019, to garner public input on the proposed changes. No citizens were present to speak regarding the proposed sign amendments. The public hearing was reconvened on May 2, 2019. No citizens spoke regarding the proposed sign amendments.

Following a brief discussion involving temporary signs and flags, a motion was made by Commissioner Patterson, seconded by Commissioner Fries, to recommend to City Council that Ordinance Amendment #18/19-A, Sign Regulations, be approved. The motion was unanimously approved 6-0.

Sincerely,

Wayne Stoffer

Wayne Stoffer
Chairman

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Mr. Forth thanked the Commissioners for attending the workshops and indicated that the city did have a budget for those Commissioner who would be interested in attending the MAP Annual Conference in Kalamazoo in September.

7:35 p.m.	-	The Commission took a short recess.
7:49 p.m.	-	The Commission reconvened the meeting in City Hall Conference Room No. 1

NEW BUSINESS:

1. Ordinance Amendment: Sign Regulations (preliminary). Mr. Forth referred the Commission to the March 15, 2019 staff report and proposed amendments to the sign regulations. Attorney Brown discussed the June 2015 U.S. Supreme Court decision in Reed v Town of Gilbert, Arizona that struck down content-based sign regulations. Attorney Brown stated the decision was very straight-forward and concluded that a sign regulation that "on its face" considers the message of the sign to determine how it will be regulated is content-based, and, therefore, unconstitutional. Based on this decision, Mr. Forth indicated that city staff and the City Attorney have reviewed the existing sign regulations contained in the Zoning Code and modified sections that refer to the content/message displayed on the sign.

Mr. Forth and Attorney Brown next reviewed the various sections of the sign ordinance proposed for amendments including the Intent and Purpose, Definitions, Signs not permitted, Electronic or mechanical sign elements, Sign permitted and the various zoning district sections. The Commission and staff discussed various aspects of the proposed changes. At the conclusion of this discussion, Mr. Forth indicated that the public hearing to formally considered adoption of these sign regulations amendments would be noticed and scheduled for the April 18, 2019 meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 8:35 p.m.

Respectfully submitted,

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

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PLANNING COMMISSION

April 18, 2019

The City of Portage Planning Commission meeting of April 18, 2019 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Fries (yes); Pezzoli (yes); Baldwin (yes); Joshi (yes); Schimmel (yes); Stoffer (yes); Corradini (yes); Patterson (yes); and Harrell-Page (yes). All members were present.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the March 21, 2019 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Harrell-Page, to approve the minutes as submitted. The motion was unanimously approved 9-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Preliminary Report: Ordinance Amendment #18/19-A: Sign Amendments. Mr. Forth referred the Commission to the April 12, 2019 staff report and summarized the proposed amendments to the sign regulations. Mr. Forth indicated the amendments have been initiated by the Department of Community Development and the Office of the City Attorney based upon the June 2015 U.S. Supreme Court decision in Reed v Town of Gilbert, Arizona that struck down content-based sign regulations. In light of this decision, Mr. Forth stated that several sections of the sign regulations contained in the Zoning Code have been modified to eliminate references to content (message) displayed on a sign. Mr. Forth indicated the proposed amendments are intended to improve clarity and/or to address content neutrality issues. Mr. Forth stated the proposed amendments were initially presented and discussed with the Planning Commission at the March 21, 2019 meeting.

Mr. Forth and Attorney Bear next reviewed the sections of the sign ordinance proposed for amendments including the Intent and Purpose, Definitions, Signs not permitted, Electronic or mechanical sign elements, Sign permitted and the various zoning district sections. The Commission and staff discussed various aspects of the proposed changes including flags, government signs and election signs.

The public hearing was then opened by Chairman Stoffer. No citizens were present to speak regarding the proposed sign amendments. A motion was then made by Commissioner Joshi, seconded Commissioner Schimmel, to adjourn the public hearing for Ordinance Amendment #18/19-A to the May 2, 2019 meeting. The motion was unanimously approved 9-0.

DRAFT

PLANNING COMMISSION

May 2, 2019

The City of Portage Planning Commission meeting of May 2, 2019 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Six citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services; Michael West, Senior City Planner; Randy Brown, City Attorney and Charlie Bear, City Attorney.

ROLL CALL:

Mr. Forth called the role: Fries (yes); Patterson (yes); Stoffer (yes); Schimmel (yes); Joshi (yes) and Baldwin (yes). A motion was then made by Commissioner Patterson, seconded by Commissioner Joshi, to approve the role excusing Commissioners Corradini, Pezzoli and Harrell-Page. The motion was approved 6-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the April 18, 2019 meeting minutes contained in the agenda packet. A motion was made by Commissioner Schimmel, seconded by Commissioner Baldwin, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Final Report: Ordinance Amendment #18/19-A: Sign Amendments. Mr. Forth referred the Commission to the April 26, 2019 final staff report and summarized the proposed amendments to the sign regulations. Mr. Forth discussed the June 2015 U.S. Supreme Court decision in Reed v Town of Gilbert, Arizona that struck down content-based sign regulations. Mr. Forth indicated the amendments to various section of the sign regulations have been initiated by the Department of Community Development and City Attorney to improve clarity and/or to address content neutrality issues. Mr. Forth discussed the preliminary review of these proposed amendments by the Planning Commission during the March 21, 2019 meeting, and the more substantial review conducted at the April 18, 2018 meeting. Mr. Forth stated both Attorney Brown and Attorney Bear were in attendance at tonight's meeting to answer any questions the Planning Commission may have prior to making a formal recommendation to City Council.

Commissioner Joshi asked about how the proposed amendments would address "cause related" signage for various events such as Child Abuse Prevention Month. Attorney Brown indicated that since the proposed amendments eliminate content-based regulation, the ordinance would not regulate the "cause" or "message" contained on the sign, but would regulate the size and placement. Mr. Forth indicated that these signs cannot be placed within the public street right-of-way, but could be located on private residential property up to six square feet in size and on private nonresidential property up to 40 square feet in size with time limits.

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Chairman Stoffer asked whether there was a size limitation on government flags located on private property. Mr. Forth stated there was not a size restriction on government signs such as the American flag or State of Michigan flag. Chairman Stoffer expressed some concern over the unlimited size for government flags, especially within residential neighborhoods, where they could become a nuisance to adjacent neighbors. Mr. Forth stated the current ordinance does not have a size restriction for government flags and, to the knowledge of staff, there has not been a nuisance problem with size and/or number of flags in residential areas. Attorney Bear indicated that limiting the number or size of government flags on private property was viewed as potentially conflicting with freedom of speech/freedom of expression rights. Attorney Brown continued and stated that regulating government and corporate flags separately is a problematic matter since someone needs to look at the "content" on the flag to determine whether it is a government flag or corporate flag. Chairman Stoffer again stated that he was concerned about possible negative impacts on a residence if an adjacent neighbor was to install a very large government flag or multiple large government flags on their property.

The public hearing was then reconvened by Chairman Stoffer. No citizens spoke regarding the proposed sign amendments. A motion was then made by Commissioner Schimmel, seconded Commissioner Patterson, 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 Fries, to recommend to City Council that Ordinance Amendment #18/19-A, Sign Regulations, be approved. The motion was unanimously approved 6-0.

2. Preliminary Report: Rezoning Application #18/19-6, 129 Boston Avenue. Mr. Forth summarized the April 26, 2019 preliminary staff report regarding a request received from Attorney Joey Kejbou, on behalf of the property owner Jayesh and Neha Sharma, to rezone 129 Boston Avenue from R-1A, one family residential to OS-1, office service. Mr. Forth stated the applicant's intent for the rezoning, as outlined in the application materials, was to establish a small office at 129 Boston Avenue and establish a medical marihuana provisioning center at 5747 South Westnedge Avenue. Mr. Forth indicated that Mr. and Mrs. Sharma also own the two adjacent parcels to the west addressed as 121 Boston Avenue and 5747 South Westnedge Avenue, which currently function as one "zoning lot". Mr. Forth indicated the medical marihuana provisioning center would not currently be allowed within the southern portion of the existing building at 5747 South Westnedge Avenue since the "zoning lot" currently abuts residential zoning (129 Boston Avenue). Mr. Forth summarized the previous rezoning application (Rezoning Application #18/19-3) involving 129 Boston Avenue that was withdrawn by Mr. Sharma in January 2019 following a negative recommendation by staff and the Planning Commission. Mr. Forth summarized previous rezoning considerations that have occurred along the east side of South Westnedge Avenue, between 2002-2013, and the adjustment that was made to the Future Land Use Map boundary between general business/residential land use with the 2014 Comprehensive Plan Update to achieve consistency and depth of commercial land use along the east side of South Westnedge Avenue. Mr. Forth reviewed the applicant proposal to establish a small office at 29 Boston Avenue and the size/configuration of the property that presents challenges to redevelopment for a nonresidential use. Mr. Forth also discussed the underutilized nature of 121 Boston Avenue that was converted from a residence to an office several years ago.

Chairman Stoffer asked about the recent use of 121 Boston Avenue for a residence. Mr. West stated there was someone illegally living at 121 Boston Avenue, however, that person moved out in January/February. Mr. West indicated that 121 Boston Avenue is zoned B-3, general business and residential occupancy is not permitted. Commissioner Schimmel asked what impact rezoning 129 Boston Avenue would have on allowing a medical marihuana provisioning center within 5747 South Westnedge Avenue. Mr. Forth stated a rezoning of 129 Boston Avenue to OS-1, office service would allow a medical marihuana provisioning center to be located within 5747 South Westnedge Avenue since the "zoning lot" consisting of 5747 South Westnedge Avenue and 121 Boston Avenue would no longer be located adjacent to residential zoning. Commissioner Patterson asked whether the 129 Boston Avenue parcel could be rezoned to OS-1 with and R-1A residential "buffer" strip provided along the east side. Mr. Forth indicated the 129 Boston Avenue parcel was only 66-feet wide and a rezoning with an R-1A buffer strip would only further complicate reuse for an office. Commissioner Fries asked whether the 129 Boston parcel could be rezoned as identified on the Future Land Use Map with the west approximate 2/3 changed to B-3 or OS-1 and the east approximate 1/3 retained as R-1A, or whether a P-1 zone could be used similar to the properties to the south. Mr. West stated the properties to the south where P-1 zoning

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** April 26, 2019

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report, Ordinance Amendment 18/19-A, Sign Amendments

I. INTRODUCTION

In June 2015, the U.S. Supreme Court's decision in Reed v Town of Gilbert, Arizona, struck down content-based sign regulations. While the sign code regulations challenged in Reed involved only temporary non-commercial signs, the Court's decision applies to the regulation of all signs: permanent, temporary, business, residential, and to both commercial and non-commercial signs. The decision of the Court is very straight-forward: A sign regulation that "on its face" considers the message on a sign to determine how it will be regulated is content-based and, therefore, unconstitutional. Whether content-based "on its face" or content-neutral but justified in relation to content, the regulation is presumed to be unconstitutional and will be invalidated unless the government can prove that the regulation is narrowly tailored to serve a compelling governmental interest.

In light of the U.S. Supreme Court's content-neutral decision in Reed v Town of Gilbert, city staff and the City Attorney have reviewed the sign regulations included in the Zoning Ordinance to identify and modify sections that refer to the content (message) displayed on a sign. Several amendments to the sign regulations were prepared and introduced to the Planning Commission during the March 21, 2019 meeting. On April 18, 2019, the Planning Commission held a public hearing to garner public input on the proposed changes. Following a brief introduction by staff and discussion by the Planning Commission, the public hearing was opened. No citizens were present to speak regarding the proposed sign amendments. The Commission subsequently adjourned the public hearing to the May 2, 2019 meeting.

The proposed amendments are summarized below.

II. PROPOSED AMENDMENTS

The following sections of the sign regulations have been revised to improve clarity, or modified to address content neutrality issues, as summarized below. For additional detail on the specific language of each change, a highlight and strike version and clean version (without highlight and strike) of the ordinance is attached for Commission review.

- Section 42-540.A-E: Intent and Purpose. Sections A through E were rewritten combining the existing provisions into one section that is more succinct and consistent with the Reed v Town of Gilbert decision.

- Section 42-541 - Definitions

  Several types of temporary signs, which require a person to read the content to determine the type of sign have been deleted, and include: construction sign, development sign, household

goods sign, identification sign, election campaign sign, public event sign and real estate sign. Temporary signs are still permitted under Section 42-543.D, Temporary signs, and regulations for such signs are discussed in more detail below. Other definitions that have been modified include sign, sign face, banner, directional sign, and obsolete or abandoned sign. The definition of sign still exempts interior window displays, but language has been added to Section 42-542.I so that interior window displays will be subject to illumination and movement regulations.

In addition to the above modifications/deletions, three new definitions are proposed:

1. Flag. This definition specifies the type of material and how a flag is to be attached to a pole or building. Flags do not include banners.
2. Government sign. This definition pertains to temporary or permanent signs erected by, or on the order of, a public official at the federal, state or local level.
3. Property owner. This definition includes the owner of record or a lessee as a property owner.

- Section 42-542 – Signs not permitted

D.3. Reference to section 42-541(A)(2) was removed to correct an incorrect cross reference. Reference to section 42-543(H) pertaining to the use of signage for opening of a new business, change of business or going out of business sale was deleted. This type of signage is now available as a general purpose (content neutral) temporary sign. Finally, reference to a new subsection, 42-543(C), Flags, was added as new regulations for non-governmental flags are proposed and are discussed below.

- Section 42-542.I. (1.a) and (2.b) – Electronic or mechanical sign elements

The phrase "whether located on the exterior or interior wall or window" was added to both sections to address flashing lights and electronic message display signs erected on the inside of a window and directed toward the public street. These types of interior signs will be required to comply with the illumination and movement provisions of the sign regulations.

- Section 42-543. – Signs permitted

Sections B. through H. have been deleted since these types of signs refer to content. Section 42-543.I, Temporary signs was expanded (without referring to content) to allow a property owner to utilize temporary signs under a variety of circumstances. In addition, sign sizes and permit requirements have been revised so there is consistency amongst the various scenarios where temporary signs are permitted.

- Other changes to Section 42-543 include the following:

A. Government signs was added to this section.
B. The section related to directional signs was revised to include content neutral wording.
C. A new section related to flags has been added. This section allows an official flag of the United States, a state, a foreign nation, or local government flag to be displayed on any

zoning lot without limits on size or number. One additional non-official governmental flag per zoning lot (either mounted on a pole attached to the ground or on a pole attached to the building) is also permitted, but limits on the size of such flags is provided.

D. The prior section related to temporary signs has been deleted and a new/expanded section added. The following summarizes the new language.
   1. Single-family residential uses are allowed a total of 6 sq. ft. of sign area at any time with no permit required.
   2. Non-single family residential uses are allowed one temporary sign up to 40 sq. ft. in area for up to four display periods, but not to exceed a total of 30 days in any calendar year. Note: this regulation is consistent with temporary signs permitted concurrent with Business Special Events.
   3. All zoning lots (regardless of use) are permitted up to 40 sq. ft. of temporary signage 30 days before and 5 days after an election. No permit is required. The ordinance related to election signs limited the size to no more than 6 sq. ft. and did not specify a time period before the election date. The prior ordinance section required removal 10 days after the election.
   4. With regard to the sale or lease of property, zoning lots occupied by a single-family residential dwelling are permitted 6 square feet of signage (consistent with above sign area ordinance language). For a non-residential use, up to 40 square feet of signage is permitted (consistent with above sign area allocations). Real estate signage must be removed within 15 days following the date of sale and property owner must consent to the installation of signage. No permit is required.

G. The substitution clause was revised in light of the U.S. Supreme Court's decision in Reed v Town of Gilbert regarding commercial versus noncommercial speech.

- <u>Section 42-545. – R-1A, R-1B, R-1C, R-1D, R-1E and R-1T districts.</u>

  A. The phrase "…indicating the name of the occupant." has been deleted since it refers to content.
  D. This section, regarding installation of a permanent sign for the purpose of identifying a single-family residential development, has been modified by specifying the size is not to exceed the size and height of freestanding signs otherwise permitted in the district. The wording regarding compensation to the city has been removed as it was problematic.

- <u>Section 42-546. – RM-1 and RM-2 districts.</u>

  A. The phrase "…indicating the name of the occupant." has been deleted since it refers to content.

- <u>Section 42-547. – MHC district.</u>

  A. The phrase "…indicating the name of the occupant." has been deleted since it refers to content.

- Section 42-548. – PD, planned development district.

  G. The phrase "…indicating the name of the occupant." has been deleted since it refers to content.
  H. This section was revised to remove reference to content and correct a typographical error.

- Section 42-549. – P-1, parking district.

  A. The phrase "…designating conditions of use." has been deleted since it refers to content.
  B. Entrance and exit has been deleted and replaced with directional.

- Section 42-553. – I-1, light industrial and I-2, heavy industrial districts.

  A.1. The phrase "…to identify the park and facilities therein…" has been deleted since it refers to content.
  D. The section permitting corporate flags has been deleted. Corporate flags are proposed to permitted on any zoning lot per section 42-543.C.

- Section 42-554. – CCA, city centre area - mixed use floating district.

  A. The phrase "…to identify the CCA development project" has been deleted since it refers to content.
  C.1. The phrase "…the name of facility and…" and "…to advise current or future events" has been deleted since these two phrases refer to content.

III. RECOMMENDATION

Based on the above analysis and subject to any additional discussion/comments received during the May 2, 2019 public hearing, the Planning Commission is advised to recommend to City Council that Ordinance Amendment 18/19-A, Sign Amendments, be approved.

Attachment: Draft Ordinance Amendment (highlight/strike and clean versions)

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HIGHLIGHT AND STRIKE VERSION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SECTIONS 42-540, 42-541, 42-542, 42-543, 42-544, 42-545, 42-546, 42-547, 42-548, 42-549, 42-553, 42-554 OF DIVISION 6, SUBDIVISION 2, SIGNS, OF ARTICLE 4, ZONING, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS

THE CIT OF PORTAGE ORDAINS:

That Chapter 42, Article 4, shall be amended as follows:

Sec. 42-540. - Intent and purpose.

