FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
JUNE 11, 2019

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

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. Special and Regular Meeting Minutes of May 21, 2019.
   b. Special Meeting Minutes of May 22, 2019.
   c. Pre-Council Meeting Minutes of June 10, 2019.
2. Approval of the Accounts Payable Register of June 11, 2019 as presented.
3. Accept the low bid in the amount of $52,084 from J. Allen & Co, Inc., to provide repairs to the Garden Lane multi-use trail and the well house access road, and authorize the City Manager to execute all documents related to the contract on behalf of the city.
4. Adopt a resolution authorizing the formation of the Portage Public Safety Foundation 501(c)(3) organization.
5. Approve a three-year inter-governmental agreement with the City of Kalamazoo, Michigan, for crime analysis, crime prevention and strategic operational crime reduction activities at the Kalamazoo Strategic Operations Center, and authorize the City Manager to execute all documents related to this matter on behalf of the city.
6. Award a contract in the amount of $634,431.96 to Michigan Paving & Materials Co., for summer mill and fill asphalt repairs to major and local street sections, and authorize the City Manager to execute all documents related to this action on behalf of the city.
7. Accept Rezoning Application #18/19-6, 129 Boston Avenue, for first reading and set a public hearing on July 9, 2019.
8. Approve the revisions to the Brownfield Redevelopment Incentive Policy, and authorize the City Manager to approve initial applications for Brownfield Redevelopment Plans.
9. Approve a permit for a fireworks display on July 5, 2019, at Ramona Park sponsored by the Portage Rotary Club.
10. Award a construction contract to Michigan Paving and Materials Company of Kalamazoo, Michigan, for the Angling Road and Meredith Street Reconstruction project in an amount not to exceed $1,007,431.95, and authorize the City Manager to execute all documents related to the contracts on behalf of the city.
11. Accept the application from Lovers Lane Properties, LLC, for a Brownfield Redevelopment Plan Amendment, and authorize the applicant to proceed with preparation of the plan amendment.
12. Order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2019, will be transferred to the 2019 city tax roll and assessed against the property for which the services were furnished.
13. Award a two-year contract renewal to All City Management Services, Inc., in the amount not to exceed $64,444 per year to provide school crossing guard services, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

14. Accept for first reading the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, changing the dates that fireworks can be used, and set a second reading with final adoption for June 25, 2019.
15. Minutes of Boards & Commissions:
    a. Youth Advisory Committee Meeting Minutes of May 14, 2019.
16. Materials Transmitted.

B. Petitions and Statements of Citizens:

C. Communications:

1. Calendar of Meetings.

- Environmental Board, Wednesday, June 12, 2019, at 7:00 p.m. in City Hall Room #1.
- Human Services Board, Thursday, June 13, 2019, at 6:30 p.m. in City Hall Room #1.
- Senior Citizens Advisory Board, Wednesday, June 19, 2019, at 2:30 p.m. at Portage Senior Center.
- Planning Commission, Thursday, June 20, 2019, at 7:00 p.m. in Council Chambers.

2. Presentation by the Environmental Board regarding the annual goals and objectives update.

D. Public Hearings:

E. Regular Business Agenda:

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.

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MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL AND BOARDS AND COMMISSIONS APPLICANTS MAY 21, 2019

Mayor Patricia Randall called the meeting to order at 5:15 p.m. The following Councilmembers were present at this meeting: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Councilmember Urban was absent with excuse. Also present were City Manager Laurence Shaffer and City Clerk Adam Herringa.

* From 5:15 p.m. to 5:38 p.m., and at the request of Mayor Randall, returning members explained the roles and responsibilities of the Youth Advisory Committee (YAC) and the benefits of being on the Committee. Adam Herringa, City Clerk and a staff liaison to the YAC, elaborated further and discussed the impact the YAC has on the community. City Council interviewed Brooke Berner, MaKayla Bolton, Clarise Bryant, Tavishi Budagavi, Riya Chaudhary, Grace Freed, Hannah Geerlings, Britton Gustafson, Aaron Henry, Madeline Herringa, Reagan Hoff, Katherine Lindsay, Janelle Little, Una Metzger, Jacob Misejka, David Nguyen Le, Angela Postula, Anna Rachowicz, Isabella Ritchie, Dustin Ruthven Jr., Jaime Sackett, Anna Sonday, and Maxwell Zigterman. At the invitation of City Council, the applicants shared their thoughts on issues facing the community, utilization of Crossroads Mall, thoughts on technology utilized by younger people and best ways to communicate with youth.

* From 5:40 p.m. to 5:55 p.m., City Council interviewed Sarah Joshi, Betty Schimmel, Gerald Myer and Gary Roberts for the Planning Commission. Returning members Joshi and Schimmel described the work of the Planning Commission. Current Planning Commission Chairperson Wayne Stoffer arrived and provided additional information about the responsibilities of the Planning Commission. In response to an inquiry, Commissioner Joshi shared her thoughts on the proposed sign ordinance changes that would be coming before City Council.

* From 5:55 p.m. to 6:25 p.m., City Council interviewed Barney Martlew and George Theodoru for the Construction Board of Appeals. Lawrence Schmidt, Chairperson of the Construction Board of Appeals, reviewed meeting frequency and shared some of the recent issues the Construction Board of Appeals has addressed. He, along with Mr. Martlew and Mr. Theodoru, also discussed the overall work of the board.

* From 6:25 p.m. to 6:30 p.m., City Council interviewed Mr. Larry Lutz for the Local Officers Compensation Commission (LOCC). Mayor Randall shared the overall role of the LOCC along with length of terms and meeting frequency.

City Council then deliberated as to which applicants should be appointed to the various boards and commissions.

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

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Adam Herringa, City Clerk

CITY COUNCIL MEETING MINUTES FROM MAY 21, 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 a safe community and those impacted by gun violence.

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

PROCLAMATION: Mayor Randall invited Ms. Marti Ullmer of the group Moms Demand Action to read the proclamation "National Gun Violence Awareness Day." Next, Ms. Ullmer explained the origins of the group Moms Demand Action and efforts they undertake to educate the public about gun violence.

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.3, Sign Ordinance Amendments, be removed from the Consent Agenda. Motion by Urban, 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 Urban, seconded by Reid, to approve the Regular and Committee of the Whole Meeting Minutes of May 7 and Pre-Council of May 20, 2019. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 21, 2019: Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of May 21, 2019. Upon a roll call vote, motion carried 7 to 0.

FIRE STATION NO. 2 CONSTRUCTION: Motion by Urban, seconded by Reid, to 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; 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. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Urban, seconded by Reid, to receive the minutes of the Youth Advisory Committee of April 15, 2019. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED: Motion by Urban, seconded by Reid, to receive the Materials Transmitted of May 7, 2019. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Mr. Michael Waldorf, 4618 East Milham, spoke and expressed concern with the level of assistance provided by the Department of Community

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Development with regard to opening a small business (toy store) in Portage. Mayor Randall asked that City Manager Shaffer meet with Mr. Waldorf to review his concerns.

COMMUNICATIONS:

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

PRESENTATION BY THE HISTORIC DISTRICT COMMISSION: City Clerk Herringa indicated that the Historic District Commission was unable to attend and would be rescheduling their presentation for later in the year.

PUBLIC HEARINGS:

EXPANSION OF INDUSTRIAL DEVELOPMENT DISTRICT NO. 82.: Mayor Randall invited City Manager Shaffer to begin discussion and he reviewed the proposed project and why Stryker Corporation is requesting an expansion of Industrial Development District (IDD) No. 82. Mr. Shaffer commented that Stryker continues to expand aggressively in the community and invited Community Development Director Vicki Georgeu to provide additional information regarding the expansion of IDD No. 82. Ms. Georgeau explained the expansion of parking and anticipated facility improvements for the structure located at 3800 East Centre Avenue and indicated that total expenditures will be approximately $6 million. Ms. Georgeau concluded by informing City Council that Stryker would be returning in the next 30 to 60 days to request approval of a tax exemption certificate. Motion by Reid, seconded by Knapp, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Knapp, seconded by Pearson, to adopt Resolution No. 2-19, expanding Industrial Development District No. 82. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 173 of City of Portage Resolution Book No. 47.

REGULAR BUSINESS:

FISCAL YEAR 2019-2020 PROPOSED BUDGET WITH REVISIONS: Mayor Randall invited City Manager Shaffer to review the proposed Fiscal Year 2019-2020 Budget. Mr. Shaffer acknowledged City Council and city staff for their hard work in putting together the proposed budget. Mr. Shaffer reviewed the amount of the proposed budget, related millage reduction, increases in spending on capital improvements, budget of the water and sewer fund and the overall budget review process.

Mayor Randall reviewed the meetings and time spent reviewing the budget and goal of having reductions incorporated throughout various budget categories. Councilmember Reid stated that a reduction in the General Fund millage was a challenge given to administration by City Council. Councilmember Burns asked that Mr. Shaffer review budget changes that have been made since the last City Council Budget Review Session. Mr. Shaffer reviewed the proposed changes that were made to achieve the millage reduction. He continued by explaining that those capital improvement projects that have been removed were not eliminated from the Capital Improvement Program but rather pushed to future years and cited Lakeview Park improvements as an example. With regard to planned improvement to City Hall, Mr. Shaffer indicated that the projects would be completed in later years but that one improvement would occur in the current fiscal year using available funds.

Motion by Urban, seconded by Knapp, to approve the Fiscal Year 2019-2020 Proposed Budget to include the General Appropriations Act and Salary and Wage Resolutions. Upon a roll call

vote, motion carried 7 to 0. Resolutions recorded on pages 179 and 181 of City of Portage Resolution Book No. 47.

ZYLMAN AVENUE RECONSTRUCTON PROJECT: Mayor Randall stated that the construction contracts included in this item were dependent upon approval of budget. She then invited Mr. Shaffer to provide additional information. Mr. Shaffer reviewed the Zylman Avenue Reconstruction Project and various components. He pointed out that funding for this project is not from the General Fund or Capital Improvement Program but rather from the Local Development Finance Authority, State of Michigan grants and the Water and Sewer Fund. He concluded by stating that the project will assist the expansion efforts of Stryker Corporation.

Councilmember Reid inquired as to the necessity of a roundabout in the project. Director of Transportation and Utilities Kendra Gwin explained that the roundabout was to promote safety especially since it would be handling truck traffic for Stryker Corporation (truck traffic to Stryker would no longer be permitted via Centre Avenue). Mayor Randall inquired if the width of the roundabout would be sufficient and Ms. Gwin offered assurances that it was designed to handle truck traffic along with school bus traffic since the Portage Public Schools Bus Garage is located on Zylman. In response to an inquiry from Mayor Pro Tem Pearson, Ms. Gwin also reviewed planned changes to enhance the safety of left turns at the intersection of Zylman and Portage Road.

Motion by Reid, seconded by Knapp, to 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; amend a contract with Abonmarche Consultants, Inc., in the amount of $224,750 to provide construction engineering services for the Zylman Avenue Reconstruction project; 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. Upon a roll call vote, motion carried 7 to 0.

EMILY DRIVE AND CORA DRIVE SANITARY SEWER LIFT STATION IMPROVEMENTS: Mayor Randall invited City Manager Shaffer to begin discussion. Mr. Shaffer explained that this particular lift station is in desperate need of replacement. He further explained that the low bidder, Dunigan Brothers, is a major construction company and he is pleased to see them bidding on a project in Portage. Funding for this project, Mr. Shaffer stated, would be coming from the Water and Sewer Fund. Councilmember Burns inquired as to the cost of the project and pointed out that the city generally budgets $500,000 per year for lift station improvements. He pointed out that this project is significantly more expensive. He inquired if this project was an anomaly and whether the amount of $500,000 per year for lift station work remains appropriate. Mr. Shaffer explained that this particular project is complicated given that it is located between two lakes and will involve a tremendous amount of water management. He continued by stating that lift station replacements would be modulated based on need and budget demands.

Motion by Knapp, seconded by Ford, to 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. Upon a roll call vote, motion carried 7 to 0.

SIGN ORDINANCE AMENDMENT: Mayor Randall invited Mayor Pro Tem Pearson to begin discussion. Mr. Pearson reviewed the process utilized the last time the sign amendment was updated and explained that the current proposed amendments are related to a Supreme Court ruling (Reed v. Town of Gilbert). Mr. Pearson stated that this particular amendment caught his attention because it involves temporary signs and stated that the Supreme Court decision struck down

content-based sign regulations. Mr. Pearson asked for guidance regarding the "content-neutral" proposed changes in the ordinance and how they may impact temporary signs. Attorney Brown explained that the changes are based on Reed v. Town of Gilbert. He continued by stating that the Supreme Court said that ordinances cannot be based on content to determine enforcement. The City of Portage Sign Ordinance, he stated, currently contains content-based regulations which are unenforceable. Mayor Pro Tem Pearson asked for clarification regarding "content-neutral" and Attorney Brown stated that a sign can be of a certain size, located at a particular place, for a length of time, regardless of content. Attorney Brown continued by stating that a sign containing offensive language would need to be evaluated but that, generally speaking, could not be regulated.

Councilmember Knapp inquired as to signs that contain offensive language and whether there have been any related court actions or rulings. Attorney Brown responded in the negative. Community Development Georgeau provided additional clarification regarding "content-neutral" and reviewed definitions in the current ordinance that specify language that can be on a sign. The current ordinance, she stated, requires the reading of a sign to determine how to regulate it. The proposed ordinance, she continued, eliminates the need to read a sign to determine regulation. She concluded by stating that there are now two primary categories of temporary signs – residential and non-residential. Ms. Georgeau commented that the city has not rushed into the proposed ordinance but rather has engaged in significant deliberation and discussion over several months.

Councilmember Urban inquired as to the content of the law, whether state, local or federal, that regulates publicly displayed obscene language or images. Ms. Georgeau stated that this matter is not addressed in the proposed ordinance and Attorney Brown stated that the case of Reed v. Town of Gilbert did not address this aspect of signage. Councilmember Urban asked that Attorney Brown provide City Council with the state and/or federal law that does address obscene content. Mr. Ford commented that he believes laws related to obscene/offensive content have come from Supreme Court cases and may have been codified at state levels.

Councilmember Reid asked Ms. Georgeu to speak to the differentiation between temporary and permanent signs in residential and non-residential areas. Ms. Georgeau reviewed definitions of temporary and permanent signs along with the requirement that temporary signs be maintained. Ms. Georgeau continued by stating that a specific time cap on a temporary sign is not included in the ordinance. She continued by stating that, for well-maintained temporary signs, there is a subjective cap of approximately six months. Ms. Reid stated that, based on the proposed ordinance, a temporary sign that is well-maintained could theoretically be on display permanently. Ms. Georgeau responded in the affirmative but continued by stating that the city could take the position that, should it be up for longer than six months, it should be removed since it is no longer temporary. Ms. Georgeau stated that staff may revisit this issue. Ms. Georgeau then explained the time and size differential between residential and non-residential areas.

Motion by Pearson, seconded by Reid, to accept Ordinance Amendment #18/19-A, Sign Amendments, for first reading and set a public hearing for June 25, 2019. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns shared that he and Mayor Pro Tem Pearson attended a meeting of the Finance Subcommittee of the Kalamazoo County Transportation Authority (KCTA). At the meeting, he stated, there was discussion about underfunded "Other Post-Employment Benefits" and how they might be addressed. He continued by stating that there was a meeting of the full KCTA at Oshtemo Township Hall and shared that some Oshtemo Township officials are looking to expand services in the township. Councilmember Reid looked to clarify if Oshtemo Township was looking to vote on expanding service at the next election or the next KCTA Millage election. Councilmember Burns clarified that it was the latter. He indicated that he would

follow up with Councilmember Reid as to when the next election involving the KCTA millage would occur. Motion by Reid, seconded by Ford, to receive the Council Committee Report as presented. Upon a voice vote, motion carried 7 to 0.