~~A.~~A. ~~—~~This section is intended to regulate the use, construction, reconstruction, placement and design of signs, ~~in order to protect the public health, safety, peace and general welfare. Specifically, this section seeks to~~ establish reasonable regulations regarding the size, type of construction and manner of anchoring signs, and to regulate the time, place and manner of their display in order to~~.~~:

1. Preserve the noncommercial character of residential neighborhoods, and provide reasonable, yet appropriate, conditions for identifying businesses and services rendered in commercial districts.
2. Reduce traffic and pedestrian hazards by restricting signs, including signs with lights and/or motion, which exceed the viewer's capacity to receive information or which increase the probability of accidents created by distracting attention or obstructing vision.
3. Promote expeditious and safe navigation and wayfinding for pedestrian and vehicle traffic through legible and appropriate signs.
4. Preserve order~~,~~ ~~aesthetics,~~ and cleanliness, maintain open spaces, prevent blight, avoid the appearance of clutter, and prevent nuisances and invitations to vandalism.
5. Require signs be constructed and maintained in a structurally sound condition.
6. Maintain property values and ensure compatibility with surrounding landscape and architecture.
7. Encourage the aesthetic quality and design, location, and size of signs.
8. Protect the public peace, general health, safety and welfare, convenience, and comfort. Protect and encourage a more attractive economic business and overall physical appearance of the community and provide business with equal opportunity to attract the public.
9. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

10. These regulations do not eliminate all the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

~~B. The regulations contained in this section involve a recognition that the individual user's right to convey a message must be balanced against the public's right to be free of signs which unreasonably compete, distract drivers and pedestrians, and produce confusion. In balancing the individual user's desire to attract attention with the citizens' right to be free of unreasonable distractions, it is recognized that sign regulations provide business with equal opportunity to attract the public. However, oversized, projecting or crowded signs can lead to pedestrian and driver confusion and distraction, and endanger the public health, safety and welfare.~~

~~C. It is further recognized that:~~

~~1. Signs should be able to reasonably convey their message;~~

~~2. Users of property should have reasonable freedom to determine the placement, construction, size, and design of signs as well as the location of buildings; and~~

~~3. Sign needs may vary based on particular circumstances.~~

~~D. It is further recognized that regulations for signs, especially number, size and placement, are desirable in order to:~~

~~1. Prevent or limit traffic or pedestrian accidents, injuries, deaths, and property damages resulting from obstructed vision, distraction or confusion to the public or to emergency safety personnel;~~

~~2. Minimize the risk of damage and injuries from signs that are dilapidated, wind blown, electric shock hazards, etc.;~~

~~3. Achieve some uniformity in the size, number and placement of signs;~~

~~4. Enhance the aesthetics of the community;~~

~~5. Prevent blight;~~

~~6. Encourage equality among business and property, and;~~

~~7. Otherwise protect the public health, safety, peace and general welfare.~~

~~E. Further, it is recognized that special circumstances or events may create a need for temporary signs for a limited and reasonable period of time.~~

Sec. 42-541. - Definitions.

A. *Sign* .

1. A "sign" is defined as a name, identification, description, illustration or device, illuminated or nonilluminated, which is affixed to, painted or represented directly or indirectly upon a building, located on the ground or other outdoor surface, which is visible from any public place or is located on private property and exposed to the public, and which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business.~~which identifies, depicts or otherwise advertises a product, service, place, activity, person,~~

~~institution, business, or use including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designated to advertise, identify or convey information, with the exception of window displays and national, state and local government flags.~~ A sign as defined above includes the support structure, sign pole and/or anchoring device to which the sign is attached. The definition does not include: (a) Murals as defined in section 42-138B~~.~~; (b) Graphics, illustrations, architectural or landscape features used ~~solely~~ primarily for decorative purposes which do not ~~display a business name, logo, or trademark and do not identify, depict or otherwise advertise a product, business or service~~direct attention to or are designed or intended to direct attention to an object, product, place, activity, person, institution, organization or business; and, (c) interior static window displays.~~;~~

2. A "sign face" is defined as the area of the sign which displays the name, identification, description, illustration or device which identifies, depicts, or otherwise advertises a product, service, place, activity, person, institution, business or use, or conveys a message. A sign face does not include any portion of the structural support of the sign.

B. Types of signs referred to in this subdivision are defined as follows:

1-2 No change .

3. Banner: ~~A sign made of cloth or a similar flexible material bearing a name, design, motto or other form of advertisement, identification or information that is secured to the support structure on all corners and/or sides. A flag, pennant or standard may be considered a "banner" provided it meets the definition of banner.~~ Any cloth, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on all corners and/or sides. Banners do not include flags.

~~4. Construction sign: A temporary sign naming the builder/contractor during active construction.~~

~~5. Development sign: A temporary sign naming a developer, contractor or subcontractor, engineer, architect, broker or financial institution involved in development of property or a building.~~

~~6~~4. Directional sign: A sign that ~~serves only to designate the location or direction of~~ directs vehicular and pedestrian traffic to any place, area, or activity.

5. Flag: Any sign printed or painted on cloth, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff affixed to the ground or a building and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.

~~7~~6. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.

7. Government Sign. A temporary or permanent sign erected by or on the order of the public official or quasi-public entity at the federal, state or local level in the performance of any duty including but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government action, proposed changes of land use, any proposed rezoning, or any other government speech.

~~8. Household goods sign: A temporary sign for the advertising of household goods or produce.~~

~~9. Identification sign: A sign that identifies the business, owner or resident.~~

~~10.~~8. Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.

~~11.~~9. Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.

~~12.~~10. Obsolete sign ~~and~~ or abandoned sign: ~~A sign that no longer advertises a bona fide business, owner, product, person or activity.~~ A sign on a zoning lot with an unoccupied building; a wall sign on a vacant unoccupied building; or, a deteriorated or hazardous sign; or sign that is not adequately maintained, repaired, or removed within the specified time as ordered by this article.

11. Property owner: The record owner of a zoning lot as well as the lessee of that part of a zoning lot the lessee holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessees of a zoning lot, then each lessee is a property owner as to the zoning lot the lessee leases and has the sole right to occupy.

~~13. Election campaign sign: A sign related to a candidate for political office or an issue to be determined at an official federal, state, county, school or municipal election.~~

~~14.~~12. Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.

~~15. Public event sign: A temporary sign advertising or identifying a noncommercial public service event of community-wide interest.~~

~~16. Real estate sign: A sign pertaining to the sale, lease or rental of land or a building.~~

~~17.~~ 13. Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure.

~~18.~~ 14. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

~~19.~~ 15. *Electronic message display*~~-~~. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):

a. *Frame*~~-~~. A complete, static display screen on an electronic message display.

b. *Frame effect*~~-~~. A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.

c. *Transition*~~-~~. A visual effect used on an electronic message display to change from one message to another.

Sec. 42-542. - General requirements.

A – C No Change

D. Signs not permitted.

1 – 2. No change

3. No person shall erect or maintain flags, strings of flags, streamers, pennants or balloons or other gas-filled figures, except as set forth and ~~in subsection 42-541(A)(2), Definitions,~~ in subsection 42-542(F), Illumination and movement~~,~~ ~~.~~and in subsection 42-543~~(H)~~(C), Flags. ~~Opening of new business, change of business, or going out of business sales.~~

4 – 5. No change.

E – H. No Change.

I. Electronic or mechanical sign elements.

1. An accessory sign permitted in the B-1, B-2, B-3, PD, CPD, OS-1, OTR, CCA, CCMU, I-1 and I-2 zoning districts, and a nonaccessory sign permitted in the I-1 and I-2 zoning districts, may include an EMD subject to the following requirements:

   a. Such display, whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

   b – g. No change

2. An accessory sign for a permitted use in the R-1A through R-1E one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements:

   a. No change.

   b. Such display whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

   c - f. No change

   g. When a zoning lot or use other than a dwelling unit incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in subsection 42-542.I.1., a "copy board" as set forth in subsection 42-543.~~L~~.G. shall not be permitted on the sign that incorporates an EMD.

h. Notwithstanding subsection 42-542.I.2.g., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.~~L.~~G, said sign shall be considered a conforming sign.

J. No Change.

Sec. 42-543. - Signs permitted ~~in all districts~~.

A. *Directional signs.*

~~1. Directional signs required for the purpose of orientation, when established by the city, county, state or federal government, are permitted in all districts.~~

~~2. Directional or orientation signs, or signs otherwise required by state law or local ordinances, are permitted in conjunction with all developments, provided, however, that each permitted sign shall not exceed four square feet in area per side.~~

Directional signs are permitted in conjunction with all nonresidential and multifamily uses, provided that the location of the sign does not cause a traffic vision obstruction, and that the face of each permitted sign shall not exceed six square feet in area per side. No permit is required for a directional sign.

B. *Government signs.* Signs erected, maintained or posted by the State, federal or local government are allowed in every zoning district.

~~B. *Real estate signs.*~~

~~1. One real estate sign is permitted per premises or building, when located on the same premises or building, while such real estate is actually on the market for sale, rent or lease and for 30 days after such sale, rent or lease.~~

~~2. In one-family residential districts, a real estate sign shall not exceed six square feet in area per side. However, a sign advertising real estate in a subdivision for sale, rent or lease shall not exceed 64 square feet in area per side and shall be permitted for a period of not more than two years. 3. For all other zoning districts, one real estate sign is permitted per premises or building, not to exceed 64 square feet in area per side.~~

~~4. Real estate signs shall not require a permit.~~

~~C. *Development signs.* One temporary sign is permitted per development, not exceeding 64 square feet in area per side and displayed only during the active development of the property. The sign may include the names of the development and the developer, contractors and subcontractors, engineers, architects, brokers and financial institutions involved.~~

~~D. *Construction signs.* One temporary sign is permitted per one-family residential construction site, not exceeding six square feet in area per side and displayed only during the active development of the property. The sign may include the names of the builder, contractor or subcontractor involved. Construction signs shall not require a permit.~~

~~E. *Signs advertising sale of household goods or produce.* One temporary sign, not exceeding four square feet in area per side, is permitted per lot, parcel or tract for the advertising of household goods or produce if available on the premises, and only for the period in which items are actively for sale. Signs advertising sale of household goods or produce shall not require a permit.~~

F. *Public event signs* .

1. One temporary public event sign is permitted per zoning lot for the advertising of a noncommercial public service event.

2. Such temporary sign shall not be erected more than seven days before the public service event takes place and shall be removed not more than two days after the public service event is completed.

3. For a zoning lot with frontage on more than one street, one temporary sign is permitted for each street frontage.

4. For each zoning lot that exceeds two acres in area, an additional temporary sign is permitted for each full two acres.

5. The total square footage for a single sign shall not exceed 64 square feet in area per side.

6. Public event signs shall be setback ten feet from the property line.

7. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I.

8. A permit is not required for public event signs six square feet in area or less.

G. In addition to those signs allowed in F, above, a temporary banner for the sole purpose of advertising and identifying a public event may be permitted on a municipal pole on public property, including a street right-of-way, subject to the following conditions:

1. The banner shall be not larger than 20 square feet in area per side.

2. The banner shall be not higher than 24 feet or lower than 16 feet.

3. The banner is permitted for a maximum of 60 days in any calendar year.

4. The parks and recreation department approve the banner.

5. Applicable city banner fees prescribed by the council are paid.

H. *Opening of new business, change of business, or going out of business sales* . For the grand opening of a new business in the city, or for a change in ownership or tenancy of an existing business, or for a going out of business sale, the director may grant a permit for a temporary sign for a period not to exceed 14 calendar days, subject to the following conditions:

1. One temporary sign shall be permitted per use.

2. The temporary sign shall not exceed 40 square feet in area per side.

3. The sign must be at least ten feet from any property line.

4. Flashing and/or animated signs are not permitted, except that EMD sign displays may be utilized provided such signs comply with the provisions of section 42-542I. When exposed bulbs are used, such bulbs shall be frosted or screened and not exceed 40 watts.

5. Flags, strings of flags, streamers, banners, pennants, balloons or other gas-filled figures may be used in lieu of, or in conjunction with, the sign so long as the maximum permitted square footage for the sign has not been exceeded.

6. The height of the sign shall not exceed the height requirement for freestanding accessory signs in the district in which it is located.

~~7. For a grand opening of a new business or for a change in ownership or tenancy of an existing business or for a going out of business sale, the director may grant a permit for one additional 30-calendar-day period if the accessory sign area permitted by this subsection was temporarily not available due to reasons beyond the control of the business owner and/or tenant; or upon a finding of some other significant hardship.~~

C. *Flags.* Flags may be displayed without a permit as follows:

1. A flag of the United States, a state, a foreign nation, or a local government that is adopted or sanctioned by law as the official flag of that governmental body may be displayed on all zoning lots.
2. Either one flag not exceeding 24 square feet in area attached to a pole affixed to the ground, or one flag not exceeding 15 square feet in area attached to a pole affixed to a building, but not both, may be displayed on all zoning lots. For a zoning lot with frontage on more than one street, one additional flag is permitted for the other street frontage.
3. No flag on any zoning lot shall be located in the right of way of any street.

~~I.~~ D. *Temporary signs* — ~~*Generally*: In addition to the temporary signs permitted in this section, each use is permitted one temporary sign for one display period not to exceed seven consecutive days in any calendar year. The sign shall be: (a) no more than 40 square feet in area; (b) setback ten feet from the property line; and (c) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I.~~ The following temporary signs may be displayed:

1. Zoning lots with a principal single-family residential use are allowed temporary signs that total not more than six (6) square feet in area, provided the signs are maintained in good condition. No permit is required for this signage.
2. Zoning lots with a principal use other than single-family residential are allowed one temporary sign with a sign face no larger than 40 square feet for up to four display periods not to exceed a total of 30 days in any calendar year. The sign shall be: (a) setback ten feet from the property line; and (b) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I. A permit is required for this signage for each display period.
3. On all zoning lots temporary signage with no more than 40 square feet of total sign area are allowed for a period of thirty (30) days prior to, and 5 days after, an election involving candidates for a federal, state or local office, or involving an issue on the ballot of an election. No permit is required for this signage.
4. One temporary sign with a sign face no larger than six square feet for zoning lots with a principal single-family residential use, and one temporary sign with a sign area of no larger 40 square feet for zoning lots with a principal use other than single family residential, and shall be removed 15 days following the date on which a contract of sale or a lease has been executed by a person purchasing or leasing a zoning lot, and when the following conditions are met:

a. the owner consents and that property is being offered for sale or lease through a licensed real estate agent;

b. if not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising of general circulation.

c. No permit is required for this signage.

~~J.~~E. ~~*Temporary pP*~~*edestrian oriented signs*. In addition to the temporary signs permitted ~~in subsections H and I~~ above, each non-residential use is permitted one pedestrian oriented temporary signs not more than six square feet in area. Such sign shall be located within ten feet of the main customer entry for the business it serves, and may be displayed only when the use is open for business. In addition, the sign shall be located in a manner that does not obstruct or create a hazard for vehicular and pedestrian circulation on the property. No permit is required for temporary pedestrian oriented signs.

~~K~~F. *Banner Sign*. For each zoning lot, there is permitted one banner. For a zoning lot with frontage on more than one street, one banner is permitted for each street frontage. For each zoning lot that exceeds two acres in area, an additional banner is permitted for each two acres. All banners shall be subject to the following conditions:

1. The banner shall not: (a) project or extend into the public right-of-way; or (b) extend over a public sidewalk.
2. The banner shall not exceed 25 feet in height.
3. The banner shall not be less than eight feet from the surface of the ground.
4. The banner shall not exceed 20 square feet in area per side.
5. The banner shall not be attached to the surface of any building, to any existing freestanding sign or to any vehicle, or be stretched between poles or trees.
6. The banner shall be kept clean, free from fading, decay and tears. The support structure and brackets shall be maintained in a structurally sound condition.
7. A permit is required for the initial installation of the banner and support structure and/or anchoring device. Banners may be subsequently changed without a permit provided there are no changes to the support structure and/or anchoring device, and all conditions of this section remain satisfied.

~~L~~G. *Copy board*. Fifteen square feet per side of sign surface may be added to any freestanding sign in the city, regardless of zoning district classification and also regardless of being classified as a legal nonconforming sign, if the additional square footage is in the form of copy board. For the purposes of this section, the term "copy board" means a sign on which copy is changed manually on the site, i.e., reader boards with changeable letters or changeable pictorial panels.

~~M~~H. *Holiday decorations*. A decoration or other display customarily and commonly associated with a national, state, local or religious holiday is permitted, provided that such decoration shall not be displayed for more than ten days, except that such decoration may be displayed between November 1 and January 15. Holiday decorations shall not require a permit.

~~N. *Election campaign signs* . Election campaign signs shall not exceed six square feet in area per side and shall not be placed or project into the public right-of-way. All election campaign~~

~~signs shall be removed within ten days following the general or special election to which the sign pertains. An election campaign sign shall not require a permit.~~

~~O~~ I. *Substitution clause.* ~~Any graphic, illustration or copy that can be displayed under this subdivision 2, signs, may contain a noncommercial message, provided that the graphic illustration or copy meets the requirements of section 42-138, murals, if applicable.~~ The owner of any sign which is otherwise allowed by this article may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary.

Sec. 42-544. - Nonconforming signs.

A. No change

B. No nonconforming sign shall:

1. No change

2. Be structurally altered ~~so as to~~to prolong the life of the sign or change the shape, size, type or design of the sign;

3 – 5. No change.

C –E. No change

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, R-1E and R-1T districts.

In any R-1A, R-1B, R-1C, R-1D, R-1E and R-1T residential district~~:~~

A. For each dwelling unit, there is permitted one sign, not exceeding one square foot in area~~,~~. ~~indicating the name of the occupant~~.

B – C. No change.

D. ~~Except for signs permitted in Section 42-543~~ A permanent sign ~~identifying a~~ at the street entrance of a single family residential development ~~is not~~ may be permitted ~~except~~ as provided in this section. The city council may approve an agreement between the city and a proprietor desiring a sign located on city owned property or right-of-way ~~identifying~~ at the entrance of a single family residential development. The agreement shall specify requirements and conditions regarding the sign, including but not limited to the following:

1. The ~~S~~size and height of the sign shall be consistent with freestanding signs otherwise permitted in single-family zoning districts ~~construction standards to be followed, appearance, specific location and illumination.~~

2. No change.

~~3. Compensation to the city for continued use of the property.~~

~~4.~~3. A provision which indemnifies the city from liability as a result of any personal damage or personal injury resulting from the sign.

Sec. 42-546. - RM-1 and RM-2 districts.

In RM-1 and RM-2 multifamily residential districts:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area.~~, indicating the name of the occupant~~.

B. No change.

C. For ~~identifying~~ a multifamily housing project, there is permitted one freestanding or wall sign, not exceeding 32 square feet in area per vehicular entrance, provided that such sign:

1. Is at least ten feet from any property line; and
2. Does not exceed ten feet in height.

D - E. No change

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area.~~, indicating the name of the occupant~~.

B. For each manufactured home park vehicular entrance, there is permitted one freestanding ~~identification~~ sign, not exceeding 32 square feet in area per side, provided that such sign:

1. Is at least ten feet from any property line; and
2. Does not exceed ten feet in height.

Sec. 42-548. - PD, planned development district.

In the PD planned development district:

A. - F. No change

G. For each dwelling unit there is permitted one sign not exceeding one square foot in area. ~~indicating the name of the occupant.~~

H. ~~Except for t~~The signs permitted in section 42-543, and a sign ~~permanent sign identifying a single-family residential development is not permitted except~~ as provided in section 42-545.D~~B~~.

Sec. 42-549. - P-1, parking district.

In a P-1 vehicular parking district:

A. One freestanding or wall sign is permitted, not to exceed six square feet in area per side, ~~designating conditions of use,~~ provided that a freestanding sign:

1. Is ten feet from any property line; and
2. Does not exceed ten feet in height.

B. ~~Entrance and exit~~Directional signs are permitted as provided in section 42-433.E.

Sec. 42-553. - I-1, light industrial and I-2, heavy industrial districts.

In an I-1 light industrial or an I-2 heavy industrial district:

A. Industrial parks.

1. One freestanding or wall sign may be erected at each vehicular industrial park entrance ~~to identify the park and facilities therein~~, provided that such sign:

   a. Does not exceed 32 square feet in area per side;

   b. Is ten feet from any property line; and

   c. Does not exceed 15 feet in height.

2 - 3. No change

B - C. No change

~~D. Corporate flags. One corporate symbol or logo flag is permitted for a zoning lot in the I-1 light industrial and I-2 heavy industrial district, provided that it is flown along with the American flag, state flag, and/or city flag, and it is not larger than four feet by seven feet in size.~~

Sec. 42-554. - CCA, city centre area - mixed use floating district.

In the CCA, city centre area - mixed use floating district:

A. One freestanding accessory sign per zoning lot ~~to identify the CCA development project~~ may be erected at each vehicular entrance that provides access to an accessory off-street parking lot located in the side or rear yard, provided that such sign:

   1. Does not exceed 32 square feet in area per side;

   2. Is at least five feet from any property line; and

   3. Does not exceed 15 feet in height.

B. No change

C. Marquee signs.

   1. A marquee sign is only permitted in conjunction with a theater, cinema or performing arts facility and may include ~~the name of the facility and~~ changeable copy or electronic message display ~~to advertise current or future events~~.

   2. No change

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CLEAN VERSION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SECTIONS 42-540, 42-541, 42-542, 42-543, 42-544, 42-545, 42-546, 42-547, 42-548, 42-549, 42-553, 42-554 OF DIVISION 6, SUBDIVISION 2, SIGNS, OF ARTICLE 4, ZONING, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS

THE CIT OF PORTAGE ORDAINS:

That Chapter 42, Article 4, shall be amended as follows:

Sec. 42-540. - Intent and purpose.

A. This section is intended to regulate the use, construction, reconstruction, placement and design of signs, - establish reasonable regulations regarding the size, type of construction and manner of anchoring signs, and to regulate the time, place and manner of their display in order to:

1. Preserve the noncommercial character of residential neighborhoods, and provide reasonable, yet appropriate, conditions for identifying businesses and services rendered in commercial districts.
2. Reduce traffic and pedestrian hazards by restricting signs, including signs with lights and/or motion, which exceed the viewer's capacity to receive information or which increase the probability of accidents created by distracting attention or obstructing vision.
3. Promote expeditious and safe navigation and wayfinding for pedestrian and vehicle traffic through legible and appropriate signs.
4. Preserve order and cleanliness, maintain open spaces, prevent blight, avoid the appearance of clutter, and prevent nuisances and invitations to vandalism.
5. Require signs be constructed and maintained in a structurally sound condition.
6. Maintain property values and ensure compatibility with surrounding landscape and architecture.
7. Encourage the aesthetic quality and design, location, and size of signs.
8. Protect the public peace, general health, safety and welfare, convenience, and comfort. Protect and encourage a more attractive economic business and overall physical appearance of the community and provide business with equal opportunity to attract the public.
9. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
10. These regulations do not eliminate all the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample

channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Sec. 42-541. - Definitions.

A. *Sign* .

1. A "sign" is defined as a name, identification, description, illustration or device, illuminated or nonilluminated, which is affixed to, painted or represented directly or indirectly upon a building, located on the ground or other outdoor surface, which is visible from any public place or is located on private property and exposed to the public, and which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. A sign as defined above includes the support structure, sign pole and/or anchoring device to which the sign is attached. The definition does not include: (a) Murals as defined in section 42-138B; (b) Graphics, illustrations, architectural or landscape features used primarily for decorative purposes which do not direct attention to or are designed or intended to direct attention to an object, product, place, activity, person, institution, organization or business; and, (c) interior static window displays.

2. A "sign face" is defined as the area of the sign which displays the name, identification, description, illustration or device which identifies, depicts, or otherwise advertises a product, service, place, activity, person, institution, business or use, or conveys a message. A sign face does not include any portion of the structural support of the sign.

B. Types of signs referred to in this subdivision are defined as follows:

<u>1 - 2 . No change</u>

3. Banner: Any cloth, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on all corners and/or sides. Banners do not include flags.
4. Directional sign: A sign that directs vehicular and pedestrian traffic to any place, area, or activity.

5. Flag: Any sign printed or painted on cloth, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff affixed to the ground or a building and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.

6. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.

7. Government Sign. A temporary or permanent sign erected by or on the order of the public official or quasi-public entity at the federal, state or local level in the performance of any duty including but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government action, proposed changes of land use, any proposed rezoning, or any other government speech.

8. Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.

9. Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.

10. Obsolete sign or abandoned sign: - A sign on a zoning lot with an unoccupied building; a wall sign on a vacant unoccupied building; or, a deteriorated or hazardous sign; or sign that is not adequately maintained, repaired, or removed within the specified time as ordered by this article.

11. Property owner: The record owner of a zoning lot as well as the lessee of that part of a zoning lot the lessee holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessees of a zoning lot, then each lessee is a property owner as to the zoning lot the lessee leases and has the sole right to occupy.

12. Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.

13. Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure. 14. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

14. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

15. *Electronic message display*. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):

    a. *Frame*. A complete, static display screen on an electronic message display.
    b. *Frame effect*. A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.
    c. *Transition*. A visual effect used on an electronic message display to change from one message to another.

Sec. 42-542. - General requirements.

A – C No Change

D. Signs not permitted.

1 – 2. No change

3. No person shall erect or maintain flags, strings of flags, streamers, pennants or balloons or other gas-filled figures, except as set forth and in subsection 42-542(F), Illumination and movement and in subsection 42-543(C), Flags.

4 – 5. No change.

E – H. No Change.

I. Electronic or mechanical sign elements.

1. An accessory sign permitted in the B-1, B-2, B-3, PD, CPD, OS-1, OTR, CCA, CCMU, I-1 and I-2 zoning districts, and a nonaccessory sign permitted in the I-1 and I-2 zoning districts, may include an EMD subject to the following requirements:

   a. Such display, whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

   b – g. No change

2. An accessory sign for a permitted use in the R-1A through R-1E one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements:

   a. No change.

   b. Such display whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

   c - f. No change

   g. When a zoning lot or use other than a dwelling unit incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in subsection 42-542.I.1., a "copy board" as set forth in subsection 42-543.G. shall not be permitted on the sign that incorporates an EMD.

   h. Notwithstanding subsection 42-542.I.2.g., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.G, said sign shall be considered a conforming sign.

J. No Change.

Sec. 42-543. - Signs permitted.

A. *Directional signs.*

Directional signs are permitted in conjunction with all nonresidential and multifamily uses, provided that the location of the sign does not cause a traffic vision obstruction, and that the face of each permitted sign shall not exceed six square feet in area per side. No permit is required for a directional sign.

B. *Government signs.* Signs erected, maintained or posted by the State, federal or local government are allowed in every zoning district.

C. *Flags.* Flags may be displayed without a permit as follows:

1. A flag of the United States, a state, a foreign nation, or a local government that is adopted or sanctioned by law as the official flag of that governmental body may be displayed on all zoning lots.
2. Either one flag not exceeding 24 square feet in area attached to a pole affixed to the ground, or one flag not exceeding 15 square feet in area attached to a pole affixed to a building, but not both, may be displayed on all zoning lots. For a zoning lot with frontage on more than one street, one additional flag is permitted for the other street frontage.
3. No flag on any zoning lot shall be located in the right of way of any street.

D. *Temporary signs* —The following temporary signs may be displayed:

1. Zoning lots with a principal single-family residential use are allowed temporary signs that total not more than six (6) square feet in area, provided the signs are maintained in good condition. No permit is required for this signage.
2. Zoning lots with a principal use other than single-family residential are allowed one temporary sign with a sign face no larger than 40 square feet for up to four display periods not to exceed a total of 30 days in any calendar year. The sign shall be: (a) setback ten feet from the property line; and (b) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I. A permit is required for this signage for each display period.
3. On all zoning lots temporary signage with no more than 40 square feet of total sign area are allowed for a period of thirty (30) days prior to, and 5 days after, an election involving candidates for a federal, state or local office, or involving an issue on the ballot of an election. No permit is required for this signage.
4. One temporary sign with a sign face no larger than six square feet for zoning lots with a principal single-family residential use, and one temporary sign with a sign area of no larger 40 square feet for zoning lots with a principal use other than single family residential, and shall be removed 15 days following the date on which a contract of sale or a lease has been executed by a person purchasing or leasing a zoning lot, and when the following conditions are met:

    a. The owner consents and that property is being offered for sale or lease through a licensed real estate agent;

    b. If not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising of general circulation.

c. No permit is required for this signage.

E. *Pedestrian oriented signs.* In addition to the temporary signs permitted ~~in subsections H and I~~ above, each non-residential use is permitted one pedestrian oriented temporary signs not more than six square feet in area. Such sign shall be located within ten feet of the main customer entry for the business it serves, and may be displayed only when the use is open for business. In addition, the sign shall be located in a manner that does not obstruct or create a hazard for vehicular and pedestrian circulation on the property. No permit is required for temporary pedestrian oriented signs.

F. *Banner Sign.* For each zoning lot, there is permitted one banner. For a zoning lot with frontage on more than one street, one banner is permitted for each street frontage. For each zoning lot that exceeds two acres in area, an additional banner is permitted for each two acres. All banners shall be subject to the following conditions:

1. The banner shall not: (a) project or extend into the public right-of-way; or (b) extend over a public sidewalk.
2. The banner shall not exceed 25 feet in height.
3. The banner shall not be less than eight feet from the surface of the ground.
4. The banner shall not exceed 20 square feet in area per side.
5. The banner shall not be attached to the surface of any building, to any existing freestanding sign or to any vehicle, or be stretched between poles or trees.
6. The banner shall be kept clean, free from fading, decay and tears. The support structure and brackets shall be maintained in a structurally sound condition.
7. A permit is required for the initial installation of the banner and support structure and/or anchoring device. Banners may be subsequently changed without a permit provided there are no changes to the support structure and/or anchoring device, and all conditions of this section remain satisfied.

G. *Copy board.* Fifteen square feet per side of sign surface may be added to any freestanding sign in the city, regardless of zoning district classification and also regardless of being classified as a legal nonconforming sign, if the additional square footage is in the form of copy board. For the purposes of this section, the term "copy board" means a sign on which copy is changed manually on the site, i.e., reader boards with changeable letters or changeable pictorial panels.

H. *Holiday decorations.* A decoration or other display customarily and commonly associated with a national, state, local or religious holiday is permitted, provided that such decoration shall not be displayed for more than ten days, except that such decoration may be displayed between November 1 and January 15. Holiday decorations shall not require a permit.

I. *Substitution clause.* The owner of any sign which is otherwise allowed by this article may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary.

Sec. 42-544. - Nonconforming signs.

A. No change

B. No nonconforming sign shall:

1. No change

2. Be structurally altered to prolong the life of the sign or change the shape, size, type or design of the sign;

3 – 5. No change.

C –E. No change

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, R-1E and R-1T districts.

In any R-1A, R-1B, R-1C, R-1D, R-1E and R-1T residential district

A. For each dwelling unit, there is permitted one sign, not exceeding one square foot in area..

B – C. No change.

D. A permanent sign at the street entrance of a single family residential development may be permitted as provided in this section. The city council may approve an agreement between the city and a proprietor desiring a sign located on city owned property or right-of-way at the entrance of a single family residential development. The agreement shall specify requirements and conditions regarding the sign, including but not limited to the following:

1. The size and height of the sign shall be consistent with freestanding signs otherwise permitted in single-family zoning districts

2. No change.

3. A provision which indemnifies the city from liability as a result of any personal damage or personal injury resulting from the sign.

Sec. 42-546. - RM-1 and RM-2 districts.

In RM-1 and RM-2 multifamily residential districts:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area..

B. No change.

C. For a multifamily housing project, there is permitted one freestanding or wall sign, not exceeding 32 square feet in area per vehicular entrance, provided that such sign:

1. Is at least ten feet from any property line; and

2. Does not exceed ten feet in height.

D - E. No change

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area..

B. For each manufactured home park vehicular entrance, there is permitted one freestanding sign, not exceeding 32 square feet in area per side, provided that such sign:

1. Is at least ten feet from any property line; and

2. Does not exceed ten feet in height.

Sec. 42-548. - PD, planned development district.

In the PD planned development district:

A. - F. No change

G. For each dwelling unit there is permitted one sign not exceeding one square foot in area.~~.~~

H. The signs permitted in section 42-543, and a sign as provided in section 42-545.D.

Sec. 42-549. - P-1, parking district.

In a P-1 vehicular parking district:

A. One freestanding or wall sign is permitted, not to exceed six square feet in area per side, provided that a freestanding sign:

1. Is ten feet from any property line; and

2. Does not exceed ten feet in height.

B. Directional signs are permitted as provided in section 42-433.E.

Sec. 42-553. - I-1, light industrial and I-2, heavy industrial districts.

In an I-1 light industrial or an I-2 heavy industrial district:

A. Industrial parks.

1. One freestanding or wall sign may be erected at each vehicular industrial park entrance, provided that such sign:

a. Does not exceed 32 square feet in area per side;
b. Is ten feet from any property line; and
c. Does not exceed 15 feet in height.

2 - 3. No change

B - C. No change

Sec. 42-554. - CCA, city centre area - mixed use floating district.

In the CCA, city centre area - mixed use floating district:

A. One freestanding accessory sign per zoning lot may be erected at each vehicular entrance that provides access to an accessory off-street parking lot located in the side or rear yard, provided that such sign:

1. Does not exceed 32 square feet in area per side;

2. Is at least five feet from any property line; and

3. Does not exceed 15 feet in height.

B. No change

C. Marquee signs.

1. A marquee sign is only permitted in conjunction with a theater, cinema or performing arts facility and may include changeable copy or electronic message display.

2. No change

T:\COMMDEV\2018-2019 Department Files\Board Files\Planning Commission\PC Reports\Ordinance Amendments\2018 Sign Amendments\Sign Ordinance Proposed Revisions 3-7-19-final for comparisonv1.docx

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 Chapter 42, Land Division Regulations, of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2019, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2019, at 7:00 p.m. or as soon thereafter as may be heard.

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

THE CITY OF PORTAGE ORDAINS:

That Chapter 42, Article 4, shall be amended as follows:

Subdivision 2. - Signs

Sec. 42-540. - Intent and purpose.

A. This section is intended to regulate the use, construction, reconstruction, placement and design of signs, — establish reasonable regulations regarding the size, type of construction and manner of anchoring signs, and to regulate the time, place and manner of their display in order to:

1. Preserve the noncommercial character of residential neighborhoods, and provide reasonable, yet appropriate, conditions for identifying businesses and services rendered in commercial districts.

2. Reduce traffic and pedestrian hazards by restricting signs, including signs with lights and/or motion, which exceed the viewer's capacity to receive information or which increase the probability of accidents created by distracting attention or obstructing vision.

3. Promote expeditious and safe navigation and wayfinding for pedestrian and vehicle traffic through legible and appropriate signs.

4. Preserve order and cleanliness, maintain open spaces, prevent blight, avoid the appearance of clutter, and prevent nuisances and invitations to vandalism.