NEW BUSINESS:

APPOINTMENTS TO BOARDS AND COMMISSIONS: Mayor Randall invited City Clerk Herringa to read the appointments to the various Boards and Commissions. Motion by Reid, seconded by Pearson, to 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 Gerald Myer with term ending May 31, 2021 to the Planning Commission**;** reappoint Barney Martlew (structural engineer), appoint Bill Koopsen (building contractor) and reappoint George Theodoru with terms ending June 1, 2022, to the Construction Board of Appeals; and appoint Larry Lutz with term ending October 1, 2025, and appoint Stacey Randolph Ledbetter with term ending October 1, 2024, and appoint Mike Stoddard to unfulfilled term ending October 1, 2023, and appoint Gary Roberts to unfulfilled term ending October 1, 2019 to the Local Officers Compensation Commission. Upon a roll call vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Mr. Steve Doorlag, 1507 Lakeview Drive, spoke and inquired when the construction work at the intersection of Lakeview Drive and Portage Road would be complete. In addition, he expressed concern with storm drainage and storm drain connections on Lakeview Drive. He also expressed concern with flooding in this area especially given recent rainy weather. City Manager Shaffer offered to meet with Mr. Doorlag to discuss and review his concerns.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns thanked everyone who interviewed for the various boards and commissions. He also thanked city administration for the recent event at the Garden Lane Water Treatment Center.

Councilmember Ford shared that City Council approved a major capital project at this meeting (Fire Station No. 2 replacement). He continued by reviewing the process, meetings and deliberations held regarding the project and issues that arose related to costs. He then offered suggestions that may be used in the future when major capital projects are under consideration. He then shared that he and his wife are expecting their third child and that he accepted a new job.

Councilmember Urban commented that, with regard to the fire station, he has always had a goal of providing the best for public safety and highlighted training attributes and safety features of the planned facility.

Councilmember Reid thanked those who volunteered for the various boards and commissions and encouraged the public to consider applying. Ms. Reid expressed agreement with Councilmember Urban regarding the fire station and the training and safety features that will be incorporated. She then expressed agreement with Councilmember Ford in the idea that City Council should be more involved in planning major capital projects. She then reviewed the open house that was held at the Garden Lane Water Treatment Plant and the panel discussion that occurred. Next, she stated that the program was recorded and would be available on the city website and broadcast on Cable Access. Finally, she reviewed and expressed support for providing information about items

on the consent agenda. She pointed out that the consent agenda would now be scrolling on Cable Access for the fifteen minutes preceding each Council Meeting.

Councilmember Knapp shared that she also attended the open house at the Garden Lane Water Treatment Plant and the value and learning opportunity that was presented. She reminded residents of the Memorial Day holiday and parade scheduled for Monday morning.

City Manager Shaffer thanked City Council for supporting the proposed budget and other items on the agenda. He stated that it speaks to support for maintaining quality infrastructure.

Mayor Pro Tem Pearson shared with the audience that significant discussions were held on the fire station project and on reviewing the proposed budget. He concluded by expressing optimism related to the Memorial Day Parade.

Mayor Randall shared that the fire station project was a learning opportunity and that City Council engaged in the necessary due diligence when it came to reviewing the project. She stated that she is looking forward to the new fire station and enhanced capability to service the homes and new developments in this area of the city. Next she shared some details regarding the annual Mayor to Mayor Ride held in support of Bike Week. She expressed gratitude to Parks and Recreation staff who supported the event. Next, she shared that the National Historic Chemical Landmark Award was given in recognition of the pioneers in the areas of chemistry and steroid development that worked at the Upjohn Company between the 1940's and 1990. Mayor Randall next shared that she was honored to be a part of a swearing in event for two firefighters and three police officers held last week at City Hall. She then thanked the citizens who are sharing their talents by volunteering on a city board or commission. Finally, Mayor Randall announced that she would be seeking reelection as Mayor of the City of Portage.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:29 p.m.

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Adam Herringa, City Clerk

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MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL OF MAY 22, 2019

Mayor Patricia Randall called the meeting to order at 1:30 p.m. The following Councilmembers were present at the meeting: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also present were City Clerk Adam Herringa and Mr. Robert Slavin and Mr. David Krings of Slavin Management Consultants.

CITY MANAGER SEARCH AND RECRUITMENT PROCESS: Mayor Randall shared that the purpose of the meeting was to review the City Manager recruitment process, ideal characteristics of the next City Manager and issues the next City Manager will need to address. She then asked the management recruitment consultants who have been retained to assist in the recruitment process to introduces themselves. Mr. Robert Slavin and Mr. David Krings of Slavin Management Consultants offered introductions and shared their qualifications and experience in the field of public executive recruitment.

Mr. Slavin shared that he would like to begin by asking City Council for their thoughts and ideas surrounding what should be in the City Manager Profile as this is a critical recruiting tool. City Council offered their thoughts and suggestions and there was consensus that the City Manager Profile used last time needed dramatic revisions and updating. With regard to degree and experience requirements, Mr. Slavin was asked to verify that the experience requirements of the City Manager Profile match those requirements included in the City Manager job description.

City Council next reviewed ideal characteristics of the next City Manager such as being dynamic, an aspirational leader, positive energy and someone who is excited to be a member of the Portage community. City Council also discussed challenges that will need to be addressed and the hope that the next City Manager will have relevant experience. Examples discussed include a declining commercial corridor and a person who has experience in redevelopment efforts. Other qualities raised include someone who is environmentally savvy, understands economic development and is willing to work with other municipal entities.

Councilmember Ford stated that the city has a competent staff and confirmed with Mr. Slavin that it's appropriate to include such a sentiment in the Profile document. Councilmember Reid emphasized the importance of customer service and strides made by the city in this regard. Mr. David Krings confirmed that a potential City Manager will evaluate the community as a place to live. Mr. Krings shared that the City Manager Profile should include information on the quality of the city along with Portage Public Schools.

Councilmember Urban then commented on the structure and staffing in the Office of the City Manager and City Council reviewed potential construction projects, such as a new Community Senior Center, that are on the horizon. Mayor Randall commented that she felt financing and budgeting are in good hands but would like the next City Manager to be excited about taking on challenges and coming up with innovative solutions. Mayor Randall, Councilmember Burns and others emphasized the importance of including the non-partisan nature of the City Council in the City Manager Profile. Other positive aspects of the community that were mentioned include low crime rate, excellent parks and trails, solid tax base, good quality of life, thriving arts community, proximity to educational institutions, etc.

With regard to communication, Mr. Slavin asked about preferred methods of communicating and sharing information with and between the City Manager and City Council.

There was discussion with a consensus being that communication be continuous, consistent and uniform amongst each Councilmember. City Council then discussed the different communication styles of the current and most recent City Managers. Mayor Randall expressed hope that the next City Manager would be a leader in the community. Related, Councilmember Reid stated that she would like City Council to review and revise the job description. Mr. Krings stated that, while job duties are important, it's the "soft skills" that have the greatest impact on City Manager tenure.

Next, City Council discussed whether the next City Manager should live in the community and that, while residency cannot be mandated, the hope is for the City Manager to be active in the community.

Mr. Slavin asked questions related to the organizational structure of the City of Portage and discussed potential salary ranges/compensation packages. In response to an inquiry, Mr. Slavin reviewed the ideal timeline for the search. Mayor Randall expressed her goal that the search be completed and a new manager selected prior to the election in November. Following a review of the timeline, Mr. Slavin inquired if City Council knew of any potential candidates. Mr. Slavin and City Council then reviewed the screening, interview procedure, value of in-person interviews, and how many candidates should be on the list of finalists. Councilmember Urban expressed regret as he had to leave the meeting (3:08 p.m.).

Mayor Randall inquired as to next steps and Mr. Slavin commented that the City Manager Profile document should be completed. Mr. Slavin stated that a formal job announcement will be posted around the time the City Manager Profile is complete. Mr. Slavin then reviewed how long the position will be posted and the approximate time when candidate interviews would occur.

Councilmember Knapp confirmed that the contract with Slavin Management Consultants has a contingency in case the hire does not work out. Mr. Slavin responded in the affirmative. Mayor Randall and Councilmember Knapp inquired as to the current demographics in the field of city management. Mr. Slavin responded and indicated that the demographics have been changing.

Mayor Randall and Mr. Slavin then reviewed the discussion and highlighted the next immediate steps which include completing the City Manager Profile, getting an announcement ready to go and City Council writing down and sharing their thoughts on issues and opportunities facing the community

ADJOURNMENT: Mayor Randall adjourned the meeting at 3:35 p.m.

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Adam Herringa, City Clerk

MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF JUNE 10, 2019

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

With regard to Item A.3, Repairs to Garden Lane Multi-use Trail and well house access road, Councilmember Reid inquired as to how much of the trail and road will be repaired. City Manager Shaffer stated that he would research and respond.

With regard to Item A.4, formation of the Portage Public Safety Foundation, Councilmember Reid inquired as to telephone solicitations and whether forming this foundation would result in an increase in calls. City Manager Shaffer stated that there would not be a relationship between those organizations calling for donations and the proposed Public Safety Foundation. Deputy City Manager Boulis shared his understanding that national organizations are responsible for those solicitations and not unions or other organizations directly affiliated with Portage Public Safety. He questioned whether any funds donated as a result of those telephone solicitations actually end up benefitting the Portage Department of Public Safety. Councilmember Reid expressed her skepticism as well.

Councilmember Knapp commented that a stated purpose of the Portage Public Safety Foundation is to raise funds for such items as another K-9 unit. She asked why use the tactic of fundraising instead of the General Fund? City Manager Shaffer responded that the public is willing to support efforts to donate to public safety, especially canine units. Mr. Shaffer continued by stating that the Public Safety Foundation will also engage in the process of seeking out grants.

Mayor Pro Tem Pearson inquired as to the genesis of the plan for a Public Safety Foundation and who might be on its Board of Directors. Mr. Shaffer responded that the idea originated with Chief Armold and that, as of this moment, a slate of potential boardmembers has not been identified. However, he continued, boardmembers would have some affiliation with the Portage Department of Public Safety. Councilmember Reid inquired who will determine boardmembers and how will they be selected. Mr. Shaffer stated that the Department of Public Safety would, at least initially, be largely responsible.

With regard to Item A.5, inter-governmental agreement with City of Kalamazoo, Councilmember Reid stated that she learned about the proposed agreement via the media. She expressed her surprise at learning about the proposal and questioned the $84,000 cost and whether it would be sufficient. She continued by asking why the amount wasn't specified in the agreement. Mr. Shaffer stated that the three individuals to be hired as crime analysts would be hired by the City of Kalamazoo. He stated that the salary and benefit rates are determined by Kalamazoo but that the City of Portage would contribute an annual lump sum. Councilmember Reid expressed skepticism as to whether $84,000/year would be sufficient.

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Mayor Pro Tem Pearson inquired if the position funded by the City of Portage would be a sworn officer. City Manager Shaffer responded in the affirmative. Mayor Pro Tem Pearson echoed the skepticism of Councilmember Reid as to whether $84,000 is a realistic figure to match the terms of the proposed agreement. Mayor Pro Tem Pearson next inquired if this was an on-going amount and relationship. Mr. Shaffer stated that it would be for a three year period. Mayor Pro Tem Pearson inquired if this was tantamount to hiring a fourth police officer as only three were authorized in the adopted FY 2019-2020 budget. He then inquired where in the proposed budget the $84,000 was denoted. Mr. Shaffer disagreed with the characterization that this was a fourth officer and stated that funds were not included in the proposed budget. Rather, unexpended funds from the current fiscal year would be used. Mayor Pro Tem Pearson next inquired, as it relates to the proposed three crime analysts, how they will be scheduled, how much will be focused on Portage and if he could be provided with a proposed schedule. Mr. Shaffer explained that the agreement is a collaboration and that there would not be a single designated person responsible for analyzing crime in Portage. Rather, he stated, all three analysts would analyze crime regardless of boundaries and share information with both public safety entities.

Councilmember Knapp expressed disappointment that she had to learn about this proposal via the media and asked that such information be communicated with City Council in advance. Councilmember Knapp inquired about the proposed agreement as it compares to the summary provided in the item on the Agenda. She stated that the summary of the agreement and the agreement itself are different. She expressed concern with accountability to Portage and how much focus crime in Portage would receive. She asked for additional information on methodology and how priorities will be determined. She continued by inquiring as to potential termination of the agreement and whether there would be any type of refund. Mr. Shaffer stated that this is an agreement to collaborate and not a contract. The agreement, he stated, is to fund an intelligence bureau that doesn't stop at the border between Kalamazoo and Portage. Crime, he stated, is not exclusive to a single entity and this intelligence bureau would share information between Kalamazoo and Portage on a daily basis. Operational details, he stated, would be documented as procedures and protocols are finalized. Ultimately, he stated, the City of Portage can terminate the agreement should it become necessary.

Councilmember Reid commented as to the pension and healthcare offered by the City of Kalamazoo to employees. She stated that costs associated with this proposal are absent from the Agreement. Mr. Shaffer stated that this is an Agreement for the two entities to collaborate regarding an item of common concern. Mayor Pro Tem Pearson expressed discomfort with the Agreement as it is open-ended as to responsibilities. City Manager Shaffer stated that he would reach out to the City of Kalamazoo to get something in writing which better caps and defines the arrangement. Mayor Pro Tem Pearson inquired why it cannot be included in the Agreement? Mr. Shaffer stated that the formation of inter-governmental agreements is governed by state statute. Such agreements, he stated, do not get into great detail. Next, Mayor Pro Tem Pearson commented that the City of Portage is being asked to pay one-third of the personnel costs of this program. He asked if one-third of the crime between the two communities was in Portage. Mr. Shaffer responded in the negative but stated that the

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border between the two communities is not well defined when it comes to criminal activities. Mr. Shaffer concluded by reiterating that he would work with the Kalamazoo City Manager to get costs and additional details in writing.

With regard to Item A.7, Rezoning of 129 Boston Avenue, Councilmember Reid asked if this rezoning had been previously proposed. In response, Mr. Shaffer responded in the affirmative and stated that both the Planning Commission and City Administration are opposed. He stated that the Planning Commission voted unanimously to deny but that the applicant desired to bring the matter before City Council anyway.

With regard to Item A.8, Brownfield Redevelopment Incentive Policy, Mayor Pro Tem Pearson asked for clarification and for City Administration to articulate the primary changes from the current policy. Mr. Shaffer stated that the revised policy would create a revolving incentive fund that could assist future brownfield redevelopment efforts. The revised policy would also eliminate the step of bringing initial brownfield applications to City Council prior to administrative review. Councilmember Reid inquired if, by changing the policy, additional dollars would need to be placed into the fund. Mr. Shaffer responded in the negative and stated that funds captured under the new policy could be used to assist in studying brownfield potential, contamination levels, etc.

Councilmember Reid pointed to the Kalamazoo County Brownfield Redevelopment Authority and the Portage Brownfield Redevelopment Authority and inquired if, by altering the policy, competition between the two entities would result. Mr. Shaffer stated that revising the policy would give Portage another incentive tool that could be used in support of smaller projects. Councilmember Reid inquired when, under the revised policy, the public would have an opportunity to give input. City Manager Shaffer stated that the matter would ultimately come before City Council and the public is always afforded an opportunity to give input. Councilmember Reid inquired if there is an opportunity for public input at the Planning Commission level and Mr. Shaffer stated that he was uncertain. Ms. Reid continued by stating that, under the current policy, the public is informed and can provide input at the outset of the project. Mr. Shaffer responded that, under the revised policy, City Administration has an opportunity to gather and provide information along with speeding up the process. Councilmember Knapp inquired if a similar Brownfield Redevelopment Incentive Policy was common across municipal governments and Mr. Shaffer responded in the affirmative.

With regard to Item A.9, Fireworks at Ramona Park, Councilmember Reid inquired if there are any provisions regarding traffic control and questioned when guests could arrive and if the park would be closed at some point. Mr. Shaffer stated that a traffic plan had been developed between the Portage Department of Public Safety and Portage Rotary. He confirmed that the park would need to be closed at some point during the day for event setup but would reopen at 6:00 p.m. In response to an inquiry regarding notice to neighbors about the event, Mr. Shaffer confirmed that Portage Rotary had mailed out letters and that no objections had been received in response.

With regard to Item A.11, Brownfield Redevelopment Plan Amendment, Councilmember Reid noted that the agenda item references contamination at the site. She inquired if there has been any remediation. Mr. Shaffer stated that remediation efforts would occur as part of the

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Brownfield program. Councilmember Reid asked that the remediation efforts be made more explicit and Mr. Shaffer stated that a formal plan has not yet been created but that he would research and respond as to what is being remediated.

With regard to Item A.12, Unpaid Water and Sewer Charges, Mayor Pro Tem Pearson noted that a neighboring rental property to his house was listed. He speculated that it is likely the renters had not paid the water and sewer bills and the owner is likely unaware. Mr. Shaffer commented that it is not unusual for such a circumstance to occur and the failure of renters to pay their bill is often an issue for landlords.

With regard to Item A.14, Fire Code Amendment, Councilmember Burns inquired if it is still accurate to say that Portage has the most restrictive fireworks ordinance allowed. Mr. Shaffer stated that the proposed changes will comport with the strictest provisions allowed under state law. Mr. Shaffer pointed out that the state law regarding fireworks was recently modified. Councilmember Reid asked that the agenda item more explicitly state that it involves regulating fireworks. Councilmember Knapp inquired if the ordinance would take effect in advance of the 4th of July and Mr. Shaffer responded in the negative. He stated that an emergency ordinance was considered but that the planned approach allows more time for education and will not take people by surprise. Councilmember Reid inquired if the fireworks store, Jake's Fireworks, had been contacted regarding the proposed ordinance changes. Mr. Shaffer responded in the negative but stated that he could ask the Director of Public Safety to contact the business.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:39 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 June 11, 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 May 13, 2019 through May 31, 2019 and notes $800,207.44 in automated clearing house payments, $456,682.53 in paper checks and $61,315.31 in auto-pay payments for a grand total of $1,318,205.28.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of June 11, 2019

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
05/17/2019	11029(A)	A I S CONSTRUCTION EQUIP. CO.	EQUIPMENT SERVICES	861.82
05/17/2019	11030(A)	ALL-PHASE ELECTRIC SUPPLY CO.	SUPPLIES - PARKS DIVISION	220.32
05/17/2019	11031(A)	ALL-TRONICS, INC.	FIRE ALRM MONITORING	81.00
05/17/2019	11032(A)	ALRO STEEL CORPORATION	HAYLOFT PROJECT	66.88
05/17/2019	11033(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,050.00
05/17/2019	11034(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 2019	50.00
05/17/2019	11035(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 2019	300.00
05/17/2019	11036(A)	BEST WAY DISPOSAL, INC.	18/19 CURBSIDE RECYCLING	49,715.18
05/17/2019	11037(A)	BLUE CARE NETWORK-GREAT LAKES	BCNA INSURANCE JAN-JUNE 2019	135,511.58
05/17/2019	11038(A)	C T S TELECOM, INC.	TS DEDICATED FIBER OPTIC CIRC	325.00
05/17/2019	11039(A)	CLEAN EARTH ENVIRONMENTAL SERV	MPIR POND CLEANING	3,690.00
05/17/2019	11040(A)	CLEANIT CORP	CARWASHES FOR VEHICLES	139.98
05/17/2019	11041(A)	CONSUMERS CONCRETE CORP.	CELERY FLATS PROJECT	126.00
05/17/2019	11042(A)	CONTINENTAL LINEN SERVICES	MAT AND LINEN SERVICE	85.84
05/17/2019	11043(A)	ENGINEERED PROTECTION SYSTEMS, INC.	DPS CARD PRORATED RECUR SERVS	2,717.40
05/17/2019	11044(A)	ETNA SUPPLY, INC.	HAYLOFT PROJECT	284.00
05/17/2019	11045(A)	FERGUSON WATERWORKS #3386	CREDIT FOR RETURN	284.49
05/17/2019	11046(A)	FERRELLGAS, LP	PROPANE TANK RENTAL	84.00
05/17/2019	11047(A)	FORSHEE, MARK	UMPIRE PAYROLL 2019	550.00
05/17/2019	11048(A)	GORDON WATER SYSTEMS	WATER COOLER PARKS OFFICE	112.75
05/17/2019	11049(A)	GRIFFIN PEST SOLUTIONS, INC.	YEARLY SERVICE	65.00
05/17/2019	11050(A)	HOJNACKI, DAVID	UMPIRE PAYROLL 2019	92.00
05/17/2019	11051(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOM RENTAL	210.00
05/17/2019	11052(A)	KEHOE, EDWARD J	PROGRAM INSTRUCTOR PAYMENT	585.00
05/17/2019	11053(A)	KYLE JOSEPH OBERHILL	RAMONA LG TRAINING	1,290.00
05/17/2019	11054(A)	LOUTHAN, WILLIAM F	UMPIRE PAYROLL 2019	96.00
05/17/2019	11055(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 2019	250.00
05/17/2019	11056(A)	NORMAN CAMERA CO.	CAMERA	1,146.95
05/17/2019	11057(A)	NUYEN, ERIC	UMPIRE PAYROLL 2019	138.00
05/17/2019	11058(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	3,948.78
05/17/2019	11059(A)	PATESEL, TERRY	UMPIRE PAYROLL 2019	50.00

Check Date	Check	Vendor Name	Description	Amount
05/17/2019	11060(A)	PECKELS, CHRISTINE	PROGRAM INSTRUCTOR PAYMENT	240.00
05/17/2019	11061(A)	PREMIER TRUCK SALES & RENTAL, INC.	PACKER TRUCK RENTAL	7,800.00
05/17/2019	11062(A)	PROFESSIONAL BUILDING SERVICES LLC	JANITORIAL SERVICES	135.00
05/17/2019	11063(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES	914.59
05/17/2019	11064(A)	RHODES, KEVIN	UMPIRE PAYROLL 2019	216.00
05/17/2019	11065(A)	RIETH-RILEY CONSTRUCTION CO., INC	HOT AND COLD PATCH	335.00
05/17/2019	11066(A)	RYAN, JOHNATHAN	UMPIRE PAYROLL 2019	188.00
05/17/2019	11067(A)	SNELL, DEBRA	PROGRAM INSTRUCTOR PAYMENT	624.00
05/17/2019	11068(A)	SUEZ WATER ENVIRONMENTAL SERVICES	HYDRANT REPAIR	2,303.04
05/17/2019	11069(A)	TERMINAL SUPPLY CO.	EQUIPMENT LIGHTS	127.97
05/17/2019	11070(A)	W W GRAINGER INC	AIR COMPRESSOR - CFVC	292.79
05/24/2019	11071(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING - S WESTNEDGE	96,222.36
05/24/2019	11072(A)	AIRGAS GREAT LAKES	SHOP MAINTENANCE	108.36
05/24/2019	11073(A)	AKERS WOOD PRODUCTS	STUMP DISPOSAL	210.00
05/24/2019	11074(A)	ALL CITY MANAGEMENT SERVICES, INC.	SCHOOL CROSSING GUARD 18/19	3,250.80
05/24/2019	11075(A)	ALL-PHASE ELECTRIC SUPPLY CO.	SUPPLIES - PARKS DIVISION	84.44
05/24/2019	11076(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,445.00
05/24/2019	11077(A)	BEST WAY DISPOSAL, INC.	SWEEPER DEBRIS DISPOSAL	2,284.80
05/24/2019	11078(A)	CARRIER & GABLE	TRAFFIC SIGNAL SUPPLIES	1,888.80
05/24/2019	11079(A)	CHARTER COMMUNICATIONS	CABLE TV	732.44
05/24/2019	11080(A)	ETNA SUPPLY, INC.	SUPPLIES - PARKS DIVISION	125.00
05/24/2019	11081(A)	FARM N GARDEN	ATHLETIC FIELD MARKER	496.88
05/24/2019	11082(A)	FISHBECK THOMPSON CARR & HUBER, INC	ENGINEERING SERVICES - WA	1,668.46
05/24/2019	11083(A)	GORDON WATER SYSTEMS	BOTTLED WATER - CITY CLER	19.90
05/24/2019	11084(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY CONTRIBUTIONS	360.00
05/24/2019	11085(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL - DPS	75.00
05/24/2019	11086(A)	HOWARD PRINTING	PRINTING SERVICES	2,920.00
05/24/2019	11087(A)	IRISH AYRES ENTERPRISES, LLC	LANDSCAPE BED MAINTENANCE	8,168.35
05/24/2019	11088(A)	JACK DOHENY SUPPLIES INC.	VACTOR REPAIRS	23,698.33
05/24/2019	11089(A)	MAIL MANAGEMENT, INC.	PRINTER RIBBON - NEOPOST MACH	257.90
05/24/2019	11090(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION SERVICES	2,700.00
05/24/2019	11091(A)	MEJEUR ELECTRIC LLC	CABLE ACCESS CONTROL ROOM	4,090.00

Check Date	Check	Vendor Name	Description	Amount
05/24/2019	11092(A)	NEW FRESH CLEANING SERVICE	JANITORIAL SERVICES - PD	1,400.00
05/24/2019	11093(A)	ONE WAY PRODUCTS	CAN LINERS AND SUPPLIES	104.40
05/24/2019	11094(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	5,458.81
05/24/2019	11095(A)	PETERS CONSTRUCTION CO.	RESTORATION SERVICES	4,171.00
05/24/2019	11096(A)	PORTAGE FIREFIGHTERS	IAFF UNION DUES FOR MAY 2019	2,040.00
05/24/2019	11097(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF UNION DUES FOR	40.00
05/24/2019	11098(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES FOR MAY 2019	609.00
05/24/2019	11099(A)	PROFESSIONAL BUILDING SERVICES LLC	JANITORIAL SERVICES - SR CNTR	4,226.77
05/24/2019	11100(A)	R W LAPINE INC.	HVAC ON-CALL SERVICES & PARTS	1,164.17
05/24/2019	11101(A)	RIDDERMAN & SONS OIL CO. INC.	GASOLINE	16,102.75
05/24/2019	11102(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	1,128.48
05/24/2019	11103(A)	SEVERANCE ELECTRIC COMPANY,INC	MARKING SERVICES	198.00
05/24/2019	11104(A)	SUEZ WATER ENVIRONMENTAL SERVICES	PUMP REPAIR	19,196.00
05/24/2019	11105(A)	TOO CLEAN JANITORIAL	CLEANING FACILITIES PARKS	1,700.00
05/24/2019	11106(A)	UL LLC	FIRE LADDER TESTING	3,803.55
05/24/2019	11107(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW UNION DUES FOR MAY 2019	454.60
05/24/2019	11108(A)	UNITED PETROLEUM	FUEL TANK TIGHTNESS TEST	801.00
05/31/2019	11109(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP STAFFING FOR DEP CLERK	442.20
05/31/2019	11110(A)	APOLLO FIRE EQUIPMENT COMPANY	FIRE OPS SUPPLIES	325.88
05/31/2019	11111(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 2019	150.00
05/31/2019	11112(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 2019	400.00
05/31/2019	11113(A)	BELL EQUIPMENT COMPANY	STREET SWEEPER RENTAL	21,580.00
05/31/2019	11114(A)	BOGARD, SCOTT T	INIA DRUG/TERRORIST CONF 6/2-7	360.00
05/31/2019	11115(A)	BYHOLT INC.	SAND DELIVERY	775.35
05/31/2019	11116(A)	C D W GOVERNMENT, INC.	ADOBE SOFTWARE	374.30
05/31/2019	11117(A)	CARRIER & GABLE	TRAFFIC SIGNAL SUPPLIES	3,340.00
05/31/2019	11118(A)	CHARTER COMMUNICATIONS	CABLE TV	233.40
05/31/2019	11119(A)	CLEANIT CORP	CAR WASHES 2018/19	114.99
05/31/2019	11120(A)	CLINGENPEEL, DAVID	UMPIRE PAYROLL 2019	294.00
05/31/2019	11121(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING JUNE 2019	97.95
05/31/2019	11122(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK REPAIRS	9,874.00
05/31/2019	11123(A)	DELTA DENTAL PLAN OF MICHIGAN	DELTA DENTAL INSURANCE	18,335.82

Check Date	Check	Vendor Name	Description	Amount
05/31/2019	11124(A)	ELECTION SYSTEMS & SOFTWARE, INC.	EXPRESSVOTE FOR PRECINCT	3,260.00
05/31/2019	11125(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	FABRICATION SERVICES	3,900.00
05/31/2019	11126(A)	FORSHEE, MARK	UMPIRE PAYROLL 2019	400.00
05/31/2019	11127(A)	GAIL ANDRUS TRAVEL	TRIP VENDOR PAYMENT 190522	4,638.00
05/31/2019	11128(A)	GORDON WATER SYSTEMS	WATER SERVICE	240.55
05/31/2019	11129(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL AT CITY HALL	50.00
05/31/2019	11130(A)	HAM, AARON	INIA DRUG/TERRORIST CONF 6/2-7	420.00
05/31/2019	11131(A)	HARTMAN, CHARLES	UMPIRE PAYROLL 2019	48.00
05/31/2019	11132(A)	HENSON, DEREK	FIRE MARSHAL TRAINING	508.27
05/31/2019	11133(A)	HOJNACKI, DAVID	UMPIRE PAYROLL 2019	184.00
05/31/2019	11134(A)	HURLEY & STEWART, LLC	ENGINEERING SERVICES	37,754.88
05/31/2019	11135(A)	INDUSCO SUPPLY CO., INC.	PAPER TOWEL TOILET PAPER	322.43
05/31/2019	11136(A)	KEHOE, EDWARD J	PROGRAM VENDOR PAYMENT	430.00
05/31/2019	11137(A)	LAWSON PRODUCTS, INC	MAINTENANCE SUPPLIES	1,057.57
05/31/2019	11138(A)	LOUTHAN, WILLIAM F	UMPIRE PAYROLL 2019	192.00
05/31/2019	11139(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION INSTALLATION - CFVC	6,250.00
05/31/2019	11140(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 2019	275.00
05/31/2019	11141(A)	MENARDS, INC	TREE LIGHTS AND SUPPLIES	91.92
05/31/2019	11142(A)	MICHIGAN PAVING & MATERIALS CO.	BASKETBALL COURT IMPROVE	46,500.00
05/31/2019	11143(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	285.40
05/31/2019	11144(A)	NASON, RICHARD	FIRE OPS TRAINING	574.46
05/31/2019	11145(A)	NUYEN, ERIC	UMPIRE PAYROLL 2019	184.00
05/31/2019	11146(A)	NYE UNIFORMS	MISC UNIFORMS	49.50
05/31/2019	11147(A)	ONE WAY PRODUCTS	CAN LINERS AND SUPPLIES	133.66
05/31/2019	11148(A)	PERCEPTIVE CONTROLS, INC.	SCADA SUPPORTS SERVICES	1,580.50
05/31/2019	11149(A)	PREMIER SAFETY	FIRE SCBA MAINTENANCE	901.70
05/31/2019	11150(A)	QUADRANT II MARKETING, LLC	JUNE JULY NEWSLETTER	2,058.40
05/31/2019	11151(A)	R W LAPINE INC.	HVAC ON-CALL SERVICES & PARTS	3,916.74
05/31/2019	11152(A)	RHODES, KEVIN	UMPIRE PAYROLL 2019	312.00
05/31/2019	11153(A)	RYAN, JOHNATHAN	UMPIRE PAYROLL 2019	235.00
05/31/2019	11154(A)	SEVERANCE ELECTRIC COMPANY,INC	TRAFFIC SIGNAL REPAIR AND	4,403.00
05/31/2019	11155(A)	SNELL, DEBRA	PROGRAM INSTRUCTOR FEES	336.00