5. Require signs be constructed and maintained in a structurally sound condition.

6. Maintain property values and ensure compatibility with surrounding landscape and architecture.

7. Encourage the aesthetic quality and design, location, and size of signs.

8. Protect the public peace, general health, safety and welfare, convenience, and comfort. Protect and encourage a more attractive economic business and overall physical appearance of the community and provide business with equal opportunity to attract the public.

9. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

10. These regulations do not eliminate all the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Sec. 42-541. - Definitions.

A. *Sign.*

1. A "sign" is defined as a name, identification, description, illustration or device, illuminated or nonilluminated, which is affixed to, painted or represented directly or indirectly upon a building, located on the ground or other outdoor surface, which is visible from any public place or is located on private property and exposed to the public, and which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. A sign as defined above includes the support structure, sign pole and/or anchoring device to which the sign is attached. The definition does not include: (a) Murals as defined in section 42-138B; (b) Graphics, illustrations, architectural or landscape features used primarily for decorative purposes which do not direct attention to or are designed or intended to direct attention to an object, product, place, activity, person, institution, organization or business; and, (c) interior static window displays;

2. A "sign face" is defined as the area of the sign which displays the name, identification, description, illustration or device which identifies, depicts, or otherwise advertises a product, service, place, activity, person, institution, business or use, or conveys a message. A sign face does not include any portion of the structural support of the sign.

B. Types of signs referred to in this subdivision are defined as follows:

1 – 2. No change

3. Banner: Any cloth, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on all corners and/or sides. Banners do not include flags.

4. Directional sign: A sign that directs vehicular and pedestrian traffic to any place, area, or activity.

5. Flag: Any sign printed or painted on cloth, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff affixed to the ground or a building and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.

6. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.

7. Government Sign. A temporary or permanent sign erected by or on the order of the public official or quasi-public entity at the federal, state or local level in the performance of any duty including but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government action, proposed changes of land use, any proposed rezoning, or any other government speech.

8. Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.

9. Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.

10. Obsolete sign or abandoned sign: A sign ~~on a vacant lot~~ on a zoning lot with an unoccupied building; a wall sign on a vacant unoccupied building; or, a deteriorated or hazardous sign; or sign that is not adequately maintained, repaired, or removed within the specified time as ordered by this article.

11. Property owner: The record owner of a zoning lot as well as the lessee of that part of a zoning lot the lessee holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessees of a zoning lot, then each lessee is a property owner as to the zoning lot the lessee leases and has the sole right to occupy.

12. Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.

13. Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure. 15. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

14. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

15. *Electronic message display*. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):

    a. *Frame*. A complete, static display screen on an electronic message display.

    b. *Frame effect*. A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.

    c. *Transition*. A visual effect used on an electronic message display to change from one message to another.

Sec. 42-542. - General requirements.

A – C No change

D. Signs not permitted.

1 – 2. No change

3. No person shall erect or maintain flags, strings of flags, streamers, pennants or balloons or other gas-filled figures, except as set forth and in subsection 42-542(F), Illumination and movement and in subsection 42-543(C), Flags.

4 – 5. No change.

E – H. No Change.

I. Electronic or mechanical sign elements.

1. An accessory sign permitted in the B-1, B-2, B-3, PD, CPD, OS-1, OTR, CCA, CCMU, I-1 and I-2 zoning districts, and a nonaccessory sign permitted in the I-1 and I-2 zoning districts, may include an EMD subject to the following requirements:

    a. Such display, whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize

effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

b - g. No change

2. An accessory sign for a permitted use in the R-1A through R-1E one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements:

a. No change.

b. Such display whether located on the exterior or interior wall or window shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

c – f. No change

g. When a zoning lot or use other than a dwelling unit incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in subsection 42-542l.1., a "copy board" as set forth in subsection 42-543(l) shall not be permitted on the sign that incorporates an EMD.

h. Notwithstanding subsection 42-542.l.2.G., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.l., said sign shall be considered a conforming sign.

J. No change.

Sec. 42-543. - Signs permitted.

A. *Directional signs.* Directional signs are permitted in conjunction with all nonresidential and multifamily uses, provided that the location of the sign does not cause a traffic vision obstruction, and that the face of each permitted sign shall not exceed six square feet in area per side. No permit is required for a directional sign.

B. *Government signs.* Signs erected, maintained or posted by the State, federal or local government are allowed in every zoning district.

C. *Flags.* Flags may be displayed without a permit as follows:

1. A flag of the United States, a state, a foreign nation, or a local government that is adopted or sanctioned by law as the official flag of that governmental body may be displayed on all zoning lots.

2. Either one flag not exceeding 24 square feet in area attached to a pole affixed to the ground, or one flag not exceeding 15 square feet in area attached to a pole affixed to a building, but not both, may be displayed on all zoning lots.is permitted per zoning lot. For a zoning lot with frontage on more than one street, one additional flag is permitted for the other street frontage.

3. No flag on any zoning lot shall be located in the right of way of any street.

D. *Temporary signs:*— The following temporary signs may be displayed:

1. Zoning lots with a principal single-family residential use are allowed temporary signs that total not more than six (6) square feet in area, provided the signs are maintained in good condition. No permit is required for this signage.

2. Zoning lots with a principal use other than single-family residential are allowed one temporary sign with a sign face no larger 40 square feet for up to four display periods not to exceed a total of 30 days in any calendar year. The sign shall be: (a) setback ten feet from the property line; and (b) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542l. A permit is required for this signage for each display period.

3. On all zoning lots temporary signage with no more than 40 square feet of total sign area are allowed for a period of thirty (30) days prior to, and 5 days after, an election involving candidates for a federal, state or local office, or involving an issue on the ballot of an election. No permit is required for this signage.

4. One temporary sign with a sign face no larger than six square feet for zoning lots with a principal single-family residential use, and one temporary sign with a sign area of no larger 40 square feet for zoning lots with a principal use other than single family residential, is permitted for a period of 15 days following the date on which a contract of sale or a lease has been executed by a person purchasing or leasing a zoning lot, and when the following conditions are met:

   a. the owner consents and that property is being offered for sale or lease through a licensed real estate agent;

   b. if not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising of general circulation.

   c. No permit is required for this signage.

5. Decorations or other displays customarily and commonly associated with a national or religious holiday are permitted on all zoning lots. No permit is required.

E. *Pedestrian oriented signs.* In addition to the temporary signs permitted above, each non-residential use is permitted one pedestrian oriented temporary signs not more than six square feet in area. Such sign shall be located within ten feet of the main customer entry for the business it serves, and may be displayed only when the use is open for business. In addition, the sign shall be located in a manner that does not obstruct or create a hazard for vehicular and pedestrian circulation on the property. No permit is required for temporary pedestrian oriented signs.

F. *Banner Sign.* For each zoning lot, there is permitted one banner. For a zoning lot with frontage on more than one street, one banner is permitted for each street frontage. For each zoning lot that exceeds two acres in area, an additional banner is permitted for each two acres. All banners shall be subject to the following conditions:

1. The banner shall not: (a) project or extend into the public right-of-way; or (b) extend over a public sidewalk.

2. The banner shall not exceed 25 feet in height.

3. The banner shall not be less than eight feet from the surface of the ground.

4. The banner shall not exceed 20 square feet in area per side.

5. The banner shall not be attached to the surface of any building, to any existing freestanding sign or to any vehicle, or be stretched between poles or trees.

6. The banner shall be kept clean, free from fading, decay and tears. The support structure and brackets shall be maintained in a structurally sound condition.

7. A permit is required for the initial installation of the banner and support structure and/or anchoring device. Banners may be subsequently changed without a permit provided there are no changes to the support structure and/or anchoring device, and all conditions of this section remain satisfied.

.G. *Copy board.* Fifteen square feet per side of sign surface may be added to any freestanding sign in the city, regardless of zoning district classification and also regardless of being classified as a legal nonconforming sign, if the additional square footage is in the form of copy board. For the purposes of this section, the term "copy board" means a sign on which copy is changed manually on the site, i.e., reader boards with changeable letters or changeable pictorial panels.

H. *Holiday decorations.* A decoration or other display customarily and commonly associated with a national, state, local or religious holiday is permitted, provided that such decoration shall not be displayed for more than ten days, except that such decoration may be displayed between November 1 and January 15. Holiday decorations shall not require a permit.

I. *Substitution clause*. The owner of any sign which is otherwise allowed by this article may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary.

Sec. 42-544. - Nonconforming signs.

A. No change

B. No nonconforming sign shall:

1. No change

2. Be structurally altered to prolong the life of the sign or change the shape, size, type or design of the sign;

3 – 5. No change.

C – E. No change.

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, R-1E and R-1T districts.
In any R-1A, R-1B, R-1C, R-1D, R-1E and R-1T residential district

A. For each dwelling unit, there is permitted one sign, not exceeding one square foot in area.

B – C. No change.

D. A permanent sign a <u>at</u> the street entrance of a single family residential development may be permitted as provided in this section. The city council may approve an agreement between the city and a proprietor desiring a sign located on city owned property or right-of-way at the entrance of a single family residential The agreement shall specify requirements and conditions regarding the sign, including but not limited to the following:

1. The size and height of the sign, shall be consistent with freestanding signs otherwise permitted in single-family zoning districts.

2. No change.

3. A provision which indemnifies the city from liability as a result of any personal damage or personal injury resulting from the sign.

Sec. 42-546. - RM-1 and RM-2 districts.

In RM-1 and RM-2 multifamily residential districts:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area.

B. No change.

C. For a multifamily housing project, there is permitted one freestanding or wall sign, not exceeding 32 square feet in area per vehicular entrance, provided that such sign:

1. Is at least ten feet from any property line; and

2. Does not exceed ten feet in height.

D – E. No change

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area.

B. For each manufactured home park vehicular entrance, there is permitted one freestanding sign, not exceeding 32 square feet in area per side, provided that such sign:

1. Is at least ten feet from any property line; and

2. Does not exceed ten feet in height.

Sec. 42-548. - PD, planned development district.

In the PD planned development district:

A – F. No change

G. For each dwelling unit there is permitted one sign not exceeding one square foot in area.~~.~~

H. The signs permitted in section 42-543, and a sign as provided in section 42-545.B.

Sec. 42-549. - P-1, parking district.

In a P-1 vehicular parking district:

A. One freestanding or wall sign is permitted, not to exceed six square feet in area per side, provided that a freestanding sign:

1. Is ten feet from any property line; and

2. Does not exceed ten feet in height.

B. Directional signs are permitted as provided in section 42-433.E.

Sec. 42-553. - I-1, light industrial and I-2, heavy industrial districts.

In an I-1 light industrial or an I-2 heavy industrial district:

A. Industrial parks.

1. One freestanding or wall sign may be erected at each vehicular industrial park entrance, provided that such sign:

a. Does not exceed 32 square feet in area per side;

b. Is ten feet from any property line; and

c. Does not exceed 15 feet in height.

2 – 3. No change

B – C. No change

Sec. 42-554. - CCA, city centre area - mixed use floating district.

In the CCA, city centre area - mixed use floating district:

A. One freestanding accessory sign per zoning lot may be erected at each vehicular entrance that provides access to an accessory off-street parking lot located in the side or rear yard, provided that such sign:

1. Does not exceed 32 square feet in area per side;

2. Is at least five feet from any property line; and

3. Does not exceed 15 feet in height.

B. No change

C. Marquee signs.

1. A marquee sign is only permitted in conjunction with a theater, cinema or performing arts facility and may include changeable copy or electronic message display.

2. No change

PLEASE TAKE FURTHER NOTICE that copies of said proposed amendment may be examined at the City Hall on any business day except public and legal holidays from and after publication of this Notice until the day of hearing from 8:00 a.m. and 5:00 p.m.

Dated: _____

_____
Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 E. Centre Ave.
Portage, MI 49002

APPROVED AS TO FORM
DATE 5/16/2019
_____
CITY ATTORNEY

Z:\JODY\PORTAGE\ORDINANCES\ZONING\1st Read - Hearing Notice Signs.doc

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Fire Station No. 2 and Retention Basin No. 5 - Bid Tabulation

SUPPORTING PERSONNEL: Nicholas Armold, Director of Public Safety - Police / Fire Chief
John Podgorski, Senior Deputy Fire Chief

ACTION RECOMMENDED: Approve a contract to perform general contractor services to Hall Builders, LLC, for

1. construction of Fire Station No. 2 in the amount of $5,855,926 and
2. drainage improvements to Retention Basin No. 5 in the amount of $175,000

in the total contract amount of $6,030,926 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The FY 2018-2019 and FY 2019-2020 Capital Improvement Program budgets include funding for construction of a new Fire Station No. 2. Built in 1974, Fire Station No. 2, located at 6101 Oakland Drive, is the oldest fire station in the city and requires extensive maintenance to insure the integrity of the structure. In 2013, Paradigm Design, Inc. conducted a facility audit to evaluate needed repairs and upgrades of Fire Station No. 2. Subsequent to the audit, Paradigm Design recommended repairs to the roof, plumbing, electrical, flooring, fire suppression and alarm system. Furthermore, the overall facility and firefighter living quarters are inadequate in size for the operational needs of the Fire Division. In 2015, a feasibility study was completed by Paradigm Design to determine existing and future programming and operational needs, which determined construction of a new, larger Fire Station No. 2 is warranted.

A recent study of city retention basins determined that Retention Basin No. 5 (adjacent to Fire Station No. 2) is deficient. Funds for improvements of Retention Basin No. 5 are available the FY 2018-2019 Capital Outlay of the Water Operation Fund. It was determined prudent to conduct the improvements to the retention basin simultaneously with the construction of Fire Station No. 2 by the same contractor, based on economic efficiencies, as well as equipment and work site logistics. Therefore the bid package for construction of Fire Station No. 2 was structured to include improvements to the retention basin.

On August 28, 2018, two bids were received for general contractor services for the construction of a new Fire Station No. 2 and improvements to Retention Basin No. 5. The low bid was submitted by Hall Builders, LLC of Paw Paw, Michigan in total amount of $6,242,000 ($6,113,000 for fire station

construction and $129,000 for retention basin improvements). The City Administration conducted a value engineering review of the Fire Station No. 2 design to determine what elements might be eliminated without impacting the functionality of the station and/or requiring redesign by the architect. With the intent to delay construction until Spring 2019 in anticipation of lower construction prices and in an attempt to attract additional bidders, a revised RFP was developed to eliminate:

- Landscaping
- Trash and Generator Enclosures
- Fencing
- Control Unit Pedestal
- Sliding Power Gate
- Exterior Sun Control Device

On March 13, 2019, two bids were received. The low bid was again submitted by Hall Builders, LLC in the amount of $6,275,000 ($6,100,000 for fire station construction and $175,000 for retention basin improvements). Additional value engineering was conducted which resulted in the following modifications at a savings of $244,074:

- Retention of soils on site (or moved to another city property).
- Elimination of the snow melt system.
- Replacement of the premium (faster operating) bi-fold garage door with conventional garage doors.

City Council conducted two Committee of the Whole meetings to discuss this topic and is to be commended for challenging assumptions to get the best price. As Council was advised by AVB Commercial President, Jack Michael, construction inflation is averaging 6% per year and delaying the project would result in higher costs.

It is recommended that City Council approve a contract to perform general contractor services to Hall Builders, LLC, for construction of Fire Station No. 2 in the amount of $5,855,926 and drainage improvements to Retention Basin No. 5 in the amount of $175,000, in the total contract amount of $6,030,926 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are budgeted and available for construction of Fire Station No. 2 in the FY 2018-2019 and FY 2019-2020 Capital Improvement Program budgets and for improvements to Retention Basin No. 5 in the FY 2018-2019 Capital Outlay of the Water Operation Fund. A Debt Projection Chart prepared by Finance Director William Furry is attached.

Attachments:
1. Fire Station No. 2 and Retention Basin #5 - Bid Tabulation
2. Debt Projection

CITY OF PORTAGE FIRE STATION NO. 2 BID RELEASE NO. 2 REBID
EXPANDED BID TABULATION

		Contractor Hall Builders, LLC 29080 E. Red Arrow Hwy. Paw Paw, MI 49079	**Contractor** NRC, LLC 37800 Hills Tech Dr. Farmington Hills, MI 48331
A	Fire Station Site Work	$6,100,000.00	$6,146,000.00
B	Basin # 5 Drainage Improvements	$175,000.00	$199,000.00
	Base Bid	**$6,275,000.00**	**$6,345,000.00**
	Alternate No. 1: Removal of spoils to a City Owned lot within the Portage City limits	-$32,500.00	-$26,550.00
	Mandatory Alternates		
1	Delete Snowmelt System Included in Base Bid	-$100,200.00	-$85,500.00
6	Change to Conventional Overhead Doors in lieu of As-Designed Doors on South Side of Apparatus Room	-$111,374.00	-$98,012.00
	Base Bid Adjusted by Alternates 1 and Mandatory Alternates (Value Engineering)	**$6,030,926.00**	**$6,134,938.00**

DEBT PROJECTION

	Additions	Reductions	Balance
Total Debt June 30, 2018			**58,965,000**
Debt Retired in FY 2018-2019		(8,270,000)	
Total Debt Today			50,695,000
New 2019 CIP Bonds	4,890,000		
Total Debt at June 30, 2019			**55,585,000**
Debt Retired in FY 2019-2020		(7,285,000)	
Bonding for Fire Station	6,000,000		
Total Debt at June 30, 2020			**54,300,000**
Debt Retired in FY 2020-2021		(7,505,000)	
Bonding for Community Senior Center	5,000,000		
Total Debt at June 30, 2021			**51,795,000**
Debt Retired in FY 2020-2021		(7,475,000)	
CIP Bonds for Other Projects	2,000,000		
Total Debt at June 30, 2022			**46,320,000**

Minutes of Boards & Commissions

Youth Advisory Committee Minutes

April 15, 2019 – 6:00 p.m.