Check Date	Check	Vendor Name	Description	Amount
05/31/2019	11156(A)	SUEZ WATER ENVIRONMENTAL SERVICES	WATER METERS	180,835.19
05/31/2019	11157(A)	TOO CLEAN JANITORIAL	CLEANING FACILITIES PARKS	4,650.00
05/31/2019	11158(A)	VANPORTFLIET, DEREK	ACCIDENT INVESTIGATION	105.00
05/31/2019	11159(A)	VERPLANK TRUCKING CO.	LIMESTONE	1,540.00
05/31/2019	11160(A)	WARNER NORCROSS & JUDD LLP	LEGAL FEES & RETAINER FEE	4,176.67
			Total ACH Transactions:	**800,207.44**
Check Type: Paper Check				
05/17/2019	309702	A T & T	ELECTRONIC COMMUNICATIONS	14,914.87
05/17/2019	309703	ABSHAGEN, SANDY	HAYLOFT/TENT DEPOSIT REFUND	250.00
05/17/2019	309704	ALLEGRA PRINT & IMAGING	FUNDS TO RECEIVE PRINT JOBS	39.00
05/17/2019	309705	ALTA EQUIPMENT CO.	EQUIPMENT MAINTENANCE	2,118.97
05/17/2019	309706	ASCENSION MICH OCCUPATIONAL HEALTH	POST OFFER PHYSICALS	213.00
05/17/2019	309707	BIRD, HARRY & MARY KAYE	TRIP REFUND 19AU21 TORONTO	1,400.00
05/17/2019	309708	BLAIR, KAY	PROGRAM REFUND	48.00
05/17/2019	309709	BLUE CROSS/BLUE SHIELD OF MICH	BCBSM INSURANCE - 2018-2019	63,490.21
05/17/2019	309710	BLUMKA, BARBARA	TRIP REFUND 190619	193.00
05/17/2019	309711	CAPITOL STRATEGIES, LLC	PORTAGE SENIOR CENTER FUND	5,033.00
05/17/2019	309712	CENTRAL TILE & TERRAZZO CO.	WALL TILE - TRAIL HEAD RSTRM	49,145.00
05/17/2019	309713	CLINGENPEEL, DAVID	UMPIRE PAYROLL 2019	252.00
05/17/2019	309714	CONSUMERS ENERGY	POLE ATTACHMENTS	661.80
05/17/2019	309715	COOK, CAROL	TRIP REFUND, AMERICA'S LARGEST	200.00
05/17/2019	309716	D L GALLIVAN INC.	COPY MACINE USAGE CHARGES	123.69
05/17/2019	309717	DAVE'S CONCRETE PRODUCTS, INC.	RAMONA PROJECT	3,889.50
05/17/2019	309718	DAVIES, GARRY	CUSTOMER REFUND	9.62
05/17/2019	309719	DELOOF BUILDERS, LLC	BD Bond Refund	422.50
05/17/2019	309720	DELTA DESIGN SYSTEMS	BD Bond Refund	437.50
05/17/2019	309721	DOUBLEDAY, KAREN	TRIP REFUND 19AU21 TORONTO	900.00
05/17/2019	309722	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 190513	65.00
05/17/2019	309723	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE MAINTENANCE	325.00
05/17/2019	309724	FADER EQUIPMENT, INC.	REPAIR SUPPLIES	538.46
05/17/2019	309725	FLETCHER ENTERPRISES	PAINTING SERVICES	6,640.00
05/17/2019	309726	GALL'S, LLC	RANGER UNIFORMS	349.36

Check Date	Check	Vendor Name	Description	Amount
05/17/2019	309727	GHERARDI, PATRICIA	TRIP REFUND 19AU21 TORONTO	200.00
05/17/2019	309728	GILCHRIST, PAMELA	TRIP REFUND 190529	95.00
05/17/2019	309729	HOOVER, GAIL	TRIP REFUND 19AU21 TORONTO	200.00
05/17/2019	309730	JYLHA, ERIC	TRIP VENDOR PAYMENT 190522	100.00
05/17/2019	309731	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES APRIL 2019	775.00
05/17/2019	309732	KALAMAZOO LANDSCAPE SUPPLIES	LANDSCAPE SUPPLIES	3,357.80
05/17/2019	309733	KALAMAZOO OIL COMPANY	FUEL	8.44
05/17/2019	309734	KALAMAZOO SPORTSWEAR	SCREEN PRINT SERVICES	13.00
05/17/2019	309735	KHALED, JOAN	TRIP REFUND 19AU21 TORONTO	1,200.00
05/17/2019	309736	KING, RHONDA	RENTAL DEPOSIT RETURN	100.00
05/17/2019	309737	KZOO TIRE COMPANY	TIRES AND TIRE REPAIR	262.00
05/17/2019	309738	LANGELAND, GLORIA	TRIP REFUND 190903 GRAND	200.00
05/17/2019	309739	MAC TOOLS	MAINTENANCE TOOLS	129.99
05/17/2019	309740	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	115.00
05/17/2019	309741	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR	4,214.83
05/17/2019	309742	MICHIGAN ASSOC. OF PLANNING	MEMBERSHIPS	675.00
05/17/2019	309743	MICHIGAN ASSOCIATION OF FIRE CHIEFS	FIRE ADMIN TRAINING	250.00
05/17/2019	309744	MIDWEST MINIATURES MUSEUM	TRIP VENDOR PAYMENT 190606	100.00
05/17/2019	309745	MILLER ROAD TRANSFER STATION	SPLIT RAIL DISPOSAL	780.00
05/17/2019	309746	MOUNGER, SARA	TRIP REFUND 190529	95.00
05/17/2019	309747	MURRYS LANSCAPE	BD Bond Refund	150.00
05/17/2019	309748	NATURAL ENVIRONMENTAL RECLAMATION	RESTORATION SERVICES	236.68
05/17/2019	309749	NFPA CERTIFICATION DEPARTMENT	FIRE OPS MEMBERSHIP	300.00
05/17/2019	309750	O'REILLY AUTO PARTS	MAINTENANCE SUPPLIES	55.54
05/17/2019	309751	OFFICE DEPOT, INC.	POLICE OFFICE SUPPLIES	210.68
05/17/2019	309752	PEDAL BICYCLES	MISC BIKE EQUIPMENT	385.00
05/17/2019	309753	PENNY, CAROLINE	TRIP REFUND 190615	1,525.00
05/17/2019	309754	PETTY CASH-ALYSSA MILBECK	REPLENISHMENT CHECK	959.50
05/17/2019	309755	PETTY CASH-DEREK HENSON	REPLENISHMENT CHECK	154.96
05/17/2019	309756	PETTY CASH-JANET GATES	REPLENISH CHECK	410.39
05/17/2019	309757	PHILLIPS, KIMBERLY	REIMBURSE PROGRAM SUPPLIES	117.18
05/17/2019	309758	PLANNING & ZONING NEWS	P & Z NEWS FOR BOARD MEMBERS	350.00

Check Date	Check	Vendor Name	Description	Amount
05/17/2019	309759	PORTAGE BUDGET STORAGE, LLC	6 MONTHS RENT - OFF SITE STORAGE	1,518.00
05/17/2019	309760	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATERIALS	8,729.94
05/17/2019	309761	REEVES, HARRY & MARTHA	TRIP REFUND 190625	400.00
05/17/2019	309762	REPUBLIC SERVICES DBA C&C EXPANDED	DISPOSAL SERVICES	12,964.28
05/17/2019	309763	ROSS, FLORENCE	TRIP REFUND 190424 DET ZOO	11.50
05/17/2019	309764	ROUSCH, KYLE	GRAIN ELV DEPOSIT REFUND	150.00
05/17/2019	309765	SCHMITT, JOE & MARY	TRIP REFUND, 19AU21	400.00
05/17/2019	309766	SELBY, CAROLYN	TRIP REFUND 19AU21	195.00
05/17/2019	309767	SHILTS, DAWN	REIMBURSEMENT FOR AMP & PREVIE	142.70
05/17/2019	309768	SIMPSON, BERNADINE	TRIP REFUND, 19AU21	200.00
05/17/2019	309769	SPIECH, VIVIAN	TRIP REFUND 190424 DET ZOO	11.50
05/17/2019	309770	STACEY, CHRISTINE	SCHRIER REFUND 2019	340.00
05/17/2019	309771	STAP BROS LAWN & LANDSCAPE,INC	HERBICIDE TREATMENT	210.00
05/17/2019	309772	STATE OF MICHIGAN	SEX OFFENDER REGISTRATION	390.00
05/17/2019	309773	STATE SYSTEMS RADIO, INC	RADIO SERVICES	489.50
05/17/2019	309774	STEVENSON, KATHY	TRIP REFUND 19AU21	875.00
05/17/2019	309775	STONEGATE MANAGEMENT, INC.	ELECTION PRECINCT USE	100.00
05/17/2019	309776	SUITS U TAILOR SHOP INC	UNIFORM TAILORING	476.00
05/17/2019	309777	THAYER, GLENNA	TRIP REFUND 190424 DET ZOO	77.00
05/17/2019	309778	THOMPSON, SHIRLEY & DANIEL	TRIP REFUND 19AU21	400.00
05/17/2019	309779	TODD ARBANAS ENTERPRISES INC.	TREE REMOVALS	2,100.00
05/17/2019	309780	TRUGREEN PROCESSING	LANDSCAPE SERVICES	699.65
05/17/2019	309781	TUCKER, MARIE	PROGRAMS RED HATTERS POSTAGE	17.50
05/17/2019	309782	U S POSTMASTER	BULK RATE POSTAGE	1,000.00
05/17/2019	309783	VICKSBURG HARDWARE	SUPPLIES AND MAINTENANCE	1,333.89
05/17/2019	309784	WALK, ANNA	ARCHERY REFUND 5/15/19	50.00
05/17/2019	309785	WATKINS, JOAN	TRIP REFUND 190529	90.00
05/17/2019	309786	WHITE, NEDRA	TRIP REFUND, 190424 DET ZOO	82.00
05/24/2019	309787	ADP, INC.	ADP PAYROLL & TIME AND ATTEND	4,101.68
05/24/2019	309788	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	123.00
05/24/2019	309789	ARTWEAR APPAREL GRAPHICS, INC.	RANGER HATS	475.00
05/24/2019	309790	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAW	185.00

Check Date	Check	Vendor Name	Description	Amount
05/24/2019	309791	CARTRIDGE WORLD	PRINTER CARTRIDGES	263.96
05/24/2019	309792	CINTAS CORP.	UNIFORM RENTAL SERVICES	339.97
05/24/2019	309793	COSTAR REALTY INFORMATION, INC.	COSTAR REALTY BLANKET	351.42
05/24/2019	309794	DTN, LLC	WEATHER SERVICE	912.00
05/24/2019	309795	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	1,971.94
05/24/2019	309796	GOLDEN WEST INDUSTRIAL SUPPLY, INC.	ARTIC WRAP TOWELS	259.76
05/24/2019	309797	GORDON FOOD SERVICE	SNACKS FM MEET AND GREET	73.79
05/24/2019	309798	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION OF PPOA DUES	2,938.22
05/24/2019	309799	HALL BUILDERS LLC	RESTROOM IMPROVEMENTS	10,191.37
05/24/2019	309800	HOPKINS FUNDRAISING CONSULTING	SENIOR CENTER CAMPAIGN	6,250.00
05/24/2019	309801	HURON LADY II INC	TRIP VENDOR PAYMENT 190912	300.00
05/24/2019	309802	KALAMAZOO AREA TRANSPORTATION STUDY	TRAFFIC COUNTING SERVICES	1,555.00
05/24/2019	309803	KENT COUNTY DPW	RED MED/DRUG/WASTE DISP	90.00
05/24/2019	309804	MAPLE LAKE BUILDERS	MILLENNIUM PARK ROOF REPL	33,928.14
05/24/2019	309805	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES-PDPS	140.00
05/24/2019	309806	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR	498.96
05/24/2019	309807	NATIONAL MINORITY UPDATE	ONLINE JOB ADVERTISING	295.00
05/24/2019	309808	OFFICE DEPOT, INC.	POLICE OFFICE SUPPLIES	263.90
05/24/2019	309809	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATERIALS	100.00
05/24/2019	309810	RED THE UNIFORM TAILOR	FIRE OPS UNIFORMS	319.50
05/24/2019	309811	RENEWED EARTH, INC.	LEAF AND BRUSH REMOVAL -	9,083.33
05/24/2019	309812	ROMENCE GARDENS, INC	PLANTS AND FLOWERS	516.02
05/24/2019	309813	SCHMITT, TRACY	MILEAGE REIMBURSEMENT	198.36
05/24/2019	309814	SPARTAN DISTRIBUTORS INC.	TORO MOWER SERVICE	6,084.37
05/24/2019	309815	STATE SYSTEMS RADIO, INC	RADIO SERVICES	533.50
05/24/2019	309816	TRUGREEN PROCESSING	LANDSCAPE SERVICES	158.74
05/24/2019	309817	UNITED PARCEL SERVICE	UPS	6.00
05/24/2019	309818	USA TODAY	SUBSCRIPTION FOR MEMBERS	29.00
05/24/2019	309819	VERIZON WIRELESS SERVICES, LLC	WIRELESS CARDS	2,518.87
05/24/2019	309820	WASTE MANAGEMENT	DISPOSAL SERVICES	269.41
05/24/2019	309821	WILLIAMS & WORKS	ENGINEERING SERVICES - E CENTRE	31,753.74
05/24/2019	309822	ZOLL DATA SYSTEMS, INC.	FIRE APPARATUS MAINT.	1,800.00

Check Date	Check	Vendor Name	Description	Amount
05/28/2019	309823	PETTY CASH-JANET GATES	REPLENISH CHECK	326.63
05/28/2019	309824	PETTY CASH-KELLY REED	PETTY CASH-FINANCE	712.43
05/31/2019	309825	A T & T	TELEPHONE	180.92
05/31/2019	309826	A T & T	TELEPHONE	197.90
05/31/2019	309827	A T & T LONG DISTANCE	LONG DISTANCE SERVICE	78.13
05/31/2019	309828	ABONMARCHE CONSULTANTS, INC	ELIASON RESERVE DEVELOPME	1,872.50
05/31/2019	309829	ACE-TEX ENTERPRISES, INC.	WIPING CLOTHS	1,082.12
05/31/2019	309830	ALLEGRA PRINT & IMAGING	MAILING ADDRESS CHANGE	1,033.00
05/31/2019	309831	ALTA EQUIPMENT CO.	EQUIPMENT MAINTENANCE	305.04
05/31/2019	309832	ANDERSON, ROBERT	TRIP REFUND 190609 CUBS	280.00
05/31/2019	309833	ASCENSION MICH OCCUPATIONAL HEALTH	POST OFFER PHYSICALS	323.00
05/31/2019	309834	BAINBRIDGE, BRANDON	B BAINBRIDGE - SHOE ALLOW	74.19
05/31/2019	309835	BEATTY, JOHN	TRIP REFUND 190609 CUBS	125.00
05/31/2019	309836	BELOTE, DONALD	TRIP REFUND 190609 CUBS	270.00
05/31/2019	309837	BLOOM SLUGGETT, PC	LEGAL SERVICES	4,778.80
05/31/2019	309838	BULLETS & BARRELS LLC	RIFLES FOR SROS	2,898.00
05/31/2019	309839	BURKE, JOYCE	TRIP REFUND 190609 CUBS/	540.00
05/31/2019	309840	CHERUKI, SARVESWARA	TRIP REFUND 190609 CUBS/	130.00
05/31/2019	309841	CINTAS CORP.	UNIFORM RENTAL SERVICES	359.54
05/31/2019	309842	COOK, MINDY	UB REFUND: 7120 ROCKFORD ST	6.37
05/31/2019	309843	COOK, THOMAS	TRIP REFUND 190609 CUBS	130.00
05/31/2019	309844	CRONIN, MARY ANN	TRIP REFUND 190609 CUBS	130.00
05/31/2019	309845	CUPANI, CAROLINE	GRAIN ELV DEPOSIT REFUND	150.00
05/31/2019	309846	DELOOF BUILDERS LLC	BD Bond Refund	600.00
05/31/2019	309847	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 190621	16,800.00
05/31/2019	309848	ENGINEERED PROTECTION SYSTEMS, INC.	LONG RANGE CLICKERS	6,350.00
05/31/2019	309849	FAHRNER ASPHALT SEALERS, LLC	BIKEWAY TRAIL REPAIRS	23,993.36
05/31/2019	309850	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE - 2018-2019	1,167.32
05/31/2019	309851	FOOTE, DIANE	TRIP REFUND 190609 CUBS	125.00
05/31/2019	309852	FREIGHTLINER OF GRAND RAPIDS, INC.	VACTOR REPAIRS	81.94
05/31/2019	309853	FRIENDS OF PORTAGE SENIOR CENTER	REIMBURSEMENT FOR DONATIONS	947.00
05/31/2019	309854	GAST, MICHAEL	TRIP REFUND 190609 CUBS	280.00

Check Date	Check	Vendor Name	Description	Amount
05/31/2019	309855	GLAS ASSOC. INC	BD Bond Refund	500.00
05/31/2019	309856	GLAS ASSOC. INC	BD Bond Refund	300.00
05/31/2019	309857	GRAND HOTEL	TRIP VENDOR PAYMENT 190903	6,000.00
05/31/2019	309858	GRIFFIN PEST SOLUTIONS, INC.	FIRE FACILITY MAINT.	58.00
05/31/2019	309859	HENDRICKS, MARY	SCHOOLHOUSE DEPOSIT REFUND	50.00
05/31/2019	309860	HOME DEPOT	HARDWARE NEEDS	1,582.93
05/31/2019	309861	VOID		0.00
05/31/2019	309862	JENKINS, GRETA	NCOA TRAVEL EXPENSES	983.45
05/31/2019	309863	JOHNSON, JUDY	TRIP REFUND 190522	110.00
05/31/2019	309864	JUHRS, JAMES	TRIP REFUND 190609 CUBS	130.00
05/31/2019	309865	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE OPS TRAINING	200.00
05/31/2019	309866	KALAMAZOO COUNTY TREASURER	2018 MTT 18-001775 CONSENT	1,949.48
05/31/2019	309867	KALAMAZOO COUNTY TREASURER	1ST QRT BILLING FOR SUBPOENA	201.75
05/31/2019	309868	KALAMAZOO FLAG COMPANY, LLC	FLAGS FOR CITY HALL	336.00
05/31/2019	309869	KINGDOM INDOOR CENTER	RAMONA SOCCER DEPOSIT RFND	100.00
05/31/2019	309870	KINGDOM INDOOR CENTER	RAMONA SOCCER DEPOSIT 4/27	100.00
05/31/2019	309871	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER CONTRACT	364.00
05/31/2019	309872	KPI TACTICAL	ARMOR RAID CARRIERS	559.20
05/31/2019	309873	KZOO TIRE COMPANY	TIRES AND TIRE REPAIRS	1,813.50
05/31/2019	309874	LARSEN, GORDON	TRIP REFUND 190609 CUBS/	130.00
05/31/2019	309875	LEE, RICHARD & JULIE	TRIP REFUND 190609 CUBS/	280.00
05/31/2019	309876	LEXISNEXIS RISK SOLUTIONS	MONTHLY ACCURINT FOR YEAR	300.00
05/31/2019	309877	LIGGINS, REBECCA	RENTAL DAMAGE DEPOSIT RETURN	100.00
05/31/2019	309878	LILEK, MICHAEL	M LILEK - SHOE ALLOWANCE	175.00
05/31/2019	309879	LONGTIN, DAVID & CHRISTA	TRIP REFUND 190609 CUBS/	260.00
05/31/2019	309880	LOWE'S HOME CENTER	SUPPLIES - PARKS DIVISION	34.12
05/31/2019	309881	MARCH OF DIMES FOUNDATION	GRAIN ELV DEPOSIT REFUND	150.00
05/31/2019	309882	MCCLURE, DENNIS & CAROLYN	TRIP REFUND 190609 CUBS	260.00
05/31/2019	309883	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	25.00
05/31/2019	309884	MEDILODGE OF PORTAGE	LUNCHES MOTHERS/FATHERS DAY	348.00
05/31/2019	309885	MIGALA CARPET ONE, INC.	TAKE UP OLD CARPET IN TRNG RM	5,501.11
05/31/2019	309886	MIKE MILLER	TUITION ASSISTANCE	374.50

Check Date	Check	Vendor Name	Description	Amount
05/31/2019	309887	MILLER, GENE & ZOE	TRIP REFUND 190609 CUBS/	260.00
05/31/2019	309888	MINSHALL, JACOB	J MINSHALL - SHOE ALLOWANCE	175.00
05/31/2019	309889	MOSES FIRE EQUIPMENT, INC.	FIRE OPS SUPPLIES	32.75
05/31/2019	309890	MOTTL, MIKE	SOFTBALL TOURNAMENT 5/11-12	100.00
05/31/2019	309891	MSU/HIGHWAY TRAFFIC SAFETY PROGRAM	AI-7 COMMERCIAL VEHICLE ACCIDENT	675.00
05/31/2019	309892	NATIONAL BUSINESS FURNITURE LLC	OFFICE CHAIR FOR ADMIN.	287.02
05/31/2019	309893	NEIGHBORHOOD CLEANERS OF PORTAGE	STUART MANOR TABLE CLOTH	76.75
05/31/2019	309894	NESBITT JR., FRED	F NESBITT - SHOE ALLOWANCE	175.00
05/31/2019	309895	NETWORKFLEET, INC.	GPS SERVICES	748.25
05/31/2019	309896	NOVAK, ROBERT	B. NOVAK - SHOE ALLOWANCE	130.60
05/31/2019	309897	NYE UNIFORMS	MISC UNIFOIRMS	150.49
05/31/2019	309898	OAKLAND COMMUNITY COLLEGE/CREST	COP SHOCK - SURVING 5/2-5/3	175.00
05/31/2019	309899	OFF THE CUFF CATERING	LUNCH FOR CITY COUNCIL 5/2	149.85
05/31/2019	309900	OFFICE DEPOT, INC.	OFFICE SUPPLIES - TREASURY	174.69
05/31/2019	309901	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	6,161.56
05/31/2019	309902	OUDSEMA, BILL	TRIP REFUND 190609 CUBS/	140.00
05/31/2019	309903	OWEN, JERRY	J OWEN - SHOE ALLOWANCE	175.00
05/31/2019	309904	PEERLESS-MIDWEST, INC.	PUMP REHABILITATION	20,456.24
05/31/2019	309905	PETERS, WILLIAM	TRIP REFUND 190609 CUBS	130.00
05/31/2019	309906	PINEFIELD, LLC	BD Bond Refund	3,455.00
05/31/2019	309907	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATERIALS	411.75
05/31/2019	309908	ROBERTS, ART	TRIP REFUND 190609 CUBS/	120.00
05/31/2019	309909	ROCKROHR, BEVERLY	TRIP REFUND 190609 CUBS	130.00
05/31/2019	309910	ROSS, ROBIN	TRIP REFUND 190609 CUBS	270.00
05/31/2019	309911	SCOTT, CHAD	BD Bond Refund	800.00
05/31/2019	309912	SCOTT, JOANN	TRIP REFUND 190609 CUBS/	130.00
05/31/2019	309913	SHORT, MARY	TRIP REFUND 191028 & 191202	100.00
05/31/2019	309914	STADLER, PHILLIP	UB REFUND: VALL0825006	108.16
05/31/2019	309915	STATE SYSTEMS RADIO, INC	MISC RADIO REPAIRS	181.40
05/31/2019	309916	STEENSMA LAWN & POWER EQUIPMENT	MOWERS	799.90
05/31/2019	309917	SUPERIOR BUSINESS SOLUTIONS	FIRE ADMIN PRINTING	366.61
05/31/2019	309918	SWT EXCAVATING, INC	WATER SERVICE INSTALLATION	5,843.92

Check Date	Check	Vendor Name	Description	Amount
05/31/2019	309919	THURSTON, LINDA	TRIP REFUND 190609 CUBS/	140.00
05/31/2019	309920	TODD ARBANAS ENTERPRISES INC.	TREE REMOVAL SERVICES	340.00
05/31/2019	309921	TOMPKINS, LINDA	PICKLEBALL WITHDRAW 2019	15.00
05/31/2019	309922	TRACTOR SUPPLY CORP.	MAINTENANCE SUPPLIES	54.95
05/31/2019	309923	UNITED PARCEL SERVICE	UPS	24.38
05/31/2019	309924	VANDAM, COREY	C VANDAM - SHOE ALLOWANCE	159.00
05/31/2019	309925	VILUMIS, ROBERT & JUDY	TRIP REFUND 190609 CUBS/	260.00
05/31/2019	309926	WESTCOMB, WADE	W WESTCOMB - SHOE ALLOWAN	175.00
05/31/2019	309927	WILLIAMS, TERRY	TRIP REFUND 190609 CUBS	270.00
05/31/2019	309928	WILSON, MITCH	UB REFUND: WADS0326701 - 326	10.46
05/31/2019	309929	WOLVERINE POWER SYSTEMS	FIRE FACILITY MAINT.	300.00
05/31/2019	309930	WOODIN, MARK	UB REFUND: NEWO0871320 - 871	6.64
05/31/2019	309931	XPRESSMYSELF.COM LLC	MAGNETIC CARD HOLDERS	455.05
05/31/2019	309932	ZAPPIA-MILLER, BARB	TRIP REFUND 190515	60.00
			Total Paper Checks:	**456,682.53**

Check Type: Auto-Pay Payment

05/15/2019		RANDALL BORWN & ASSOC	RETAINER FEES	18,810.00
05/13/2019		CONSUMERS ENERGY	GAS-ELECTRIC	1,009.61
05/14/2019		CONSUMERS ENERGY	GAS-ELECTRIC	6,543.54
05/15/2019		CONSUMERS ENERGY	GAS-ELECTRIC	21,391.91
05/16/2019		CONSUMERS ENERGY	GAS-ELECTRIC	1,716.19
05/17/2019		CONSUMERS ENERGY	GAS-ELECTRIC	781.29
05/20/2019		CONSUMERS ENERGY	GAS-ELECTRIC	6,752.64
05/21/2019		CONSUMERS ENERGY	GAS-ELECTRIC	337.45
05/22/2019		CONSUMERS ENERGY	GAS-ELECTRIC	3,972.68
			Total Auto-Pay Payments:	**61,315.31**
			Grand Total:	**1,318,205.28**

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Garden Lane Multi-use Trail and Well House Access Road Improvements, - Bid Tabulation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Accept the low bid in the amount of $52,084 from J. Allen & Co, Inc to provide repairs to the Garden Lane multi-use trail and the well house Access Road and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2019-2020 Capital Improvement Program budget includes funding to repair a section of the Garden Lane multi-use trail from the Celery Flats Historic Area to South Westnedge Avenue and the Garden Lane well house access road. Routine asphalt surface maintenance is required on multi-use trails and access roads to maintain a safe and smooth riding surface.

Bids were requested for this planned multi-use trail and access road repair with four bids received on March 7, 2019. The lowest bid, in the amount of $52,084 was submitted by J. Allen & Co. Inc. of Galesburg, Michigan. J. Allen & Co. Inc. has performed these types of repairs successfully for the city in the past.

It is recommended that City Council award a contract to J. Allen & Co. Inc. in an amount not to exceed $52,084 to perform asphalt repairs to Garden Lane multi-use trail and the well house access road, and that the City Manager be authorized to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are budgeted for this work in the FY 2019-2020 Capital Improvement Program and Water Fund budgets.

Attachments: 1. J. Allen. Bikeway & Well House M&F. $52,084

BIKEWAY AND WELL HOUSE ACCESS ROAD MILL & FILL
BID TABULATION

J. Allen & Co. Inc. 8288 E. Michigan Ave. Galesburg, MI 49053	$52,084.00
Asphalt Solutions Plus LLC PO Box 151 Marshall, MI 49068	$68,760.00
Michigan Paving and Materials 2300 Glendenning Rd. Kalamazoo, MI 49001	$69,500.00
Lakeland Asphalt Corp. 548 Avenue A Springfield, MI 49037	$85,525.00

Bids Opened 3/7/2019

Tabulation Prepared 3/7/2019

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Resolution for formation of the Portage Public Safety Foundation

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

ACTION RECOMMENDED: Adopt a resolution authorizing the formation of the Portage Public Safety Foundation 501(c)(3) organization.

The Portage Public Safety Foundation has prepared Bylaws and Articles of Incorporation for the creation of a nonprofit organization to raise funds for projects and programs for the Portage Department of Public Safety – Police and Fire Divisions. The organization will focus on public safety and crime/fire prevention programs, and afford opportunities for citizens to become more actively involved in supporting the Portage Department of Public Safety. The Board of Directors will consist of not less than five (5), nor more than fifteen (15) persons, each serving a term of one (1) year.

The purposes for which the corporation will be formed are:

1. Provide opportunities for Portage residents to assist with Public Safety projects and events that benefit and promote the Portage Department of Public Safety.
2. Enable the public to make contributions towards specific programs, events, and items that will allow the Portage Department of Public Safety to operate more efficiently, enhance public safety and enhance community relations.

The creation of the Foundation will afford opportunities for directed community support of the following types of programs/events:

- Fundraising for current/new community policing and fire prevention programs such as National Night Out, Pig Out at Public Safety and Fire Safety Week Open House events.
- Support for the Public Safety Annual Awards program.
- Development and production of informational materials regarding issues such as consumer awareness of scams.
- Enable Public Safety to sponsor children to attend Bike Camp, Burn Camp and other summer camp opportunities.
- Enhanced support for programs such as Safe Kids and Silent Observer.
- Support for Public Safety response to block parties, Neighborhood Watch and other public education events such as school puppet shows.
- Fundraising to continue Project Lifesaver.

- Fundraising to acquire a second canine for the Police Division.

The purpose of the organization is exclusively charitable within the meaning of Section 501(c)(3) of the IRC of 1986 or the corresponding provisions of any future US Revenue Law. Notwithstanding any other provisions of these Articles, the Organization shall only undertake activities permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the IRC of 1986 or the corresponding provision of any future US Revenue law.

It is recommended that City Council adopt the resolution authorizing the formation of the Portage Public Safety Foundation.