I. Call to order

II. Introductions and Attendance

III. Approval of the March 18th Meeting Minutes

IV. Report from Liaisons

V. Green-a-Thon 2019
   a. Suggestions:
      a. More Formal Signs
      b. Members should have YAC Hats/Hoodies to be more noticeable
   b. Vendors:
      a. Everyone liked the food
      b. Members enjoyed the activities that the vendors offered

VI. Spreading the Word about YAC
   a. Informational meetings
      i. At school, tables set up during lunch
      ii. School announcements, shout out YAC social media pages, post flyers around school, and send link to NHS members
      iii. Advertise in the Portager
      iv. Feedback from members planning to return to YAC next year
         1. Friday, May 3rd is the YAC Application Deadline
         2. Interview will be Tuesday, May 7th at 5:15 p.m.

VII. Garlic Mustard Weed Pull Volunteer Option
   a. If anyone is interested in volunteering (Woodmont Neighborhood – Kristen Wassthe), talk to Erica.

VIII. Historic District Commission – May 18th Preservation Month Celebration event
   a. 12 noon – 4 pm
   b. Wetherbee Farm on Portage Road
   c. Volunteer via SignUp.com link

IX.

Park Board "Summer Campout at Ramona Park"
   a. Saturday, June 22 at 5:00 p.m.
   b. Partnering w/ YAC
   c. Games, entertainment, pig roast, bonfire, movie (Parent Trap)

i. Game Ideas: Water Balloon Toss, Beach Ball Baseball, Twister, Face painting, Sidewalk Chalk, Tie Dye …
ii. Trivia: Need to make trivia questions and buy prizes

X. Summer Movie Event – Friday, Aug. 2
a. Spider Man: Into the Spider Verse

XI. Kalamazoo County Substance Abuse Task Force – Billboard Design Competition
a. Due Friday (4/19/19)

XII. The Sujay – Awarded to most dedicated member of the YAC
a. Will be awarded in June – helping to recruit can boost your chances!

XIII. Substance Abuse Task Force – Spring Sticker Shock (replacement campaign)

XIV. Next Meeting: May 14, 6:00 p.m.

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED
May 2, 2019

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: Bill Furry, Finance Director

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

Attachments: 1. April 2019 Financial Report

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED

Tuesday, May 7, 2019

1. Communication from Bill Furry, Finance Director, regarding the April, 2019 Monthly Financial Report, **Agenda Item A.8** – Information Only

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

05/02/2019 BUDGET REPORT FOR CITY OF PORTAGE

Calculations as of 04/30/2019

FUND DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
REVENUES				
Totals for dept 0000 -	23,254,733	23,254,733	22,235,473	96%
Totals for dept 1501 - District Court	70,000	70,000	52,500	75%
Totals for dept 1720 - City Manager	500	500	500	100%
Totals for dept 2053 - Finance Treasury	1,000	1,000	1,135	114%
Totals for dept 2110 - Technology Services	0	0	5,000	0%
Totals for dept 2415 - City Clerk	64,400	64,400	111,193	173%
Totals for dept 2491 - City Clerk Elections	25,000	25,000	0	0%
Totals for dept 2865 - Parks Maintenance	1,000	1,000	4,993	499%
Totals for dept 2876 - Cemeteries	55,000	55,000	41,963	76%
Totals for dept 2877 - Parks & Rec - Parks	66,000	66,000	31,070	47%
Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom	0	0	0	0%
Totals for dept 2882 - Parks & Rec - Team Sports	132,510	132,510	104,128	79%
Totals for dept 2885 - Parks & Rec - Programs	18,300	18,300	19,243	105%
Totals for dept 2886 - Parks & Rec - Ramona Park	53,300	53,300	37,158	70%
Totals for dept 2887 - Parks & Rec - Special Events	61,200	61,200	35,470	58%
Totals for dept 2888 - Parks & Rec - Millenium Park	49,500	49,500	48,843	99%
Totals for dept 3005 - Police Administration	155,700	161,195	162,579	101%
Totals for dept 3010 - Police Patrol	1,000	1,000	5,760	576%
Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	4,926	55%
Totals for dept 3030 - Police Public Safety Dispatch/ts	31,000	31,000	50,196	162%
Totals for dept 3035 - Police 911 Cmrs PSAP	40,000	40,000	57,150	143%
Totals for dept 3050 - Police Drug Law Enforcement	1,000	1,000	0	0%
Totals for dept 3310 - Fire Admin	1,250	1,250	14	1%
Totals for dept 3340 - Fire Prevention	900	900	655	73%
Totals for dept 3710 - Comm Dev Building Services	750,000	750,000	635,362	85%
Totals for dept 3720 - Comm Dev Planning & Development	50,050	50,050	57,755	115%
Totals for dept 3730 - Comm Dev Neighborhood Services	193,000	193,000	188,704	98%
Totals for dept 6720 - Senior Center	157,700	165,900	76,894	46%
Totals for dept 6721 - Senior Center Trips	300,000	324,000	323,591	100%
Totals for dept 6722 - Senior Center Activities	15,000	15,000	5,391	36%
Totals for dept 6725 - Aging Mastery Program	1,500	1,500	920	61%
TOTAL REVENUES - GENERAL FUND	25,559,543	25,597,238	24,298,566	95%

EXPENDITURES

FUND DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
Totals for dept 1001-City Council	117,300	117,300	72,327	62%
Totals for dept 1085-City Council-Human Services	164,687	164,687	113,103	69%
Totals for dept 1501-District Court	63,000	63,000	52,682	84%
Totals for dept 1720-City Manager	673,471	687,893	486,061	71%
Totals for dept 2001-Finance Accounting	438,790	438,790	313,686	71%
Totals for dept 2002-Finance & Budget	295,119	295,119	213,246	72%
Totals for dept 2053-Finance Treasury	146,176	146,176	109,673	75%
Totals for dept 2110-MIS	847,043	857,038	748,998	87%
Totals for dept 2133-MIS Public Information	54,212	54,212	45,549	84%
Totals for dept 2209-Assessor	467,381	467,381	311,953	67%
Totals for dept 2247-Assessor Board Of Review	35,135	35,135	22,033	63%
Totals for dept 2310-Attorney	226,728	226,728	188,100	83%
Totals for dept 2415-City Clerk	168,291	162,791	113,575	70%
Totals for dept 2416-City Clerk Records Management	67,302	67,302	48,297	72%
Totals for dept 2491-City Clerk Elections	192,819	198,319	162,299	82%
Totals for dept 2610-Human Resources	459,857	459,857	310,186	67%
Totals for dept 2733-Purchasing	82,523	82,523	64,268	78%
Totals for dept 2734-Purchasing Risk Management	28,243	28,243	15,273	54%
Totals for dept 2865-Parks Maintenance	1,246,521	1,255,521	882,396	70%
Totals for dept 2876-Cemeteries	65,819	65,819	44,841	68%
Totals for dept 2877-Parks & Rec - Parks	645,690	643,690	474,511	74%
Totals for dept 2878-Parks & Rec - Kalamazoo In Bloom	8,000	8,000	8,000	100%
Totals for dept 2880-Parks & Rec Rec - Admin	184,711	187,641	143,426	76%
Totals for dept 2882-Parks & Rec Rec - Team Sports	57,500	57,000	30,252	53%
Totals for dept 2885-Parks & Rec - Programs	18,850	20,400	20,529	101%
Totals for dept 2886-Parks & Rec Rec - Ramona Park	97,062	94,462	55,727	59%
Totals for dept 2887-Parks & Rec Rec - Special Events	102,200	107,250	89,383	83%
Totals for dept 2888-Parks & Rec - Ice Rink	93,302	88,872	86,303	97%
Totals for dept 3005-Police Administration	856,415	861,910	660,375	77%
Totals for dept 3006-Police Youth Services	494,984	494,984	379,261	77%
Totals for dept 3007-Police Investigation	692,955	692,955	510,796	74%
Totals for dept 3010-Police Patrol	5,312,798	5,299,798	4,001,701	76%
Totals for dept 3020-Police Training	196,900	209,900	161,756	77%
Totals for dept 3021-Police Training-Grant Funded	9,000	9,000	7,536	84%
Totals for dept 3030-Police Public Safety Dispatch/ts	960,377	960,377	673,832	70%
Totals for dept 3031-Police Emergency Sirens	18,676	18,676	0	0%
Totals for dept 3035-Police 911 Cmrs PSAP	205,188	205,188	72,702	35%
Totals for dept 3040-Police Records & PST	473,237	473,237	434,410	92%

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
Totals for dept 3050-Police Drug Law Enforcement		315,214	315,214	266,623	85%
Totals for dept 3065-Police Facility Management		114,800	114,800	71,744	62%
Totals for dept 3090-Police KCCDA support		756,793	756,793	756,793	100%
Totals for dept 3310-Fire Admin		669,034	669,034	497,794	74%
Totals for dept 3320-Fire Operations		4,099,141	4,099,141	2,954,029	72%
Totals for dept 3330-Fire On Call Firefighters		95,850	95,850	56,620	59%
Totals for dept 3331-Fire Emergency Operations		4,700	4,700	1,746	37%
Totals for dept 3340-Fire Prevention		139,383	139,383	100,903	72%
Totals for dept 3350-Fire Training		189,413	189,413	119,092	63%
Totals for dept 3365-Fire Facility Management		95,150	95,150	34,532	36%
Totals for dept 3710-Comm Dev Building Services		532,215	532,215	433,607	81%
Totals for dept 3720-Comm Dev Planning & Development		314,151	314,151	234,368	75%
Totals for dept 3730-Comm Dev Neighborhood Services		228,481	228,481	169,742	74%
Totals for dept 3765-Comm Dev Building Maintenance		218,611	221,531	170,084	77%
Totals for dept 4210-General Public Services		477,492	477,492	400,697	84%
Totals for dept 6720-Senior Center		346,415	355,099	256,692	72%
Totals for dept 6721-Senior Center Trips		310,874	334,874	317,643	95%
Totals for dept 6725-Aging Mastery Program		1,500	1,500	160	0%
Totals for dept 6740-Fundraising		0	75,000	66,592	0%
Totals for dept 9610-Transfers Out		1,286,338	1,286,338	1,286,338	100%
TOTAL EXPENDITURES - GENERAL FUND		26,463,817	26,613,333	20,324,845	76%
202	Major Street Fund - Revenues	4,169,800	4,825,778	3,453,009	72%
	Major Street Fund - Expenditures	4,223,030	4,999,535	3,200,934	64%
203	Local Streets Fund - Revenues	1,486,120	1,486,120	1,063,882	72%
	Local Streets Fund - Expenditures	1,480,456	1,480,456	979,350	66%
204	Municipal Streets Fund - Revenues	1,484,610	1,484,610	1,450,578	98%
	Municipal Streets Fund - Expenditures	1,640,000	1,640,000	1,515,000	92%
223	Curbside Recycling - Revenues	680,100	680,100	664,348	98%
	Curbside Recycling - Expenditures	688,081	688,081	489,655	71%
226	Leaf Pickup/Spring Cleanup - Revenues	744,000	744,000	725,383	97%
	Leaf Pickup/Spring Cleanup - Expenditures	837,813	837,813	528,976	63%

05/02/2019 BUDGET REPORT FOR CITY OF PORTAGE

Calculations as of 04/30/2019

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
230	CDBG Program Income Fund - Revenues	125,000	125,000	123,382	99%
	CDBG Program Income Fund - Expenditures	125,000	125,000	61,824	49%
252	West Lake Weed Mgmt - Revenues	32,120	32,120	19,697	61%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	6,250	19%
296	Community Development Block Grant - Rev	210,000	214,000	100,853	47%
	Community Development Block Grant - Exp	210,000	214,000	164,031	77%
298	Cable Television Fund - Revenues	836,000	836,000	636,076	76%
	Cable Television Fund - Expenditures	867,709	867,709	611,149	70%
400	Capital Improvement General - Revenues*	18,578,000	26,707,734	11,367,140	43%
	Capital Improvement General - Expenditures*	18,578,000	31,949,077	10,221,389	32%
490	Capital Improvement Sewer - Revenues*	1,020,000	4,881,837	851,837	17%
	Capital Improvement Sewer - Expenditures*	1,020,000	2,687,531	104,118	4%
491	Capital Improvement Water - Revenues*	1,325,000	6,213,775	0	0%
	Capital Improvement Water - Expenditures*	1,325,000	7,310,808	647,163	9%
590	Sewer Fund - Revenues	9,012,000	9,262,000	7,794,908	84%
	Sewer Fund - Expenditures	7,149,273	7,399,273	5,798,579	78%
591	Water Fund - Revenues	6,719,300	6,719,300	5,968,017	89%
	Water Fund - Expenditures	5,588,159	5,588,159	4,657,168	83%
TOTAL REVENUES - ALL FUNDS **		71,981,593	89,809,612	58,517,676	65%
TOTAL EXPENDITURE - ALL FUNDS **		70,228,458	92,432,895	49,310,431	53%

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

*** Debt Service and Internal Service Funds not included.*

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Stryker Corporation - PA 198 Tax Abatement

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing on the expansion of Industrial Development District No. 82 to include 8065 Merchant Place to facilitate an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue, adopt Resolution No. 2-19, expanding Industrial Development District No. 82.

Attached is a request to expand Industrial Development District (IDD) No. 82 to include 8065 Merchant Place to facilitate an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue.

Stryker Medical recently acquired 8065 Merchant Place for the purpose of constructing a 320 space off-street parking lot to support the existing building, and a 253,000-square-foot building addition currently under construction. In addition to the proposed parking lot at 8065 Merchant Place, Stryker Medical plans to construct an approximate 15,000-square-foot building addition off the northwest corner of the existing building, and 21,000 square feet of new internal office space. Taken together, this represents an approximate $6 million investment. In addition to this investment, the existing facility will undergo a substantial renovation of over 230,000 square feet of the building area, which will include new test labs, research and development functionality, as well as renovated office space.

In the summer of 2018, a tax abatement request was approved for the 253,000-square-foot building addition currently under construction off the south side of the existing facility. This $35.8 million construction project is slated for completion in 2020. The proposed parking lot, 36,000-square-foot addition and renovation project will begin this spring, starting with the parking lot construction in late May 2019.

Public Act 198 does not permit construction to commence prior to the creation or expansion of an IDD. Stryker Medical is requesting that the city proceed with expanding IDD No. 82 to include the recently acquired property at 8065 Merchant Place so that construction of the parking lot can commence. The scope of work and budget for the building additions and interior facility renovation are being finalized by Stryker Medical and a tax exemption certificate application for the entire project will be submitted within 30-60 days.

A preliminary site plan illustrating the location of the immediate development project, along with a map outlining the current and proposed boundary of IDD No. 82 are attached. To accommodate this "speed-to-permitting" schedule, it is recommended that subsequent to the public hearing on the expansion of Industrial Development District No. 82 to include 8065 Merchant Place to facilitate an

industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue, City Council adopt Resolution No. 2-19, expanding Industrial Development District No. 82.

FUNDING: N/A

Attachments:

1. Expanded IDD #82 Legal Description
2. IDD 82 Amended Map
3. Stryker Medical Preliminary Site Plan - Parking Lot and Building Expansion
4. IDD 82 - Resolution #2

stryker

April 16, 2019

Mr. Edward VanderVries

City Assessor

City of Portage

7900 South Westnedge Avenue

Portage, MI 49002

Dear Mr. VanderVries,

On behalf of Stryker Corporation, please utilize this letter as a formal request to Amend and expand the existing Industrial Development District (IDD) No. 82 to include the entire Legal Description below for Stryker Corporation's proposed project expansion.

1. 3800 E Centre Ave, Portage, MI 49002

PARCEL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN; THENCE ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, SOUTH 00 DEGREES 50 MINUTES 49 SECONDS WEST 60.02 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 60.02 FEET) TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF EAST CENTRE AVENUE; THENCE ALONG SAID LINE EXTENDED, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.02 FEET (RECORDED AS SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 50.01 FEET) TO THE WESTERLY RIGHT OF WAY OF SPRINKLE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY, SOUTH 00 DEGREES 50 MINUTES 58 SECONDS WEST 2605.83 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 2605.59) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 24; THENCE ALONG SAID EAST AND WEST QUARTER LINE, NORTH 89 DEGREES 44 MINUTES 23 SECONDS WEST 1337.77 FEET (RECORDED AS NORTH 89 DEGREES 59 MINUTES 46 SECONDS WEST 1337.84 FEET) TO THE WESTERLY LINE OF A 100 FOOT WIDE FORMER RAILROAD RIGHT OF WAY AS MONUMENTED; THENCE ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 1777.70 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST); THENCE SOUTH 89 DEGREES 34 MINUTES 24 SECONDS WEST 260.97 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 260.92 FEET); THENCE NORTH 00 DEGREES 15 MINUTES 51 SECONDS WEST 99.87 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 100.00 FEET); THENCE SOUTH 89 DEGREES 52 MINUTES 44 SECONDS WEST 17.00 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 17.00 FEET); THENCE NORTH 00 DEGREES 30 MINUTES 27 SECONDS WEST 306.50 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 306.50 FEET); THENCE NORTHEASTERLY 143.71 FEET ALONG THE ARC OF A 619.44 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 11 MINUTES 48 SECONDS EAST 143.38 FEET TO A

stryker

FOUND CONCRETE MONUMENT (RECORDED AS 143.68 FEET ALONG THE ARC OF A 618.61 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 47 SECONDS EAST 143.36 FEET); THENCE NORTHERLY 159.07 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 13 MINUTES 44 SECONDS EAST 158.72 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS 159.03 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 48 SECONDS EAST 158.67 FEET); THENCE NORTH 00 DEGREES 29 MINUTES 48 SECONDS WEST 164.95 FEET (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 165.00 FEET) TO A POINT ON THE NORTH LINE OF SECTION 24, SAID POINT LAYING NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1037.66 FEET FROM THE NORTHWEST CORNER OF SECTION 24; THENCE ALONG THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 262.59 FEET TO THE WEST RIGHT OF WAY LINE OF A FORMER RAILROAD AS MONUMENTED (FORMERLY NORTHFOLK SOUTHERN, FORMERLY CONRAIL, AND FORMERLY GRAND RAPIDS AND INDIANA) (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 262.59 FEET); THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 77.02 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 425.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 130.00 FEET; THENCE PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 200.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.00 FEET; THENCE PARALLEL WITH WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 225.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 20.02 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 12 SECONDS EAST 17.00 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST 17.00 FEET); THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1238.64 FEET (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 1238.57 FEET) TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RESTRICTIONS APPARENT AND OF RECORD. SAID PARCEL CONTAINS 84.2 ± ACRES (3,667,957 ± SQUARE FEET).

Stryker Corporation appreciates the support and consideration from the City of Portage and looks forward to further growth within the community.

Graciously,

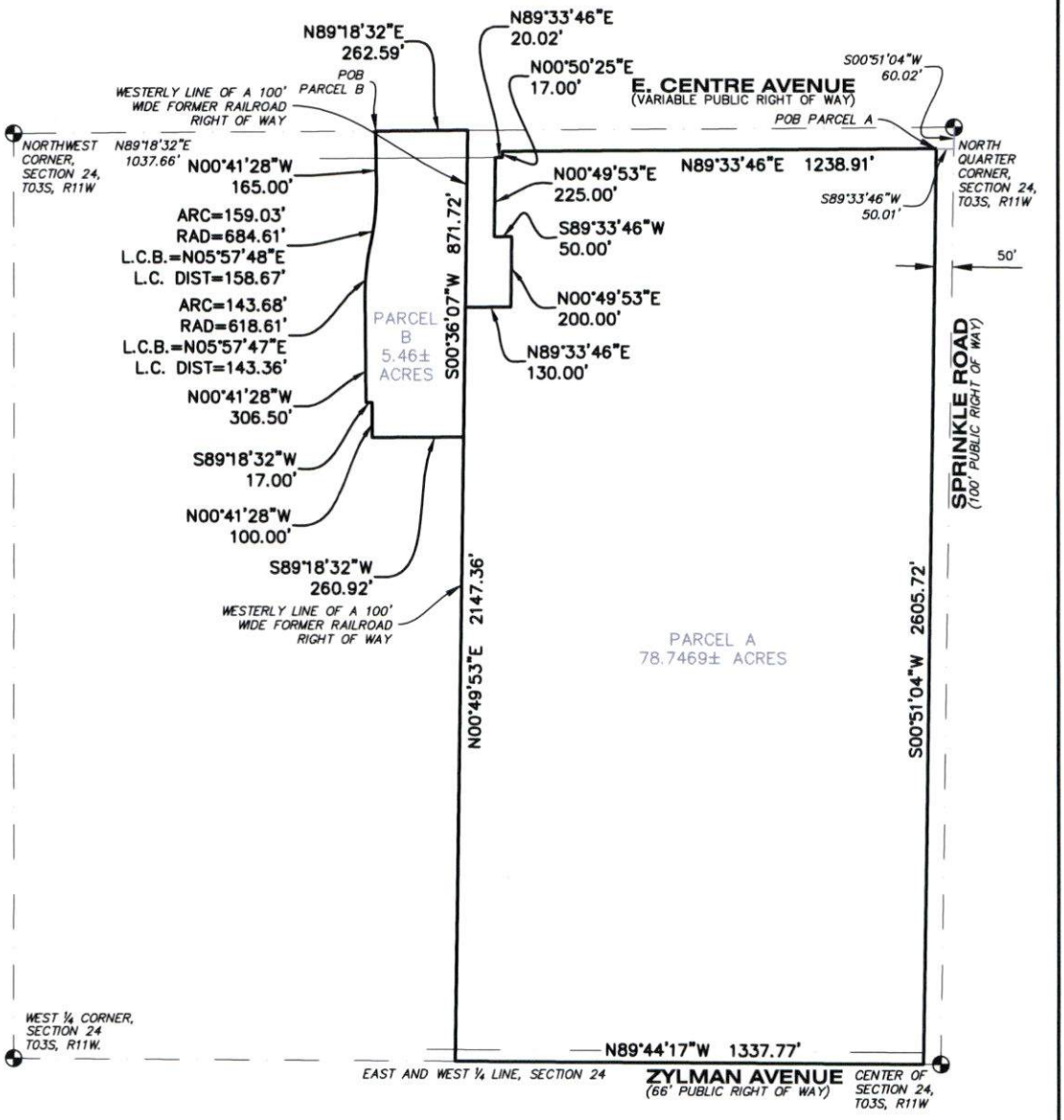
Doug Campbell

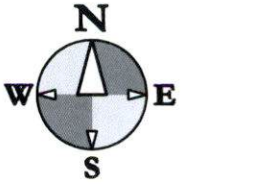
Senior Director of Program Management and Strategy

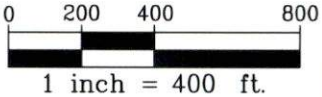
Sprinkle Rd
Parcel A
Merchant Pl
Parcel B
E Centre Av
Coxs Dr
Zylman Av

INDUSTRIAL DEVELOPMENT DISTRICT

ORIGINAL PARCELS







1 inch = 400 ft.

Drawing No.	Title:	Job No.: 18-013S
1	INDUSTRIAL DEVELOPMENT DISTRICT	Date: 04/16/19
1 OF 4	Project: STRYKER MEDICAL	Scale: AS NOTED
	Client: STRYKER CORPORATION	P.M.: TAK
		Dft: BDE
		QA/QC: 04/16/19

hurley & stewart
hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

PARCEL A DESCRIPTION

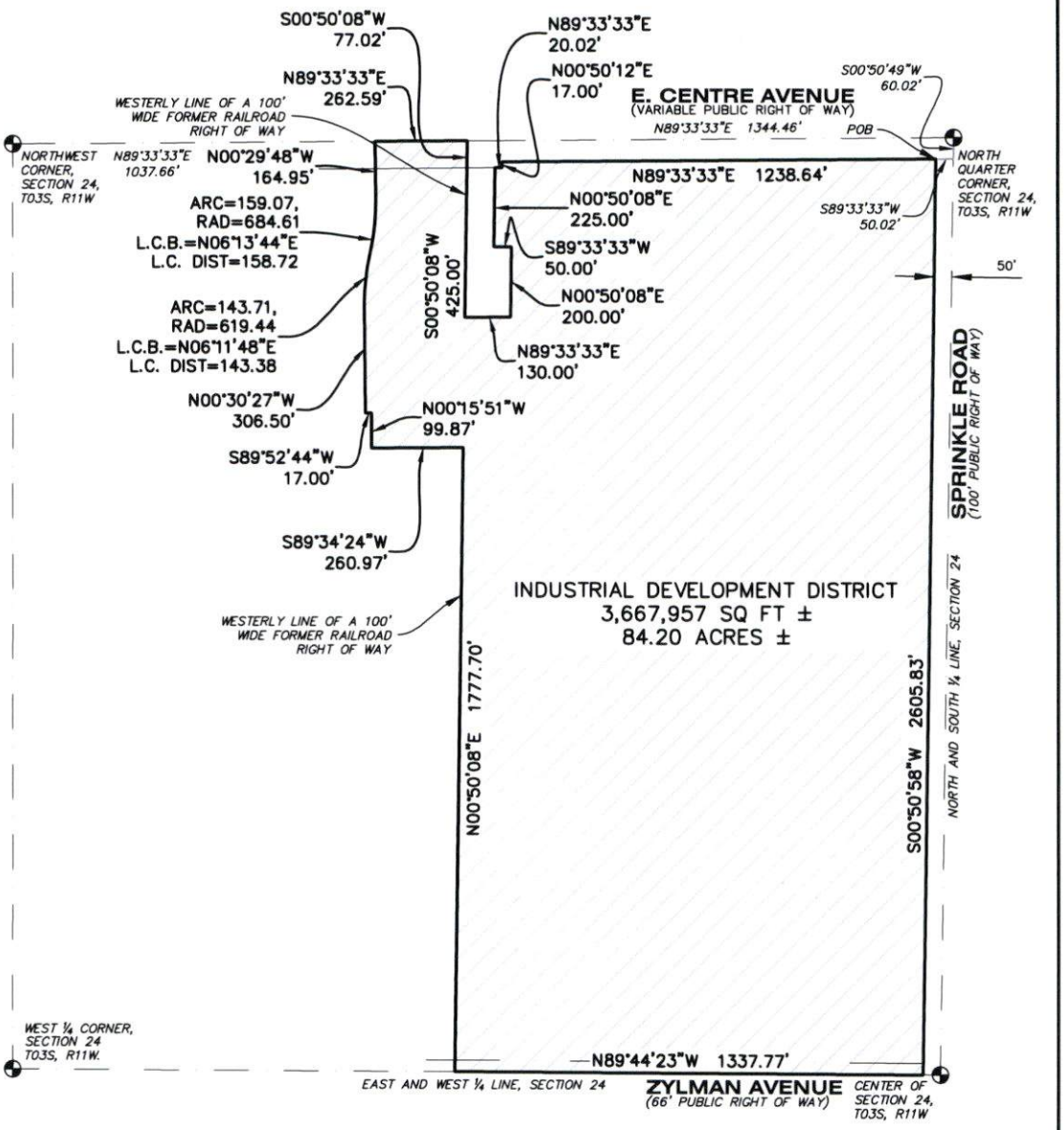
PART OF THE NORTHWEST 1/4 OF SECTION 24 TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 24; THENCE S00°51'04"W ALONG THE NORTH SOUTH 1/4 LINE OF SAID SECTION A DISTANCE OF 60.02 FEET (RECORDED AS SOUTH 00°35'50" WEST 60.02 FEET) TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF EAST CENTRE STREET; THENCE S89°33'46"W ALONG SAID LINE EXTENDED A DISTANCE OF 50.01 FEET (RECORDED AS SOUTH 89°18'32" WEST 50.01 FEET) TO THE WESTERLY RIGHT OF WAY OF SPRINKLE ROAD AND THE POINT OF BEGINNING; THENCE S00°51'04"W ALONG SAID RIGHT OF WAY A DISTANCE OF 2605.72 FEET (RECORDED AS SOUTH 00°35'50" WEST 2605.59 FEET) TO THE EAST WEST 1/4 LINE OF SAID SECTION; THENCE N89°44'17"W ALONG SAID EAST WEST 1/4 LINE A DISTANCE OF 1337.77 FEET (RECORDED AS NORTH 89°59'46" WEST 1337.84 FEET) TO THE WESTERLY LINE OF A 100 FOOT WIDE FORMER RAIL ROAD RIGHT OF WAY; THENCE N00°49'53"E ALONG SAID FORMER RIGHT OF WAY A DISTANCE OF 2147.36 FEET (RECORDED AS NORTH 00°35'11" EAST); THENCE NORTH 89°33'46" EAST A DISTANCE OF 130.00 FEET; THENCE N00°49'53"E A DISTANCE OF 200.00 FEET; THENCE SOUTH 89°33'46" WEST A DISTANCE OF 50.00 FEET; THENCE N00°49'53"E A DISTANCE OF 225.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID CENTRE STREET; THENCE N89°33'46"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 20.02 FEET; THENCE N00°50'25"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 17.00 FEET (RECORDED AS NORTH 00°35'11" EAST 17.00 FEET); THENCE N89°33'46"E ALONG SAID SOUTH LINE OF CENTRE STREET A DISTANCE OF 1238.91 FEET (RECORDED AS NORTH 89°18'32" EAST 1238.57 FEET) TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 78.7469 ACRES.

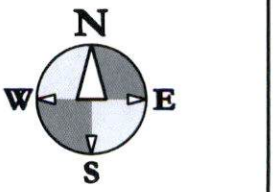
PARCEL B DESCRIPTION

PART OF THE NORTHWEST 1/4 OF SECTION 24, T03S, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SECTION 24, T03S, R11W, CITY OF PORTAGE; THENCE ALONG THE NORTH LINE OF SAID SECTION 24 NORTH 89°18'32" EAST 1037.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89°18'32" EAST 262.59 FEET TO THE WEST RIGHT OF WAY LINE OF A FORMER RAILROAD (FORMERLY NORTHFOLK SOUTHERN, FORMERLY CONRAIL, AND FORMERLY GRAND RAPIDS AND INDIANA); THENCE ALONG SAID WEST LINE, SOUTH 00°36'07" WEST 871.72 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89°18'32" WEST 260.92 FEET; THENCE PERPENDICULAR TO SAID NORTH LINE, NORTH 00°41'28" WEST 100.00 FEET; THENCE PARALLEL WITH SAID NORTH LINE, SOUTH 89°18'32" WEST 17.00 FEET; THENCE PERPENDICULAR TO SAID NORTH LINE, NORTH 00°41'28" WEST 306.50 FEET; THENCE NORTHEASTERLY 143.68 FEET ALONG THE ARC OF A 618.61 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 05°57'47" EAST 143.36 FEET; THENCE NORTHEASTERLY 159.03 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 05°57'48" EAST 158.67 FEET; THENCE PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00°41'28" WEST 165.00 FEET TO THE POINT OF BEGINNING.

INDUSTRIAL DEVELOPMENT DISTRICT

COMBINED PARCEL





0 200 400 800

1 inch = 400 ft.

Drawing No.	Title:	Job No.: 18-013S
1	INDUSTRIAL DEVELOPMENT DISTRICT	Date: 04/16/19
3 OF 4	Project: STRYKER MEDICAL	Scale: AS NOTED
	Client: STRYKER CORPORATION	P.M.: TAK
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2800 south 11th street
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www.hurleystewart.com

COMBINED PARCEL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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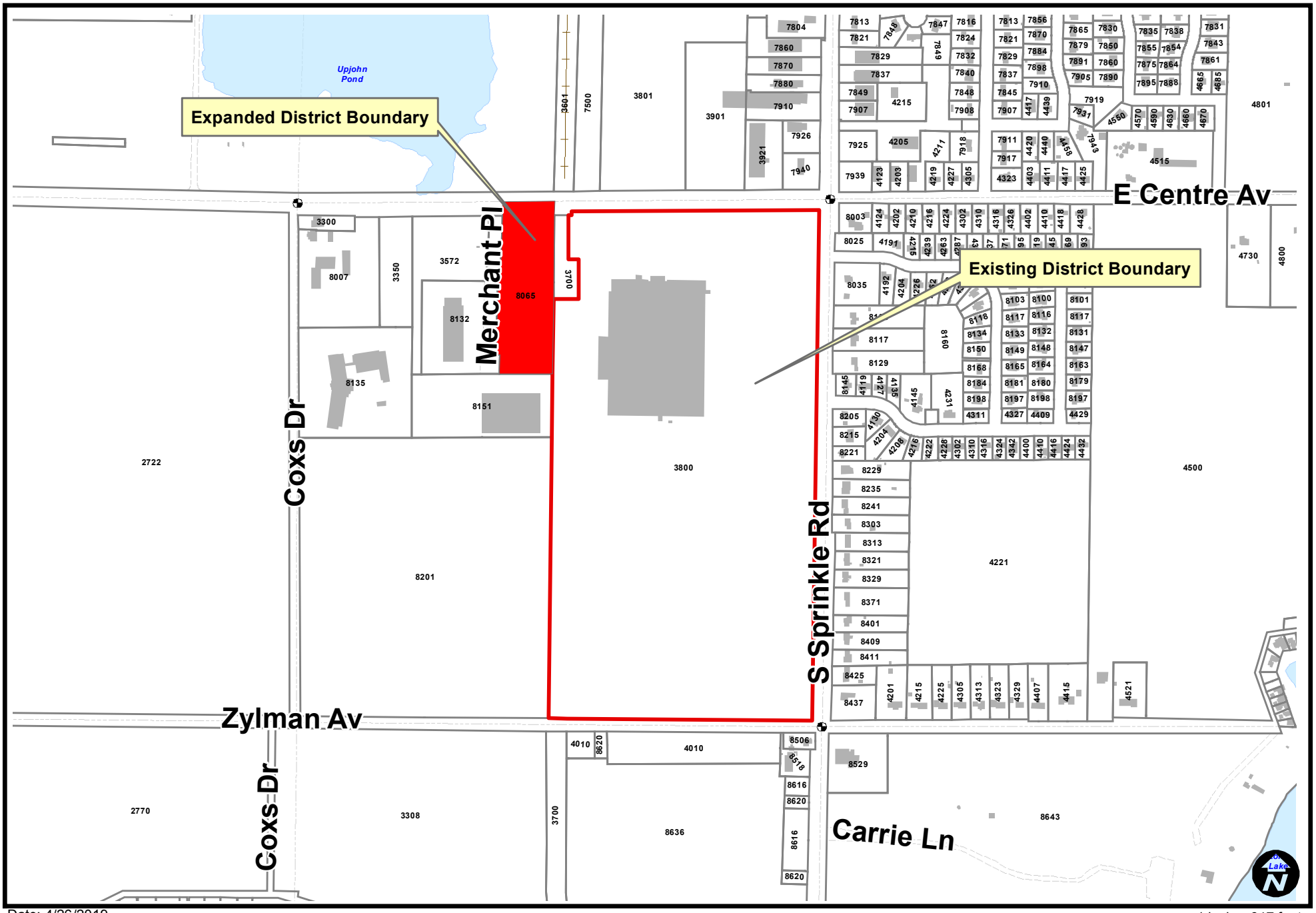
PA 198 - IDD #82