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

Attachments: 1. Resolution

CITY OF PORTAGE, MICHIGAN
RESOLUTION TO AUTHORIZE THE FORMATION OF PORTAGE PUBLIC SAFETY FOUNDATION,
A MICHIGAN NONPROFIT CORPORATION

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

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER _____ and seconded by:

COUNCILMEMBER _____

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

WHEREAS, the City Council desires to form a nonprofit corporation under the above cited state law to provide support and volunteer opportunities for Portage residents to assist with the formation or continuation of specific programs, events, and items that will allow the Portage Department of Public Safety to operate more efficiently, enhance public safety and enhance community relations.

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

NOW, THEREOFRE, BE IT RESOLVED that the Portage City Council authorizes the formation of **Portage Public Safety Foundation**, for the purpose set forth in its Articles of Incorporation and authorized by law.

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

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

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

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

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

ADOPTED:

YEAS: _____

NAYS: _____

ABSENT: _____

_____
Adam Herringa, City Clerk

APPROVED AS TO FORM
DATE 6-7-19
_____
CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Kalamazoo Strategic Operations Center

SUPPORTING PERSONNEL: Nicholas Armold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Approve a three-year inter-governmental agreement with the City of Kalamazoo, Michigan, for crime analysis, crime prevention and strategic operational crime reduction activities at the Kalamazoo Strategic Operations Center, and authorize the City Manager to execute all documents related to this matter on behalf of the city.

On April 18, 2019, the City of Kalamazoo notified the City of Portage that the Kalamazoo Department of Public Safety (KDPS) is developing a local fusion center called the Kalamazoo Strategic Operations Center (KSOC), to be located in the recently vacated integrated dispatch center at KDPS headquarters. Fusion centers are designed to promote information sharing between agencies to assist law enforcement operations in identifying and preventing crime, providing a mechanism where law enforcement entities can work together to improve the ability to prevent and investigate crime in their local communities and address the most pressing national challenges, such as gangs, border violence, narcotics, homicides and terrorism. The KSOC is designed not only for local public safety personnel, but is intended to create a collaborative environment that will allow KDPS to partner with the FBI, Michigan State Police, Michigan Department of Corrections, DHS, adult probation/parole and juvenile probation. As the role of analytics, predictive policing and the need for intelligence continues to emerge nationwide, the KSOC analysts will provide direct support to law enforcement operations, assist in crime prevention activities and support the continued regional partnerships between local, state and federal officials.

The Kalamazoo Department of Public Safety plans to hire two Strategic Operations & Intelligence Analysts, and have the KSOC operational by July 1, 2019. If the City of Portage supports this initiative, a third analyst will be hired to serve the Portage Department of Public Safety. The City of Kalamazoo has offered the City of Portage the opportunity to participate in the hiring process for the analysts. Portage will have a representative on the final interview panel and assist in the decision to hire. Rather than adding staff to the Portage Department of Public Safety, the third analyst will remain a City of Kalamazoo employee while specifically representing the needs of the City of Portage. The City of Portage will reimburse the City of Kalamazoo for personnel costs of the third analyst at an approximate annual cost of $84,000.

It is recommended that City Council approve a three-year inter-governmental agreement with the City of Kalamazoo, Michigan, for crime analysis, crime prevention and strategic operational crime reduction activities at the Kalamazoo Strategic Operations Center, and authorize the City Manager to

execute all documents related to this matter on behalf of the city.

FUNDING: Reimbursement to the City of Kalamazoo for personnel costs for one analyst will be funded with the lapsed salaries for the three full-time police officer vacancies in Fiscal Year 2018-2019 and programmed into the budget for each subsequent year.

Attachments: 1. Intergovernmental Public Safety Services Agreement

INTERGOVERNMENTAL PUBLIC SAFETY SERVICES AGREEMENT

This Agreement is between the City of Kalamazoo, 241 West South, Kalamazoo, MI 49007 ("Kalamazoo") through its Department of Public Safety (KDPS) and the City of Portage, 7900 S. Westnedge Ave., Portage, MI 49002 ("Portage") through its Department of Public Safety (PDPS) as authorized by MCL 124.1 *et seq.*

Recitations:

1. Kalamazoo and Portage have determined that it is in each of their interests to form an integrated Strategic Operations Center (KSOC). This center will be staffed with Intelligence Analysts who will utilize data from a multitude of platforms to support crime and fire prevention efforts by both departments. Additionally, the analysts will utilize data to drive operational efficiencies as seen fit by each agency.

2. Kalamazoo is agreeable to providing workspace and infrastructure for the KSOC.

3. Kalamazoo is agreeable to providing a Strategic Operations and Intelligence Analyst to support operations for PDPS.

4. Portage is agreeable to paying the salary and benefits costs associated with one (1) of the assigned Intelligence Analyst.

Therefore the Kalamazoo and Portage agree as follows:

1. Personnel

   - Kalamazoo will hire 3 Intelligence Analysts as selected by its Chief of Public Safety to be designated and assigned to the KSOC. All three analysts will be available to provide data analysis for PDPS.

   - An Intelligence Analyst position will normally be staffed Monday thru Friday every week of the year by one of the three dedicated analysts from the hours of 0600 to 1600, based on the attached schedule, excluding Kalamazoo-recognized holidays.

   - The Intelligence Analysts will at all times be employed by the City of Kalamazoo and remain under the supervision of Kalamazoo Department of Public Safety and abide by all the Policies and General Orders of KDPS as well as the policies of the City of Kalamazoo.

2. Activities

Strategic Operations Intelligence Analysts will provide logistical and investigative support to PDPS through the pro-active use of existing data sources. Activities which may be engaged in by the Strategic Operations Intelligence Analyst include, but are not limited to the following:

- Providing daily Intelligence Briefing specific to PDPS crime data.
- Providing investigative support to PDPS detectives.
- Conducting GIS mapping as necessary and within their capabilities to support PDPS police and fire operations.
- Conducting predictive crime analysis and present to PDPS as requested.
- Monitor crime statistics and share information with PDPS administration to design crime prevention strategies as requested.
- Assisting PDPS with fire standards of cover and response time analysis as needed.
- Prepare such other police and fire service analysis as requested by PDPS.

3. Payment

Kalamazoo through KDPS will invoice the amount of the actual costs of one (1) Intelligence Analyst, to Portage on an approximate quarterly basis (every 3 months) based on the KDPS payroll period and billing cycles of Kalamazoo which will include

- the actual salary and cost of employment benefits, such as, but not limited to, pension and health care for a Strategic Operations Intelligence Analyst, as determined by the then- existing Non-Bargaining Unit (NBU) pay and benefit structure.

Portage agrees to pay the invoice amount within 10 business days of its receipt. However, this obligation shall not be interpreted as creating an employer/employee or independent contractor relationship between the Intelligence Analysts and the City of Portage. The City of Kalamazoo remains solely responsible for the actual salary and all costs of employment benefits as stated above.

The Parties agree to set forth the anticipated quarterly cost of an Intelligence Analyst in a Letter of Agreement for the balance of the 2019 calendar year to be executed contemporaneously with this Agreement. A letter of agreement setting forth the anticipated quarterly cost for each remaining year (or portion of a year) of this Agreement will be

executed by the Parties on or before the last day of December for the next preceding year and each subsequent year for the term of this Agreement.

Nothing contained in this Agreement or any act of the parties shall be deemed or construed by any party or by any third party to create the relationship of principal and agent, of partnership, of joint venture, or joint enterprise or of any association between the parties hereto, nor shall anything contained in this Agreement or any act of the parties be construed to render any party liable for the debt and obligations of any other party.

4. Effective Date, Term of Agreement and Conditions

- The services contemplated under this Agreement shall be provided for a term of 3 years to commence on _____, 2019, and end on _____, 2022.

- This Agreement may be terminated before the end of its term by written agreement of the parties or by 30 days written notice by one party to the other to the attention of the representative listed herein.

- This Agreement may only be amended in writing by the parties' agreement.

- None of the provision of this Agreement shall be construed against a party solely by the virtue of the fact that any such provision was drafted by legal counsel representing such party.

- This Agreement is in furtherance of a governmental function and the parties recognize that Kalamazoo and Portage are not engaged in a proprietary function and each shall retain for itself and its officers and employees all defenses permitted at law, including, but not limited to that of governmental immunity.

Kalamazoo shall be solely liable for the acts and omissions of any Intelligence Analyst assigned to provide the services contemplated by this Agreement and agrees to pay the City of Portage, for any and all liability, obligation, damages, penalties, claims, losses and expenses incurred by the City of Portage by reason of any act or omission of an Intelligence Analyst with regard to the services contemplated by this Agreement. However, Kalamazoo is not obligated by this paragraph to pay for any loss to the extent it is caused by intentional or negligent acts or omissions of Portage or its officers, agents or employees. This paragraph shall survive payment and performance of the obligations imposed by this Agreement and shall survive expiration and/or termination of this Agreement. This Agreement is for the benefit of the parties hereto and is not entered into for the benefit of and shall not be construed to confer any benefit upon any other person or entity.

5. LIASON

Communications and details concerning this Agreement shall be directed to the following Agreement representatives or their successors:

KDPS

Chief Karianne Thomas
Kalamazoo Department of Public Safety
150 E Crosstown Parkway, Ste. A Kalamazoo,
MI 49001
269-337-8270
thomask@kalamazoocity.org

PDPS

Director Nicholas J. Armold
Portage Department of Public Safety
7810 Shaver Road
Portage, MI 49002
269-329-4567
armoldn@portagemi.gov

For the City of Kalamazoo:

City Manager Jim Ritsema

6/3/19
Date

FORM APPROVED
6-4-19
CTK
CITY ATTORNEY

For the City of Portage:

City Manager Laurence Shaffer

Date

APPROVED AS TO FORM
DATE 6-7-19
CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Summer Mill & Fill - Bid Tabulation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Award a contract in the amount of $634,431.96 to Michigan Paving & Materials Co., for summer mill and fill asphalt repairs to major and local street sections and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Fiscal Year 2019-2020 Major & Local Streets budget includes funding for summer mill and fill repairs to sections of major and local streets where surface asphalt is in poor condition. Scheduled for repair are 12 streets, totaling just over 4 miles in length at the following locations:

- Kingston Drive (East Centre Avenue – Garden Lane)
- Lake Wood Drive (East Centre Avenue – Upper Darby Road)
- Garden Lane (East Centre Avenue – Garden Drive)
- Beauvois Avenue (Kingston Drive – Lake Wood Drive)
- Bye Street (Lake Wood Drive – Dead End)
- Drury Lane (Kingston Drive – Garden Lane)
- Vaucelles Street (Kingston Drive – Lake Wood Drive)
- La Salle Street (Kingston Drive – Lake Wood Drive)
- Ludgate Lane (Kingston Drive – Chateau Drive)
- Chateau Drive (Garden Lane – Dead End)
- Upper Darby Road (Kingston Drive – Dead End)
- Schuring Road (South Westnedge Avenue – Oakland Drive)

Invitations to bid on this project were sent to nine area contractors. Two bids were received on March 28, 2019 to perform the work. The lowest bid was submitted by Michigan Paving & Materials Co., of Kalamazoo, Michigan, in the amount of $634,431.96. Michigan Paving has successfully completed several street repair projects for the city.

It is recommended that City Council award a contract to Michigan Paving & Materials Co. in the amount of $634,431.96 for summer mill and fill asphalt repairs of major and local street sections and authorize the City Manager to execute all documents related to these actions on behalf of the city.

FUNDING: Funds are available in the Fiscal Year 2019-2020 Major & Local Street budgets

Attachments: 1. Michigan Paving & Materials Co. 2019 Summer Mill & Fill

2019 SUMMER MILL & FILL
BID TABULATION

	Total Bid Amount
Michigan Paving & Materials Co. 2300 Glendenning Road Kalamazoo, MI 49001	$634,431.96
Rieth-Riley Construction Co., Inc. 911 Hatfield Avenue Kalamazoo, MI 49001	$665,856.59

Bids Opened 3/28/2019 Tabulation Prepared 3/28/2019

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Rezoning Application #18/19-6, 129 Boston Avenue

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Accept Rezoning Application #18/19-6, 129 Boston Avenue, for first reading and set a public hearing on July 9, 2019.

An application has been received from Attorney Joey Kejbou, on behalf of the property owners Jayesh and Neha Sharma, requesting the rezoning of 129 Boston Avenue from R-1A, one family residential to OS-1, office service. Mr. and Mrs. Sharma own the adjacent zoning lot to the west addressed as 5747 South Westnedge Avenue/121 Boston Avenue, zoned B-3, general business. The rezoning would allow for the conversion of the existing house at 129 Boston Avenue to an office. The applicant also indicates a zoning change at 129 Boston Avenue to OS-1 would make the adjacent zoning lot at 5747 South Westnedge Avenue/121 Boston Avenue eligible for a medical marihuana provisioning center.

In the attached May 10, 2019 report, the Department of Community Development concluded that the proposed OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and/or the adjacent zoning pattern. If the property were to be rezoned, it may negatively impact the adjacent residences with increased traffic, including neighborhood cut-through traffic. Given the small size of the property (66 feet wide) and the location of the buildings, conversion of the house to office, and construction of off-street parking, will be problematic without variances from the Zoning Board of Appeals and/or shared access/parking with the adjacent property to the west.

Retention of the existing zoning pattern and boundary along the north side of Boston Avenue represents an appropriate depth of commercial zoning (233 feet) along South Westnedge Avenue that can support viable commercial development/redevelopment. This recommendation is consistent with the 2002 and 2013 rezoning decisions in the vicinity (noted in the Community Development staff report) as well as the subsequent change to the 2014 Future Land Use Map, and will minimize negative impacts on the adjacent residential neighborhood. Similar to other residential parcels that are situated adjacent to the South Westnedge Avenue commercial corridor, continued use of the subject property as a single-family residence is still a suitable option. There are other OS-1 zoned properties available in the city, including 121 Boston Avenue adjacent to the subject property that could accommodate the proposed office use.

Finally, the rezoning consideration pertains to whether non-residential land uses should be extended further into the neighborhood, rather than if 5747 South Westnedge should be utilized for a medical marihuana facility. Redevelopment and redefining of the zoning lot comprised of 5747 South Westnedge Avenue/121 Boston Avenue is also an option for the applicant and/or property owner to accommodate the proposed medical marihuana provisioning center without the need to rezone 129

Boston Avenue.

An almost identical rezoning request was considered by staff and the Planning Commission in December 2018/January 2019. Rezoning application #18/19-3 was received from Attorney James Bruinsma, on behalf of the property owner, requesting that the zoning be changed from R-1A to B-3. After initial review by the Planning Commission, the application was revised to request OS-1 rezoning. At the January 17, 2019 meeting, the Planning Commission voted 7-0 to recommend to City Council that the rezoning request be denied. On February 14, 2019, the property owner, Mr. Sharma withdrew the application and therefore, it was not considered by Council.

With regard to current application (#18/19-6), the Planning Commission convened a public hearing during the May 2, 2019 and May 16, 2019 meetings to consider the rezoning request. Attorney Joey Kejbou (applicant's attorney) and Mr. Jay Sharma (applicant/property owner) were present to support the rezoning request and explain the development plans for the property. At the May 2 meeting, Tyson Lamoreaux (205 Boston Avenue) spoke and indicated no opposition to the proposed OS-1 zoning change. At the May 16 meeting, John Jures (5058 Huntington Boulevard, Carmel, IN) spoke regarding the commercial real estate market and the challenges associated with marketing the vacant commercial tenant space at 5747 South Westnedge Avenue. No additional citizens spoke during the public hearing and no communications regarding the proposed rezoning have been received.

After careful consideration, the Planning Commission voted 7-0 to recommend to City Council that Rezoning Application #18/19-6 be denied and 129 Boston Avenue remain zoned R-1A, one family residential concurring with the final analysis and recommendation of the Department of Community Development.