Legend

Existing IDD Boundary

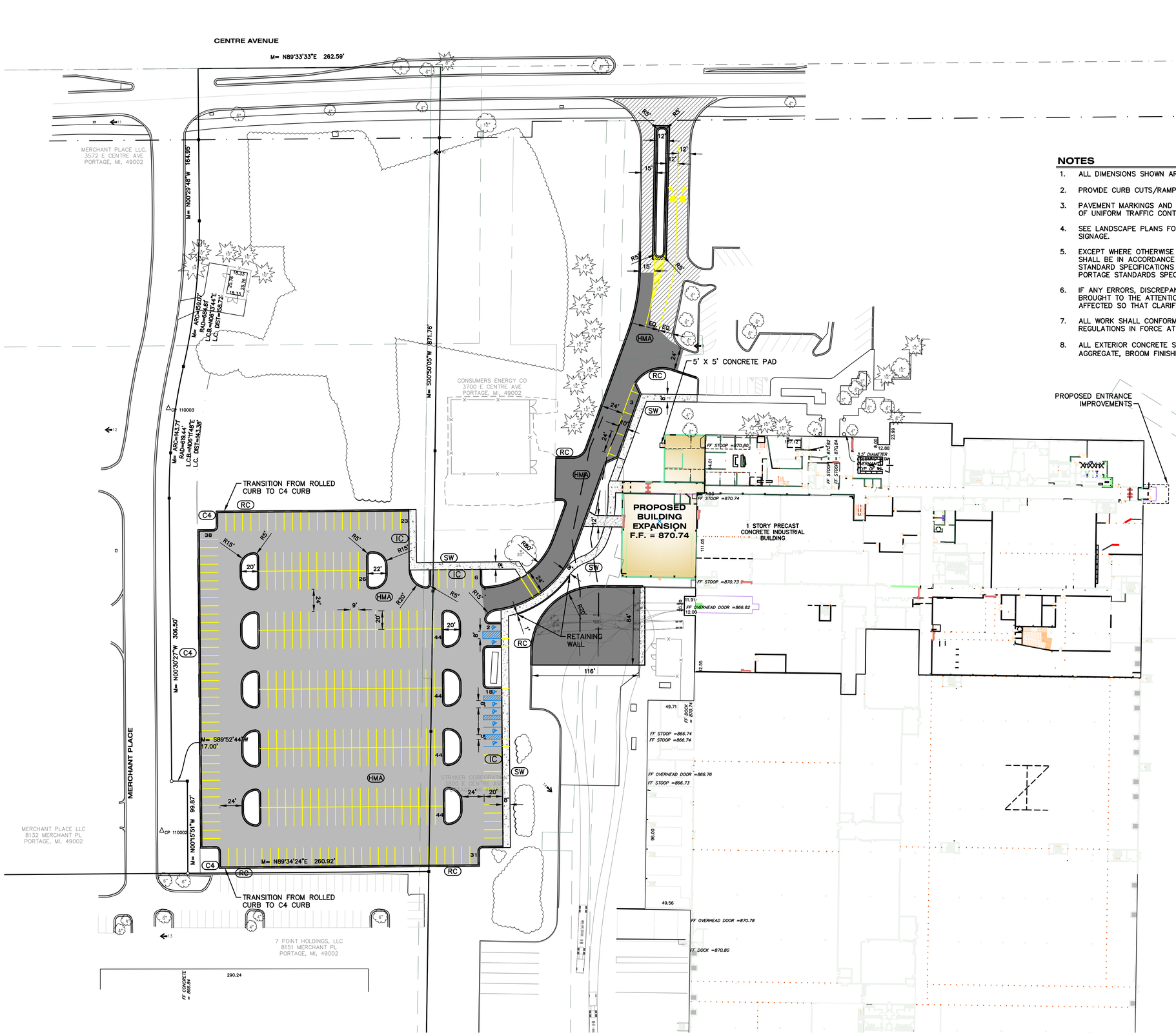
Proposed IDD Expanded Boundary

IDD boundaries are approximate.



Date: 4/26/2019

1 inch = 647 feet



NOTES

1. ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
2. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
3. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
4. SEE LANDSCAPE PLANS FOR HARDSCAPE, DETAILED GRADING IN LANDSCAPED AREAS AND SIGNAGE.
5. EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2012 EDITION, AND CITY OF PORTAGE STANDARDS SPECIFICATIONS.
6. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
7. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL. (SEE LANDSCAPE PLAN FOR JOINT PATTERNS)

LEGEND:

- STANDARD–DUTY BITUMINOUS PAVEMENT
- HEAVY–DUTY BITUMINOUS PAVEMENT
- 2" HMA OVERLAY
- CONCRETE PAVEMENT AND SIDEWALK
- HEAVY–DUTY CONCRETE PAVEMENT

(HMA) HMA PAVEMENT
(IC) INTEGRAL SIDEWALK/CURB (SEE DETAIL)
(RC) "ROLLED" CURB (SEE DETAIL)
(SW) CONCRETE SIDEWALK (SEE DETAIL)
(C4) C4 CURB AND GUTTER (SEE DETAIL)

INTERIOR LANSCAPE REQUIREMENTS

1 SQFT INTERIOR LANDSCAPE REQUIRE / 15 SQFT OF PARKING EXCLUDING 20' OF PERIMETER LANDSCAPE.
89,384 SQFT OF PARKING/15=5,959 SQFT REQUIRED
5,993 SQFT PROVIDED

PRELIMINARY
NOT FOR CONSTRUCTION

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
HURLEY & STEWART

TowerPinkster
ARCHITECTS | ENGINEERS

Tower Pinkster Titus Associates Inc.

242 East Kalamazoo Avenue, Suite 200
Kalamazoo, Michigan 49007-5828
269.343.6133 PHONE 269.343.6633 FAX

4 East Fulton Street, Suite 200
Grand Rapids, Michigan 49503
616.456.9944 PHONE 616.456.5936 FAX

TOWERPINKSTER.COM

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DATE

APRIL 16, 2019

PROJECT TITLE

STRYKER GQ&O - PARKING LOT EXPANSION - PHASE 3

STRYKER

Portage, Michigan

ISSUED FOR DATE

SHEET TITLE

SITE LAYOUT PLAN

SHEET NUMBER

C 108

18-129.00

CITY OF PORTAGE
RESOLUTION NO. 2-19
DESIGNATING PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 82 (EXPANDED)
STRYKER CORPORATION

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2019, at 7:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER: _____, and supported by:

COUNCILMEMBER: _____.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether a certain area described in attached Exhibit A may be established as an Industrial Development District, pursuant to 1974 PA 198, MCLA 207.551, et seq.; and

WHEREAS, such location meets all of the prerequisites of the cited Act;

NOW THEREFORE, BE IT RESOLVED that the following described property be designated as Expanded Portage Industrial Development District No.82A:

Please see attached Exhibit "A"

ADOPTED: AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

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

RESOLUTION DECLARED ADOPTED:

_____
Adam Herringa, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on _____, 2019, the original of which is in the official proceedings of the City Council.

_____
Adam Herringa, City Clerk

PREPARED BY:
RANDALL L. BROWN
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002
(269) 323-8812

Approved as to Form:
Date: 5/1/2015
By: _____
City Attorney

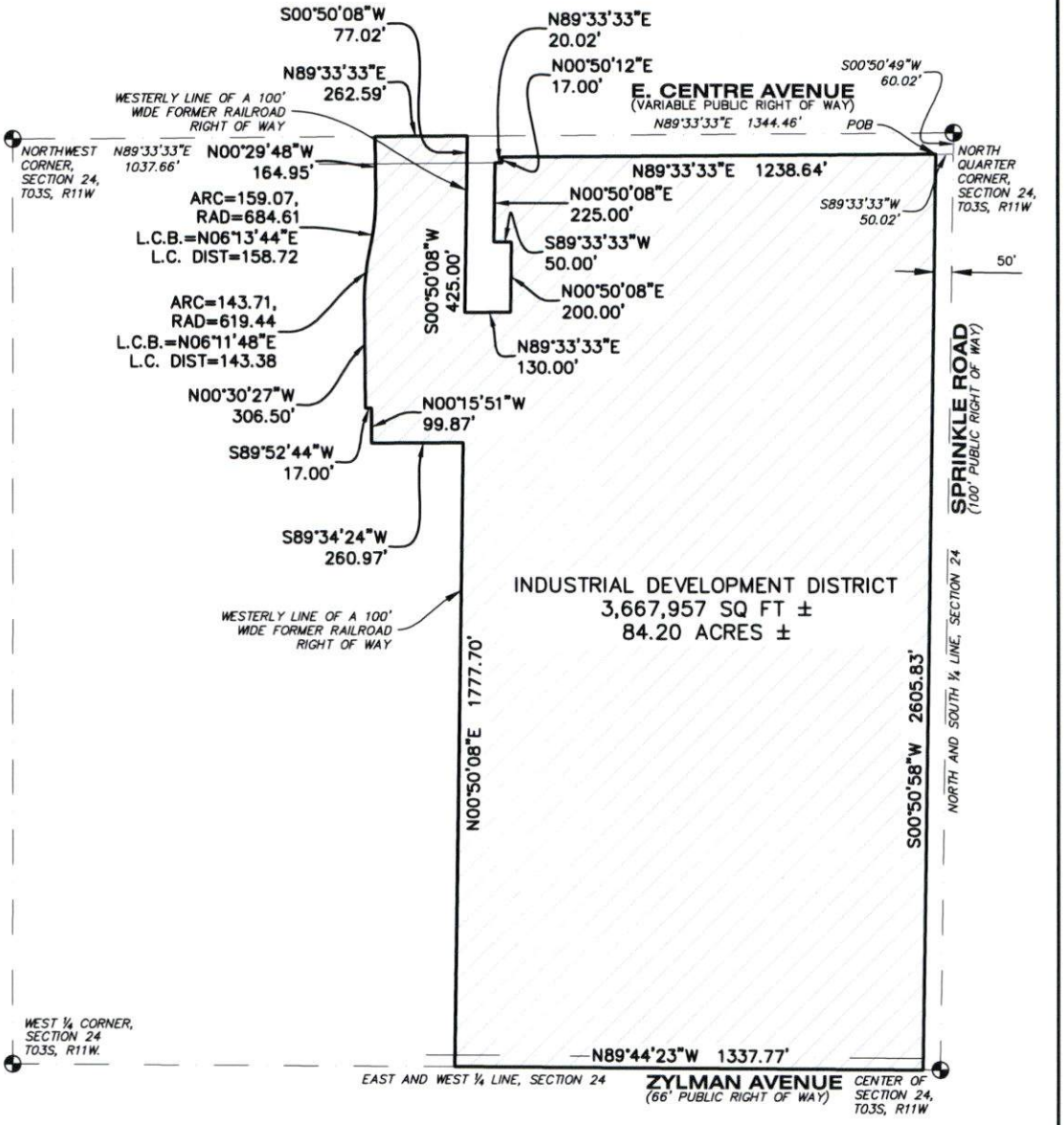
Z:\JODY\PORTAGE\INDUSTRIAL\Stryker #82\Resolution #2 designating IDD.docx

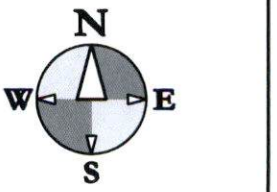
EXHIBIT A

(legal description)

INDUSTRIAL DEVELOPMENT DISTRICT

COMBINED PARCEL





0 200 400 800

1 inch = 400 ft.

Drawing No.	Title:	Job No.: 18-013S
1	INDUSTRIAL DEVELOPMENT DISTRICT	Date: 04/16/19
3 OF 4	Project: STRYKER MEDICAL	Scale: AS NOTED
	Client: STRYKER CORPORATION	P.M.: TAK
		Dft: BDE
		QA/QC: 04/16/19

hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

COMBINED PARCEL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN; THENCE ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, SOUTH 00 DEGREES 50 MINUTES 49 SECONDS WEST 60.02 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 60.02 FEET) TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF EAST CENTRE AVENUE; THENCE ALONG SAID LINE EXTENDED, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.02 FEET (RECORDED AS SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 50.01 FEET) TO THE WESTERLY RIGHT OF WAY OF SPRINKLE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY, SOUTH 00 DEGREES 50 MINUTES 58 SECONDS WEST 2605.83 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 2605.59) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 24; THENCE ALONG SAID EAST AND WEST QUARTER LINE, NORTH 89 DEGREES 44 MINUTES 23 SECONDS WEST 1337.77 FEET (RECORDED AS NORTH 89 DEGREES 59 MINUTES 46 SECONDS WEST 1337.84 FEET) TO THE WESTERLY LINE OF A 100 FOOT WIDE FORMER RAILROAD RIGHT OF WAY AS MONUMENTED; THENCE ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 1777.70 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST); THENCE SOUTH 89 DEGREES 34 MINUTES 24 SECONDS WEST 260.97 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 260.92 FEET); THENCE NORTH 00 DEGREES 15 MINUTES 51 SECONDS WEST 99.87 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 100.00 FEET); THENCE SOUTH 89 DEGREES 52 MINUTES 44 SECONDS WEST 17.00 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 17.00 FEET); THENCE NORTH 00 DEGREES 30 MINUTES 27 SECONDS WEST 306.50 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 306.50 FEET); THENCE NORTHEASTERLY 143.71 FEET ALONG THE ARC OF A 619.44 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 11 MINUTES 48 SECONDS EAST 143.38 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS 143.68 FEET ALONG THE ARC OF A 618.61 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 47 SECONDS EAST 143.36 FEET); THENCE NORTHERLY 159.07 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 13 MINUTES 44 SECONDS EAST 158.72 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS 159.03 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 48 SECONDS EAST 158.67 FEET); THENCE NORTH 00 DEGREES 29 MINUTES 48 SECONDS WEST 164.95 FEET (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 165.00 FEET) TO A POINT ON THE NORTH LINE OF SECTION 24, SAID POINT LAYING NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1037.66 FEET FROM THE NORTHWEST CORNER OF SECTION 24; THENCE ALONG THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 262.59 FEET TO THE WEST RIGHT OF WAY LINE OF A FORMER RAILROAD AS MONUMENTED (FORMERLY NORTHFOLK SOUTHERN, FORMERLY CONRAIL, AND FORMERLY GRAND RAPIDS AND INDIANA) (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 262.59 FEET); THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 77.02 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 425.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 130.00 FEET; THENCE PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 200.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.00 FEET; THENCE PARALLEL WITH WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 225.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 20.02 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 12 SECONDS EAST 17.00 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST 17.00 FEET); THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1238.64 FEET (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 1238.57 FEET) TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RESTRICTIONS APPARENT AND OF RECORD. SAID PARCEL CONTAINS 84.2 ± ACRES (3,667,957 ± SQUARE FEET).

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Fiscal Year 2019-2020 Budget Approval and General Appropriations Act and Salary and Wage Resolution

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approve the Fiscal Year 2019-2020 Proposed Budget with Revisions, and adopt the General Appropriations Act and Salary and Wage Resolutions.

Following City Council budget review sessions on April 16 and April 30, as well as a public hearing on May 7, 2019, the adoption of the General Appropriations Act and Salary and Wage Resolutions will complete the Fiscal Year 2019-2020 Budget adoption and authorize implementation beginning July 1, 2019.

The Fiscal Year 2019-2020 Budget is a conservative financial plan that maintains a high level of excellence in service. A strong local economy provides a foundation for dealing with financial challenges, and increases in revenue sharing and Act 51 revenues have been realized. Effective financial controls and planning efforts remain in place to minimize the effects of future budget challenges.

The FY 2019-2020 Budget is a sound financial plan for the community that:

- Lowers the overall city tax rate (millage) by .1805 to 10.6400 mills;
- Includes reimbursements from the state that offset tax revenue reductions due to personal property tax base losses;
- Maintains the City Council prescribed fund balance for the General Fund at 24 percent of General Fund expenditures;
- Preserves the City of Portage position in the lower twenty five percent (25%) of all Michigan cities with populations between 30,000 and 80,000 in terms of millage level.

Subsequent to the budget review sessions, changes were made to the original proposed budget as follows:

- Millage reduction in the General Fund from 7.5000 to 7.3200, with a corresponding revenue reduction of $384,856 or 1.67%, offset reduction of expenditures and transfers out of $384,856;
- Millage reduction in the Municipal Streets Fund from 0.6770 to 0.6760;
- Millage reduction in the Curbside Recycling Fund from 0.3085 to 0.3000;
- Millage increase in the Leaf Pickup/Spring Cleanup Fund from 0.3350 to 0.3440.

To maintain a balanced budget, the $384,856 General Fund revenue reduction will be offset by

reductions in expenditures and transfers out as follows:

- Operating expenditure budget reductions in eight General Fund departments of $132,090;
- Reduction of transfers out to the Capital Improvement Projects (CIP) Fund of $243,581;
- Increase of the transfer in from Cable TV Fund of $9,185.

The reduction of the transfer from General Fund to CIP is offset in the CIP by elimination of the $130,000 Public Facilities City Hall Improvements project and a reduction of $113,581 from the Austin Lake Trail Connection project budget of $800,000.

Other important revisions to the FY 2019-2020 CIP budget are necessary. Due to price increases, an additional $500,000 is needed to complete the Local Street Reconstruction Program projects planned for FY 2019-2020. Because this work is within the same neighborhood, it is important that all work is completed during the same construction project. As a result, $500,000 is removed from the Parks and Recreation FY 2019-2020 CIP. The new restrooms and pavilion planned for Lakeview Park, with a budget of $410,000, combined with $90,000 of the $175,000 Ramona Park Improvement project will be eliminated. The eliminated projects will be considered for inclusion in the development of the 2020-2030 Capital Improvement Plan.

The General Appropriations Act Resolution, which is attached, has been prepared to conform to all requirements of the City Charter and state statutes. The Salary and Wage Resolution, necessary to establish salary and wage schedules, is also attached. In accordance with the timeline prescribed by the City Charter, Council adoption of these two resolutions is recommended.