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

FUNDING: Not applicable

Attachments:

1. May 31, 2019 Planning Commission transmittal
2. May 2, 2019 and May 16, 2019 Planning Commission meeting minutes
3. May 10, 2019 Community Development staff report
4. Ordinance Amendment

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: May 31, 2019

SUBJECT: Rezoning Application #18/19-6, 129 Boston Avenue

The Planning Commission convened a public hearing during the May 2nd and 16th, 2019 meetings to consider the rezoning application submitted by Attorney Joey Kejbou, on behalf of the property owners Jayesh and Neha Sharma, for 129 Boston Avenue. The applicant is requesting a zoning change from R-1A, one family residential to OS-1, office service to accommodate conversion of the existing single family residence at 129 Boston Avenue to a small attorney office. Additionally, and if 129 Boston Avenue is rezoned to OS-1, the applicant has also expressed interest in establishing a medical marihuana provisioning center within a portion of the existing commercial building located on the adjacent zoning lot addressed as 5747 South Westnedge Avenue and 121 Boston Avenue.

Attorney Joey Kejbou (applicant's attorney) and Mr. Jay Sharma (applicant/property owner) were present to support the application at the May 2nd and 16th, 2019 meetings. At the May 2nd meeting, Tyson Lamoreaux (205 Boston Avenue) spoke and indicated no opposition to the proposed OS-1 zoning change. At the May 16th meeting, John Jures (5058 Huntington Boulevard, Carmel, IN) spoke regarding the commercial real estate market and the challenges associated with marketing the vacant commercial tenant space at 5747 South Westnedge Avenue. No additional citizens spoke during the public hearings and no communications regarding the proposed rezoning have been received.

After additional discussion, a motion was made by Commissioner Corradini, seconded by Commissioner Fries, to recommend to City Council that Rezoning Application #18/19-6 be denied and 129 Boston Avenue remain zoned R-1A, one family residential. The motion concurred with the analysis and findings contained in the May 10, 2019 Department of Community Development staff report. Upon a roll call vote: Schimmel (yes), Joshi (yes), Corradini (yes), Stoffer (yes), Pezzoli (yes), Fries (yes) and Patterson (yes), the motion was unanimously approved 7-0.

Sincerely,

Wayne Stoffer

Wayne Stoffer
Chairman

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 129 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

was previously approved were part of multi-parcel zoning lots where the commercial development was located along the South Westnedge Avenue parcels and the P-1 zoning was located behind the buildings to provide additional parking. Mr. West indicated that this arrangement would not accomplish the applicant stated plans to establish 129 Boston Avenue as a stand-alone, separate zoning lot for the proposed office use, and retain the existing commercial zoning lot to the west involving 121 Boston Avenue and 5747 South Westnedge Avenue.

Joey Kejbou (attorney representing Mr. and Mrs. Sharma) was present to support the rezoning application. Attorney Kejbou discussed the plans to convert the 129 Boston Avenue residence/parcel to a low intensity satellite office for his law practice that would only be utilized 1-3 days a week. Attorney Kejbou stated his primary office is in Rochester Hills, however, he has several clients on the west side of the state and he would be the only person using this proposed satellite office. Attorney Kejbou stated his intentions were to purchase all three parcels (129 Boston Avenue, 121 Boston Avenue and 5747 South Westnedge Avenue) and utilize 129 Boston Avenue as a separate office zoning lot, and utilize the 121 Boston Avenue/5747 South Westnedge Avenue as a separate commercial zoning lot and establish a medical marihuana provisioning center within the southern portion of the large commercial building. Attorney Kejbou indicated the 129 Boston Avenue parcel is a transitional property and his proposed use would have no adverse impacts on the interior residential neighborhood. Attorney Kejbou stated that he believes the requested OS-1 zoning for 129 Boston Avenue is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use pattern.

The public hearing was opened by Chairman Stoffer. One citizen (Tyson Lamoreaux, 205 Boston Avenue) spoke regarding the proposed rezoning. Mr. Lamoreaux stated he had no objection to the OS-1 rezoning and proposed attorney office at 129 Boston Avenue. Mr. Lamoreaux also expressed no objection to the plan to establish a medical marihuana provisioning center with the existing commercial building at 5747 South Westnedge Avenue. Mr. Lamoreaux asked where parking would be provided for the proposed office use and whether an evergreen screen or barrier would be required next to his property with a zoning change to OS-1. Mr. Forth indicated a site plan has not been provided yet, but parking for a proposed office use in 129 Boston Avenue would likely need to occur behind/north of the existing residence given the limited size of the parcel and existing location of the residential structure. Mr. Forth also discussed conflicting land use screening that would be required along the shared property line with a change in use from residential to office. No additional citizens spoke regarding the proposed rezoning.

After a brief conversation, a motion was made by Commissioner Patterson, seconded by Commissioner Fries, to adjourn the public hearing for Rezoning Application #18/19-6, 129 Boston Avenue, to the May 16, 2019 meeting. The motion was unanimously approved 6-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

Commissioner Baldwin stated she may not be present at the May 16, 2019 meeting and would not be present at the June 6, 2019 meeting.

Commissioner Joshi encouraged people to get out and vote on May 7th.

PLANNING COMMISSION

May 16, 2019

The City of Portage Planning Commission meeting of May 16, 2019 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four 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 Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the role: Patterson (yes); Corradini (yes); Stoffer (yes); Schimmel (yes); Joshi (yes); Pezzoli (yes) and Fries (yes). A motion was then made by Commissioner Patterson, seconded by Commissioner Joshi, to approve the role excusing Commissioners Baldwin and Harrell-Page. The motion was approved 7-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the May 2, 2019 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Fries, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Final Report: Rezoning Application #18/19-6, 129 Boston Avenue. Mr. Forth summarized the May 10, 2019 final 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 rezoning consideration was a land use issue involving further nonresidential zoning encroachment into the neighborhood and not whether or not a medical marihuana provisioning center would be appropriate at 5747 South Westnedge Avenue. 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 summarized the staff recommendation and rationale to deny the rezoning request including the finding that the proposed OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and adjacent zoning pattern; retention of the existing commercial/residential zoning pattern and boundary along the north side of

Boston Avenue represents an appropriate depth of commercial zoning (233 feet) along South Westnedge Avenue that can support viable commercial development/redevelopment; the recommendation is consistent with the 2002 and 2013 rezoning decisions and subsequent 2014 Future Land Use Map and will minimize negative impacts on the adjacent residential neighborhood; similar to other residential properties located adjacent to South Westnedge Avenue continued use of 129 Boston Avenue as a single family residence remains a suitable option for the property; there are numerous other vacant and/or underutilized office properties including 121 Boston Avenue (also owned by Mr. and Mrs. Sharma) that could accommodate the proposed office use; and redevelopment and redefining of the zoning lot comprised of 5747 South Westnedge Avenue and 121 Boston Avenue is also an option for the applicant and/or property owner to accommodate the proposed attorney office and medical marihuana provisioning center without the need to rezone 129 Boston Avenue.

Joey Kejbou (attorney representing Mr. and Mrs. Sharma) was present to support the rezoning application. Attorney Kejbou restated his intentions to establish a low intensity satellite office for his law practice at 129 Boston Avenue and also establish a medical marihuana provisioning center within the existing building located at 5747 South Westnedge Avenue. Attorney Kejbou indicated a current zoning transition of B-3 to R-1A exists between 121 and 129 Boston Avenue and the proposed zoning transition of OS-1 to R-1A between 129 and 205 Boston Avenue represents a lower intensity zoning/land use arrangement that would serve as a buffer to the interior neighborhood. Attorney Kejbou stated the intended use of 129 Boston Avenue would be a very low intensity satellite office for his law practice with only one person (himself) present at the site approximately 2-3 days per week. Attorney Kejbou indicated the property owner to the east at 205 Boston Avenue spoke in support of the zoning change at the May 2nd meeting. Attorney Kejbou stated he believes the requested OS-1 zoning is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use pattern.

Jay Sharma (owner of subject property) also spoke in support of the zoning change. Mr. Sharma indicated he has been a small business owner in Portage for the past 23 years and provided a brief history of his acquisition of 5747 South Westnedge Avenue, 121 Boston Avenue and most recently 129 Boston Avenue. Mr. Sharma discussed the difficulties of trying to secure a replacement tenant for Sleep Doctor within the southern approximate 5,600 square feet of 5747 South Westnedge Avenue since they vacated the premises in February 2019. Mr. Sharma indicated the proposed rezoning of 129 Boston Avenue to OS-1, office service represent a low intensity zoning classification that would have no impact on the adjacent neighborhood. Mr. Sharma also stated the adjacent property to the north has a greater depth of B-3 zoning from South Westnedge Avenue that encompasses approximately 75% of 129 Boston Avenue, if the zoning boundary was extended to the south.

The Planning Commission, staff and the applicant next discussed various aspects of the proposed rezoning request, along with the planned uses. Commissioner Schimmel asked why the existing commercial building at 5747 South Westnedge Avenue could not be demolished and a new building constructed to accommodate the proposed small office use and medical marihuana provisioning center. Mr. Sharma indicated this is an option, however, the building was constructed in the 1980s and is still a solid block structure. Mr. Sharma also stated that approximately $400,000 was recently invested into the building for the former Sleep Doctor and current DXL Men's Apparel tenants. Commissioner Patterson asked for clarification on whether the intended use of the property should be a factor of consideration by the Planning Commission. Attorney Brown stated that the intended use can be considered, however, with the understanding that the applicant is not bounded by these representations and that any use that is allowed under the requested zoning district would be allowed at the site, if rezoned. Attorney Brown stated the primary rezoning consideration criteria is outlined in the staff report and includes consistency with the Comprehensive Plan, Future Land Use Map, development guidelines, surrounding land use/zoning pattern, traffic, environment and neighborhood impacts.

The public hearing was reconvened by Chairman Stoffer. One citizen (John Jures, 5058 Huntington Boulevard, Carmel, Indiana) spoke regarding the proposed rezoning. Mr. Jures indicated he was a commercial real estate broker in Michigan and Indiana and described the challenges with trying to market the vacant tenant space formerly occupied by Sleep Doctor at 5747 South Westnedge Avenue. Mr. Jures stated that demolition of the existing building and redevelopment of the site with a new building is an option, however, may be problematic given the existing lease agreement with DXL Men's Apparel. Mr. Jures discussed the trend in commercial real estate with the top three strongest tenants being associated with the food, fitness and medical retail industries. Mr. Jures indicated that a medical marihuana provisioning center is a high demand use that

would be a good fit in the vacant approximate 5,600 square foot tenant space. No additional citizens spoke regarding the proposed rezoning. A motion was then made by Commissioner Schimmel, seconded by Commissioner Corradini, to close the public hearing. The motion was unanimously approved.

The Planning Commission and staff next discussed various aspects of the proposed rezoning and planned uses including the existing building square footage/useable floor area and parking associated with the zoning lot comprising 5747 South Westnedge Avenue and 121 Boston Avenue, historical development of the site, past rezoning decisions in the area, changes made to the Comprehensive Plan/Future Land Use Map, depth of commercial zoning along South Westnedge Avenue and further encroachment of nonresidential zoning into the adjacent neighborhood and options currently available to the applicant/property owner to accommodate the proposed office use and medical marihuana provisioning center without the need for additional rezoning.

After additional discussion, a motion was made by Commissioner Corradini, seconded by Commissioner Fries, to recommend to City Council that Rezoning Application #18/19-6 be denied and 129 Boston Avenue remain zoned R-1A, one family residential. The motion concurred with the analysis and findings contained in the May 10, 2019 Department of Community Development staff report in that: 1) The proposed OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and the adjacent zoning pattern and, if rezoned, may negatively impact the adjacent residences with increases in traffic (including neighborhood cut-through traffic), noise, lights, among others; 2) Retention of the existing commercial/residential zoning pattern and boundary along the north side of Boston Avenue represents an appropriate depth of commercial zoning (233 feet) along South Westnedge Avenue that can support viable commercial development/redevelopment. This recommendation is consistent with the 2002 and 2013 rezoning decisions noted above and the subsequent change to the 2014 Future Land Use Map, and will minimize negative impacts on the adjacent residential neighborhood; 3) Given the size/configuration of the subject property and location of the buildings, conversion of the existing dwelling to an office use as proposed by the applicant and construction of required off-street parking, loading/unloading area, among others may be problematic; and 4) There are numerous other vacant and/or underutilized OS-1 zoned properties throughout the city, including 121 Boston Avenue (also owned by Mr. and Mrs. Sharma) that could accommodate the proposed office use. Redevelopment and redefining of the zoning lot comprised of 5747 South Westnedge Avenue and 121 Boston Avenue is also an option for the applicant and/or property owner to accommodate the proposed attorney office and medical marihuana provisioning center without the need to rezone 129 Boston Avenue. Upon a roll call vote: Schimmel (yes), Joshi (yes), Corradini (yes), Stoffer (yes), Pezzoli (yes), Fries (yes) and Patterson (yes), the motion was unanimously approved 7-0.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Resolution Honoring Chairman Wayne Stoffer. Vice-Chairman Corradini read a Resolution honoring Chairman Wayne Stoffer for his ten years of service to the Planning Commission. A motion was then made by Commissioner Patterson, seconded by Commissioner Shimmel, to approve the Resolution. The motion was unanimously approved. Chairman Stoffer thanked staff, Attorney Brown and his fellow Commissioners for their assistance and support over the years and stated it has been an honor serving on the Planning Commission. Mr. Forth thanked Chairman Stoffer for his years of service with the City of Portage.

STATEMENT OF CITIZENS/COMMISSIONERS:

None.

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** May 10, 2019

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report: Rezoning Application #18/19-6, 129 Boston Avenue

I. INTRODUCTION:

An application has been received from Attorney Joey Kejbou, on behalf of the property owner Jayesh and Neha Sharma, requesting that 129 Boston Avenue be rezoned from R-1A, one family residential to OS-1, office service. As background information, Mr. and Mrs. Sharma also own the adjacent zoning lot to the west addressed as 5747 South Westnedge Avenue/121 Boston Avenue, zoned B-3, general business

According to the information submitted by the applicant, the rezoning is being requested to facilitate reuse of the existing single family residence as an office, which he contends would also provide a buffer from the commercial activity along the South Westnedge Avenue corridor. The applicant also indicates a zoning change to OS-1 would make the adjacent zoning lot at 5747 South Westnedge Avenue/121 Boston Avenue eligible for a medical marihuana provisioning center. For Commission information, Section 42-262.B.16 does not allow medical marihuana facilities to be adjacent to a residential zoning district.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
James Bruinsma (on behalf of Jayest and Neha Sharma)	129 Boston Avenue	01610-005-O	R-1A	OS-1
One parcel – 0.46 acres (66-feet by 302-feet)				

As the Commission may recall, an almost identical rezoning request was considered by staff and the Planning Commission in December 2018/January 2019. Rezoning Application #18/19-3 was received from Attorney James Bruinsma, on behalf of the property owner Jayesh and Neha Sharma, requesting that 129 Boston Avenue be rezoned from R-1A to B-3 or OS-1.