FUNDING: N/A

Attachments:
1. General Appropriations Act Resolution
2. Salary and Wage Resolution
3. Line Item Detail - changes

GENERAL APPROPRIATIONS ACT
RESOLUTION TO ADOPT THE BUDGET
OF THE CITY OF PORTAGE FOR THE FISCAL YEAR
JULY 1, 2019 TO JUNE 30, 2020
AND TO MAKE APPROPRIATIONS THEREFORE

Moved by
Supported by

WHEREAS, Chapter 7 of the City Charter requires: That the City Manager submit a budget proposal with his recommendation to the City Council; that a public hearing be held on said budget proposal; that the City Council by resolution adopt a budget for the ensuing fiscal year, make an appropriation of the money needed therefore, and designate the sum to be raised by taxation; and

WHEREAS, the Manager has submitted said budget and recommendations and a public hearing has been held thereon;

NOW, THEREFORE, BE IT RESOLVED as provided in Chapter 7 of the City Charter, and in conformity with Public Act 621 of 1978, the Uniform Budgeting and Accounting Act, that the budgets attached hereto and made a part hereof by reference are hereby considered and adopted, to be administered on an activity level, with the exception of the Capital Improvement Fund, which will be administered on a program/project level, as the budgets of the City of Portage to cover the operations and expenditures thereof for the fiscal year July 1, 2019 to June 30, 2020.

BE IT FURTHER RESOLVED that the sum of $22,742,400 be raised by taxation by the levy of 10.6400 mills for operations on the taxable value of all real and personal property in the City as follows:

General Operating Fund	7.3200 mills	$15,646,100
Capital Improvement Fund	2.0000 mills	4,274,900
Curbside Recycling Fund	0.3000 mills	641,200
Leaf Pickup/Spring Cleanup Fund	0.3440 mills	735,300
Municipal Street Fund	0.6760 mills	1,444,900
	10.6400 mills	$22,742,400

BE IT FURTHER RESOLVED that the City Manager be authorized to transfer necessary amounts between activities/ departments within a fund and make any adjustments within or between funds which do not change ending fund balance. The Capital Improvement Funds shall be considered one fund for the purposes of this provision.

BE IT FURTHER RESOLVED that for the General Fund, the fund balance shall be at least 24% of the 2019-2020 appropriations, including transfers.

BE IT FURTHER RESOLVED that a copy of this budget resolution be furnished to the City Assessor, who together with the Finance Director shall then proceed to assess and collect the taxes in accordance with the City Charter and State Statutes.

YES:
NO:
ABSENT:

_____
Adam Herringa, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 21st day of May, 2019 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 21st day of May, 2019

_____
Adam Herringa, City Clerk

SALARY AND WAGE RESOLUTION
RESOLUTION TO ADOPT THE SALARY AND WAGE SCHEDULES FOR
THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020

Moved by
Supported by

WHEREAS, Section 6.18(a) of the City Charter and Section 248.06 of the City Code require that upon recommendation of the City Manager, the City Council shall establish uniform salary and wage scales for all officers and employees of the City;

NOW, THEREFORE, BE IT RESOLVED that for the period beginning July 1, 2019 and until otherwise directed, salaries and wages shall be established and adjusted as follows:

(1) Personnel of the following bargaining unit(s) shall receive compensation in accordance with bargaining agreement being negotiated to replace the labor agreement expiring June 30, 2019:
Portage Police Command Officers Association (PPCOA)
Portage Police Officers Association (PPOA)

(2) Personnel of the following bargaining unit(s) shall receive compensation effective July 1, 2019 in accordance with applicable collective bargaining agreements:
International Association of Firefighters (IAFF) – effective 7/1/15-6/30/20
United Auto Workers (UAW) – Department of Public Services –effective 7/1/18-6/30/21

(3) Department Head and full time non-union employees receive salary adjustments as provided for in the Non-Union Employee Compensation and Classification Plan, as recommended by the City Manager and adopted with the budget on May 21, 2019. The 2019/2020 recommended budget provides for one-time merit bonus or adjustments for Department Head and full-time non-union employees and for organizational restructuring and certain attainment adjustments authorized by the City Manager during the fiscal year. Total adjustments for Department Head and regular full-time non-union employees shall not exceed $169,205. Part-time and seasonal employees receive wage increases as approved by the City Manager. Compensation for the City Manager shall be determined by the City Council.

YES:
NO:
ABSENT:

_____
Adam D. Herringa, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 21st day of May, 2019 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 21st day of May, 2019.

_____
Adam D. Herringa, City Clerk

BUDGET REPORT FOR CITY OF PORTAGE, FISCAL YEAR 2019/2020

GL NUMBER	DESCRIPTION	2018-19 ORIGINAL BUDGET	**2019-20 ADMIN RECOMMEND**	POST-REVIEW CHANGE	**2019-20 COUNCIL APPROVED**
Fund 101 - General Fund					
Dept 0000					
101-0000-401.0000	Current Property Tax	15,060,000	**16,031,000**	(384,856)	15,646,144
101-0000-691.0298	Transfer from Cable TV Fund		**300,000**	9,185	309,185
101-1001-701.8024	Southwest Michigan First	30,000	**30,000**	(30,000)	0
101-1720-705.8542	Cultural and Community Events	20,000	**24,500**	(2,000)	22,500
101-2002-707.8012	Accounting Services/Audit	35,000	**33,100**	(3,000)	30,100
101-2053-707.8520	Other Services & Charges	15,800	**16,700**	(4,000)	12,700
101-2053-707.9501	Capital Outlay		**6,000**	(6,000)	0
101-2865-709.7280	Operating Supplies	36,900	**83,315**	(8,000)	75,315
101-2865-709.8520	Other Services & Charges	201,050	**233,340**	(4,090)	229,250
101-3005-731.8520	Other Services & Charges	25,100	**325,117**	(30,000)	295,117
101-3005-731.9113	Water & Sewer Utilities	6,000	**15,000**	(9,000)	6,000
101-3010-731.9181	Gasoline/diesel	90,000	**112,640**	(20,000)	92,640
101-3310-732.8553	Vehicle Repair/Maint	115,200	**151,200**	(11,000)	140,200
101-3320-732.9181	Gasoline/diesel	25,000	**35,000**	(5,000)	30,000
101-9610-961.4400	Transfers - CIP	1,286,338	**1,025,000**	(243,581)	781,419
REVENUES - FUND 101		25,559,543	**27,010,784**	(375,671)	**26,635,113**
EXPENDITURES - FUND 101		26,463,817	**27,010,784**	(375,671)	**26,635,113**
Fund 400 - CIP General					
400-0000-691.0101	Transfer from General Fund	1,286,338	**1,025,000**	(243,581)	781,419
Dept 2802 - Parks & Rec Ramona Park Improvements					
400-2802-834.9503-20PR09	Land Improvements		**175,000**	(90,000)	85,000
Dept 2827 - Lakeview Park					
400-2827-686.0200-20PR07	LTGO Bond Proceeds		**410,000**	(410,000)	0
Dept 4343 - Local Street Reconstruction Program					
400-4343-761.9507-20ST02	Road System		**1,220,000**	500,000	1,720,000
Dept 4413 - Austin Lake Trail Connection					
400-4413-686.0200-20SB05	LTGO Bond Proceeds		**800,000**	(113,581)	686,419
Dept 9006 - Public Facilities City Hall Improvements					
400-9006-686.0200-20PF04	LTGO Bond Proceeds		**130,000**	(130,000)	0
REVENUES - FUND 400		18,578,000	**22,612,000**	(243,581)	**22,368,419**
EXPENDITURES - FUND 400		18,578,000	**22,612,000**	(243,581)	**22,368,419**
Fund 298 - Cable Television Fund					
Dept 9610 - Transfers Out					
298-9610-961.4101	Transfer to General Fund		**300,000**	9,185	309,185

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Zylman Avenue Reconstruction (Portage Road to South Sprinkle Road) - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED:

1. Award a construction contract to Peters Construction Company of Kalamazoo, Michigan for the Zylman Avenue Reconstruction project in an amount not to exceed $3,471,461.36;
2. Amend a contract with Abonmarche Consultants, Inc. in the amount of $224,750 to provide construction engineering services for the Zylman Avenue Reconstruction project;
3. Amend the Fiscal Year 2018-2019 Capital Improvement Program budget in the amount of $350,000,

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

The Local Development Finance Authority 2003 Amended Development Plan/Tax Increment Finance Plan appropriated $1,210,000 for the design and construction a multi-lane street with boulevard and curb and gutter on Zylman Avenue from Cox's Drive to South Sprinkle Road. In June 2018, the State of Michigan granted a Supplemental Community Infrastructure Investment in the amount of $1,800,000 in state funds, which enables the Zylman Avenue Reconstruction project to be completed sooner than originally scheduled in the FY 2020-2021 Capital Improvement Program Budget (CIP). While the Supplemental Community Infrastructure Investment and Local Development Finance Authority cover the cost of the road construction, the cost of the replacement of the sanitary sewer lift station force main from Portage Road to the lift station requires an amendment to the FY 2018-2019 CIP budget in the amount of $350,000. Sufficient resources are available in the Sewer Fund for this amendment.

On June 26, 2018, City Council approved a contract amendment with Abonmarche Consultants, Inc. in the amount of $117,500 for design engineering of the Zylman Avenue Reconstruction project. Design was finalized for bidding of the Zylman Avenue Reconstruction project, and on May 9, 2019, three bids were received, with the low bid being submitted by Peters Construction Company, of Kalamazoo, MI, in the amount of $3,471,461.36.

For project continuity, staff requested a proposal from Abonmarche Consultants, Inc. for construction engineering services. Abonmarche Consultants, Inc. has submitted a proposal in the not-to-exceed amount of $224,750. Staff has reviewed the proposal and found it to be appropriate for the work to be

completed. The project construction is planned to begin in June 2019 and is expected to be completed by October 2019.

Therefore, it is recommended that City Council award a construction contract to Peters Construction Company for the Zylman Avenue Reconstruction project from Portage Road to South Sprinkle Road in an amount not to exceed $3,471,461.36, amend the contract with Abonmarche Consultants, Inc. in an amount not to exceed $224,750 for construction engineering services, amend the FY 2018-2019 CIP budget in the amount of $350,000 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available in the FY 2018-2019 Capital Improvement Program budget. The Sewer Fund has an unrestricted balance of $12,500,000.

Attachments:
1. Zylman Avenue Reconstruction - Bid Tabulation
2. Abonmarche Consultants, Incorporated Proposal

ZYLMAN AVENUE RECONSTRUCTION PROJECT
BID TABULATION

Firm	**Total**
Peters Construction Co. 3325 E. Kilgore Road Kalamazoo, MI 49001	$3,471,461.36
Michigan Paving & Materials, Co. 2300 Glendenning Road Kalamazoo, MI 49001	$3,689,988.11
Hoffman Brothers, Inc. 8574 Verona Road Battle Creek, MI 49014	$3,731,412.70

Bids received on 5/9/2019

Bid Tabulation Prepared by Tom O'Brien

May 10, 2019

Ms. Kendra Gwin, PE
Director of Transportation and Utilities
City of Portage
7719 South Westnedge Avenue
Portage, MI 49002

RE: Zylman Avenue – Portage Road to Sprinkle Road
Proposal for Construction Phase Services

Dear Ms. Gwin:

Abonmarche is pleased to present this proposal for Construction Phase services related to the Zylman Avenue reconstruction project. The project will consists of construction of a boulevard roadway section from Cox's Drive to Sprinkle Road with a roundabout at Cox's Drive. The boulevard section will include full curb and gutter, on-street bike lanes, storm drainage improvements, 10' wide non-motorized trail, pavement markings and new signage. Zylman Avenue from Portage Road to Cox's Drive will be widened in the vicinity of the bus garage to extend the center left turn lane. Project bids were received on May 9, 2019, with the low bid received from Peters Construction in the amount of $3,471,461.36. Construction is expected to start on or about June 17, 2019 and will be complete by October 11, 2019.

Abonmarche has performed professional services on dozens of projects for the City of Portage for more than 20 years. We are very familiar with city expectations and the effort required to successfully complete a project of this magnitude. In addition, we will be opening a Portage/Kalamazoo office in the next 60-90 days. This will allow us to better serve the city's needs with a formal local presence.

SCOPE OF SERVICES

The following will detail our scope of services and fees for this phase of the project.

CONSTRUCTION PHASE

1. Coordination of and attendance at a preconstruction meeting with city staff, the contractor, and utility companies. This will include preparation of the meeting agenda, running the meeting, and distribution of meeting minutes.

2. Construction Administration – including Field Manager setup and administration, field engineering, review of shop drawings, preparation of work orders and contract modifications, review and certification of contractor pay estimates and tracking resident concerns. We address resident concerns in a very timely manner and inform the city of them as soon as possible. We are available for meetings, phone calls, etc. after hours, weekends, or holidays to resolve questions and issues if necessary.
3. Full-time inspection and testing per city requirements. This will include daily report of observations, distribution of door hangers for planned and/or emergency utility shutoffs, traffic advisories and special notifications, compiling and tracking pay items, documenting weather days, record drawing measurements, and testing reports.
4. Construction staking as necessary for roadway and utility construction items. Our Survey Department prioritizes construction staking on their schedule to ensure that construction progress can be maintained without delays.
5. Weekly construction progress meetings – these are typically held with the contractor and city staff to discuss progress, upcoming work, issues, action items, budgetary items, and resident concerns. Meeting agendas and minutes will be prepared and distributed to attendees and appropriate stake holders.
6. Conducting a final walk-through/inspection at the close of the project, and generating a punch list. The project will be overseen until it has been closed out between the city and contractor.
7. Preparation of record drawings per city requirements. These include specific dimensions to underground improvements based upon the as-built construction. All installed utilities will be located with typical GPS procedures for upload to the City's GIS program. The draft record drawings will be provided to city staff for review. When they are approved, we will provide the city with one (1) Mylar copy and electronic files in AutoCAD and PDF format.

FEES

Our fees to complete the above scope of services are proposed as follows:

Zylman Avenue Construction Phase	**$224,750**

We appreciate the opportunity to continue our relationship through the construction phase of this project. If you have any questions, please contact me at 269-876-9286 or tdrews@abonmarche.com.

Sincerely,
Abonmarche Consultants, Inc.

Timothy R. Drews, PE, PTOE, RSP
Vice President

cc. Christopher Cook, PE
Daniel A. Dombos, II, PE

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement Project - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a construction contract to Dunigan Brothers, Inc. of Jackson, Michigan for the Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement project in an amount not to exceed $1,496,676 and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

The FY 2017-2018, FY 2018-2019 and proposed FY 2019-2020 Capital Improvement Program budgets include funds for renovation and upgrading of lift stations. The Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement project includes replacement of control panels, pumps, wet wells, and additional site landscaping. On February 27, 2018, City Council approved the purchase of property located at 9125 Portage Road to facilitate relocation of the Emily Drive lift station. Subsequently, an open house was held on May 24, 2018 to receive public input on siting of the Emily Drive lift station. A total of 7 property owners attended the open house.

On August 14, 2018, City Council approved a contract with Abonmarche Consultants, Inc. in the amount of $107,660 for design and construction engineering of the Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement Project. Design was finalized for bidding and on May 9, 2019, two bids were received with the low bid being submitted by Dunigan Brothers, Inc. in the amount of $1,496,676. Dunigan Brothers, Inc., of Jackson, MI, has successfully completed lift station installations in the cities of Jackson, Claire and Tecumseh.

Therefore, it is recommended that City Council award a construction contract to Dunigan Brothers, Inc. of Jackson, Michigan for the Emily Drive and Cora Drive Sanitary Sewer Lift Station Improvement Project in an amount not to exceed $1,496,676, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available in the FY 2017-2018, FY 2018-2019 and FY 2019-2020 Capital Improvement Program budgets.

Attachments: 1. Bid Tabulation Emily Drive & Cora Drive

EMILY DRIVE AND CORA DRIVE LIFT STATION RECONSTRUCTION PROJECT
BID TABULATION

FIRM	**Total**
Dunigan Brothers, Inc. 911 East South Street Jackson, MI 49203	$1,496,676.00
Balkema Excavating, Inc. 1500 River Street Kalamazoo, MI 49048	$1,858,084.05

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Appointments to Boards and Commissions

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Appoint individuals to the Youth Advisory Committee, Planning Commission, Construction Board of Appeals and Local Officers Compensation Commission.

This evening (May 21) the Portage City Council interviewed applicants for the Youth Advisory Committee, Planning Commission, Construction Board of Appeals and Local Officers Compensation Commission. Based on the results of the interview session it is recommended that City Council make appointments to fill vacancies on the identified Boards and Commissions as follows:

Appoint Brooke Berner, MaKayla Bolton, Clarise Bryant, Tavishi Budagavi, Riya Chaudhary, Megan Chow, Grace Decker, Laura Durant, Grace Freed, Hannah Geerlings, Ellie Gieb, Amiti Goel, Britton Gustafson, Aaron Henry, Madeline Herringa, Reagan Hoff, Brennan Ketteler, Katherine Lindsay, Janelle Little, Una Metzger, Jacob Misejka, David Nguyen Le, Angela Postula, Anna Rachowicz, Isabella Ritchie, Dustin Ruthven Jr., Jaime Sackett, Anna Sonday, Hannah Srackangast, Joseph Sturdy and Maxwell Zigterman with terms ending June 30, 2020, to the **Youth Advisory Committee**.

Reappoint Becky Baldwin, Sarah Joshi and Betty Schimmel to terms ending May 31, 2022, and appoint _____ with term ending May 31, 2021 to the **Planning Commission**.

Reappoint Barney Martlew (structural engineer), and appoint Bill Koopsen (building contractor) and Tim Earl (City at Large representative) with terms ending June 1, 2022, to the **Construction Board of Appeals**.

Appoint _____ with term ending October 1, 2025, and appoint _____ with term ending October 1, 2024, and appoint _____ to unfulfilled term ending October 1, 2023, and appoint _____ to unfulfilled term ending October 1, 2019 to the **Local Officers Compensation Commission.**

FUNDING: N/A

Attachments: 1. N/A