At the January 17, 2019 meeting, the Planning Commission voted 7-0 to recommend to City Council that the rezoning request be denied. The Planning Commission determined the proposed B-3 or OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and the adjacent zoning pattern and, if rezoned, may negatively impact the adjacent residences with increases in traffic (including neighborhood cut-through traffic), noise, lights, among others. The finding also concluded that retention of the existing commercial/residential zoning pattern and boundary along the north side of Boston Avenue represents an appropriate 233-foot depth of commercial zoning along the east side of South Westnedge Avenue that can support viable commercial development/redevelopment. Additionally, the Commission concurred with staff that the recommendation on the 129 Boston Avenue rezoning was consistent with the previous 2002 and 2013 rezoning decisions involving 120/126 East VanHousen Boulevard, 121 East VanHosen Boulevard and 122 Boston Avenue and the subsequent changes to the 2014 Future Land Use Map, and will minimize negative impacts on the adjacent residential neighborhood. Both staff and the Commission concluded that similar to other residential parcels that are also situated adjacent to the South Westnedge Avenue commercial corridor, continued use of 129 Boston Avenue as a single family residence is still a suitable option.

Subsequent to the Planning Commission recommendation, the property owner (Mr. Sharma) on February 14, 2019 withdrew the rezoning application, and, therefore, it was not considered by City Council. Mr. Kejbou approached the property owner in the Spring of 2019 to submit a new rezoning application. Because City Council did not review and act on the prior rezoning application, this new rezoning application can be considered by the Planning Commission and City Council.

II. EXISTING CONDITIONS:

Land Use/Zoning	Rezoning Site: 129 Boston Avenue is currently developed with a 768 square foot single family residence and 528 square foot detached garage zoned R-1A, one family residential. West/North: Commercial uses zoned B-3, general business East: Single family residences zoned R-1A, one family residential. South (across Boston Avenue): Single family residences zoned R-1A, one family residential.
Zoning/Development History	No rezoning of properties in the surrounding area have occurred since adoption of the 2014 Comprehensive Plan. However, several earlier rezonings have occurred along the east side of South Westnedge Avenue, between I-94 and East Milham Avenue, to facilitate commercial redevelopment developments, while addressing issues related to neighborhood protection. • In 2013, City Council rezoned 120 East Van Hoesen Boulevard from R-1A, one family residential to B-3, General Business and 126 East Van Hoesen Boulevard from R-1A, one family residential to P-1, vehicular parking. This rezoning facilitated the AT&T commercial redevelopment project at the southeast corner of South Westnedge Avenue & East VanHoesen Boulevard. • In 2006, City Council rezoned 5933 South Westnedge Avenue, 124 and 202 Colonial Avenue from B-3, General Business and R-1A, one family residential to CPD, Commercial Planned Development. This rezoning facilitated the Walgreens commercial redevelopment project at the northeast corner of South Westnedge Avenue & East Milham Avenue. • In 2002, City Council rezoned 121 East VanHoesen Boulevard from R-1A, one family residential to P-1, vehicular parking with the exception of the east 25 feet that remained zoned R-1A as a buffer area for the adjacent neighborhood. This rezoning facilitated the Honey Baked Ham commercial redevelopment project and parking expansion at the northeast corner of South Westnedge Avenue & East VanHoesen Boulevard. • In 2002, City Council rezoned 122 Boston Avenue from R-1A, one family residential to P-1, vehicular parking with the exception of the east 25 feet and north 5 feet which remained zoned R-1A in an effort to minimize impacts on the adjacent residents. This rezoning facilitated a parking lot expansion for the Advantage Physical Therapy commercial site at the southeast corner of South Westnedge Avenue & Boston Avenue.
Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	South Westnedge Avenue is designated a 6-7 lane major arterial roadway with 41,784 vehicles per day (2014) and a capacity of 51,600 vehicles per day (level of service "D"). Boston Avenue is designated as a two-lane local residential street and traffic counts are not available.
Public Utilities	Municipal water and sanitary sewer are available along South Westnedge Avenue and Boston Avenue.

Environmental	The City of Portage Natural Resources Map does not identify any potential wetland area, floodplains or other environmentally sensitive areas on the subject site.

III. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the rezoning request at the May 2, 2019 meeting. Joey Kejbou (attorney representing Mr. and Mrs. Sharma) was present to support the rezoning application and discuss the plans to convert the 129 Boston Avenue residence/parcel to an office and also establish a medical marihuana provisioning center at the 5747 South Westnedge Avenue/121 Boston Avenue zoning lot. Attorney Kejbou indicated the 129 Boston Avenue parcel is a transitional property and the proposed office use would have no adverse impacts on the interior residential neighborhood. Attorney Kejbou also stated that he believes the requested OS-1 zoning for 129 Boston Avenue is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use pattern. One citizen (Tyson Lamoreaux, 205 Boston Avenue) spoke regarding the proposed rezoning. Mr. Lamoreaux stated he had no objection to the OS-1 rezoning and proposed attorney office at 129 Boston Avenue and also expressed no objection to the plan to establish a medical marihuana provisioning center with the existing commercial building at 5747 South Westnedge Avenue. No additional citizens spoke in regards to the proposed rezoning during the public hearing and no letters or communications from interested citizens have been received at the time of report preparation.

IV. FINAL ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns.

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Map component of the 2014 Comprehensive Plan identifies the rezoning parcel as situated within a zone of transition between General Business and Single Family Detached-Medium Density Residential land use. The Comprehensive Plan also identifies South Westnedge Avenue as a major commercial corridor. These designations are intended to serve as a general guide for future development and do not follow property lines. The location of specific zoning district boundaries in areas of transition need to be determined on a case-by-case basis considering overall consistency with the Comprehensive Plan/Future Land Use Map, surrounding land use/zoning pattern, development/redevelopment potential, impacts on adjacent properties and other factors.

As noted above, the 2002 rezoning of 122 Boston Avenue retained a buffer of R-1A zoning along the east 25 feet and north five feet to protect residential uses to the east and north, including the property at 129 Boston Avenue. In addition, during the 2013 rezoning review of 120 and 126 East Van Hoesen Boulevard, the inconsistent or "jagged" nature of the boundary between the South Westnedge Avenue commercial uses and the residential neighborhood was discussed at length by City Council. In response, the Future Land Use Map along the east side of South Westnedge Avenue, between I-94 and East Milham Avenue was modified as part of the 2014 Comprehensive Plan Update: the boundary between the General Business and Single-Family Detached-Medium Density Residential land use categories was "straightened" in an attempt to improve the viability of commercial land uses, while providing more clarity regarding the extent of commercial encroachment into the adjacent residential neighborhood.

The proposed OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and the adjacent zoning pattern. While the 129 Boston Avenue parcel is situated within a zone of transition between commercial and residential land uses, the existing properties located to the west at 5729 and 5747 South Westnedge Avenue and 121 Boston Avenue provide approximately 233 feet of B-3 zoned depth from South Westnedge Avenue for commercial development/redevelopment. Comparatively, properties located to the south have lesser B-3 zoned depth from South Westnedge Avenue, ranging between 132-189 feet, with additional lower-intensity P-1, Vehicular Parking zoning to support commercial development. The existing commercial/ residential zoning pattern and boundary along the north side of Boston Avenue represents an appropriate depth of commercial zoning along South Westnedge Avenue, which is consistent with the Comprehensive Plan/Future Land Use Map and that will minimize related impacts on the interior residential neighborhood.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The proposed OS-1 zoning district is not entirely consistent with applicable development guidelines contained in the Comprehensive Plan (see attached).

Suitability of Existing R-1A Zone/Impacts of Proposed OS-1 Zone. Similar to other residential parcels that are situated adjacent to the South Westnedge Avenue commercial corridor, continued use of the subject property (129 Boston Avenue) as a single family residence is still a suitable option, consistent with residential uses to the east and south. The proposed OS-1 zone is less intensive than the B-3 district, however, existing single-family residences located adjacent to office zoning may be impacted due to an increase of activities such as customer/employee traffic, parking lot lighting, noise and vehicular cut-thru traffic through this adjacent residential neighborhood. However, there are zoning code tools intended to help minimize these impacts.

Given the size/configuration of the subject property (0.46 acre, 66-feet by 302-feet) and location of the buildings, conversion of the existing dwelling to an office and construction of required off-street parking, loading/unloading area, and storm water facilities may be problematic without: 1) variances from the Zoning Board of Appeals or 2) assembling 129 Boston with the 5747 South Westnedge Avenue/121 Boston Avenue zoning lot. As stated previously, the existing 233 feet of B-3 zoning from South Westnedge Avenue represents an appropriate depth of nonresidential zoning along the north side of Boston Avenue that will support commercial development/redevelopment activities, while minimizing impacts on the interior residential neighborhood.

As additional information, the existing 0.80 acre zoning lot that comprises 5747 South Westnedge Avenue/121 Boston Avenue, which is under the same ownership as 129 Boston Avenue, is occupied by a 10,971 square foot commercial building constructed in 1977 (DXL Men's Apparel and vacant tenant space formerly occupied by Sleep Doctor), a 926 square foot single-family dwelling constructed in 1954 that has been used as both an office and more recently (January/February 2019) residential rental unit and 35 off-street parking spaces. A total of 35 off-street parking spaces will support 7,000 square feet of usable retail/office space (one space per 200 sq. ft. of usable floor area) or nearly 60% of the combined gross floor area of the two existing buildings. If the 926 square foot building were removed, approximately 10 additional parking spaces could be added to support the larger retail building. Demolition of one or both of these aged buildings and redevelopment of the properties to redefine this zoning lot is also an option for the applicant and/or property owner. If the retail building at 5747 South Westnedge did not require parking at 121 Boston, the

zoning lot could be separated into two parcels and accommodate the proposed attorney office and medical marihuana provisioning center, without the need for the rezoning of 129 Boston Avenue.

Traffic Considerations. Rezoning the subject property from R-1A to OS-1 would result in an increase in nonresidential traffic generation dependent upon the type of office use that would be established at the site. Boston Avenue is a local residential street and rezoning the subject property to OS-1 may generate nonresidential traffic further into the residential neighborhood, potentially negatively impacting the area. Cut-thru traffic to East Milham Avenue via Concord Street may also occur.

V. RECOMMENDATION:

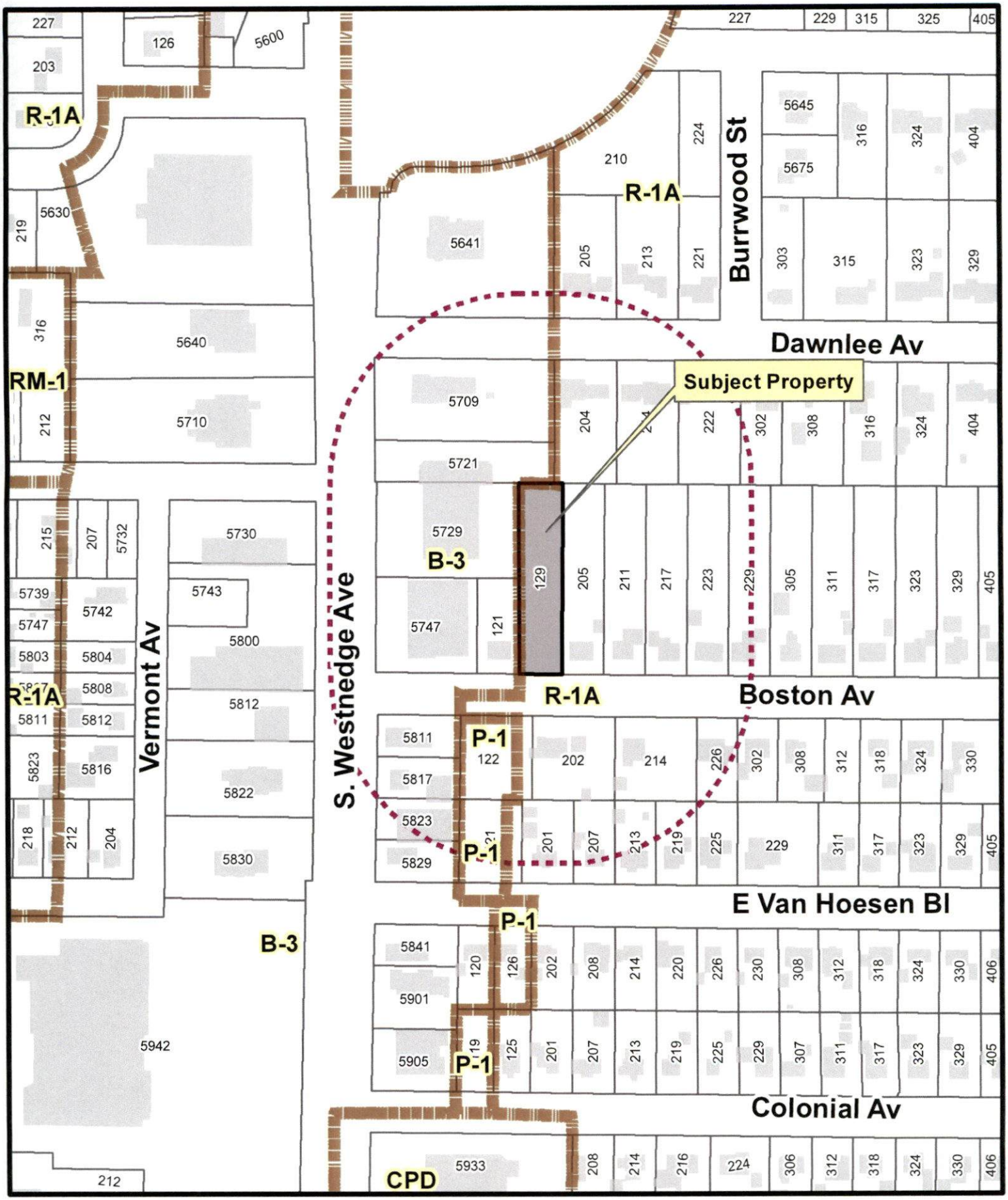
Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #18/19-6 be denied and 129 Boston Avenue remain zoned R-1A, one family residential. The land use issue is about further encroachment of nonresidential development into a neighborhood, not whether a medical marihuana facility is appropriate at 5747 South Westnedge Avenue.

The proposed OS-1 rezoning is not entirely consistent with the Comprehensive Plan, Future Land Use Map and the adjacent zoning pattern and, if rezoned, may negatively impact the adjacent residences with increases in traffic (including neighborhood cut-through traffic), noise, lights, among others. Retention of the existing commercial/residential zoning pattern and boundary along the north side of Boston Avenue represents an appropriate depth of commercial zoning (233 feet) along South Westnedge Avenue that can support viable commercial development/redevelopment. This recommendation is consistent with the 2002 and 2013 rezoning decisions noted above and the subsequent change to the 2014 Future Land Use Map, and will minimize negative impacts on the adjacent residential neighborhood.

Similar to other residential properties located adjacent to the South Westnedge Avenue commercial corridor, continued use of 129 Boston Avenue as a single family residence remains a suitable option for the property. While the proposed OS-1 zone is not as intensive as the adjacent B-3 zone, it is not entirely consistent with the Comprehensive Plan/Future Land Use Map designations or the surrounding zoning pattern. The nearest OS-1 zoned property is located along the north side of West Milham Avenue, west of Georgia Avenue, within the designated Milham Avenue Office Corridor.

Given the size/configuration of the subject property (0.46 acre, 66-feet by 302-feet) and location of the buildings, conversion of the existing dwelling to an office use as proposed by the applicant and construction of required off-street parking, loading/unloading area, among others may be problematic without 1) a variance(s) from the Zoning Board of Appeals or 2) assembling 129 Boston with 5747 South Westnedge Avenue/121 Boston Avenue. Finally, there are numerous other vacant and/or underutilized OS-1 zoned properties throughout the city, including 121 Boston Avenue (also owned by Mr. and Mrs. Sharma) that could accommodate the proposed office use. Redevelopment and redefining of the zoning lot comprised of 5747 South Westnedge Avenue and 121 Boston Avenue is also an option for the applicant and/or property owner to accommodate the proposed attorney office and medical marihuana provisioning center without the need to rezone 129 Boston Avenue.

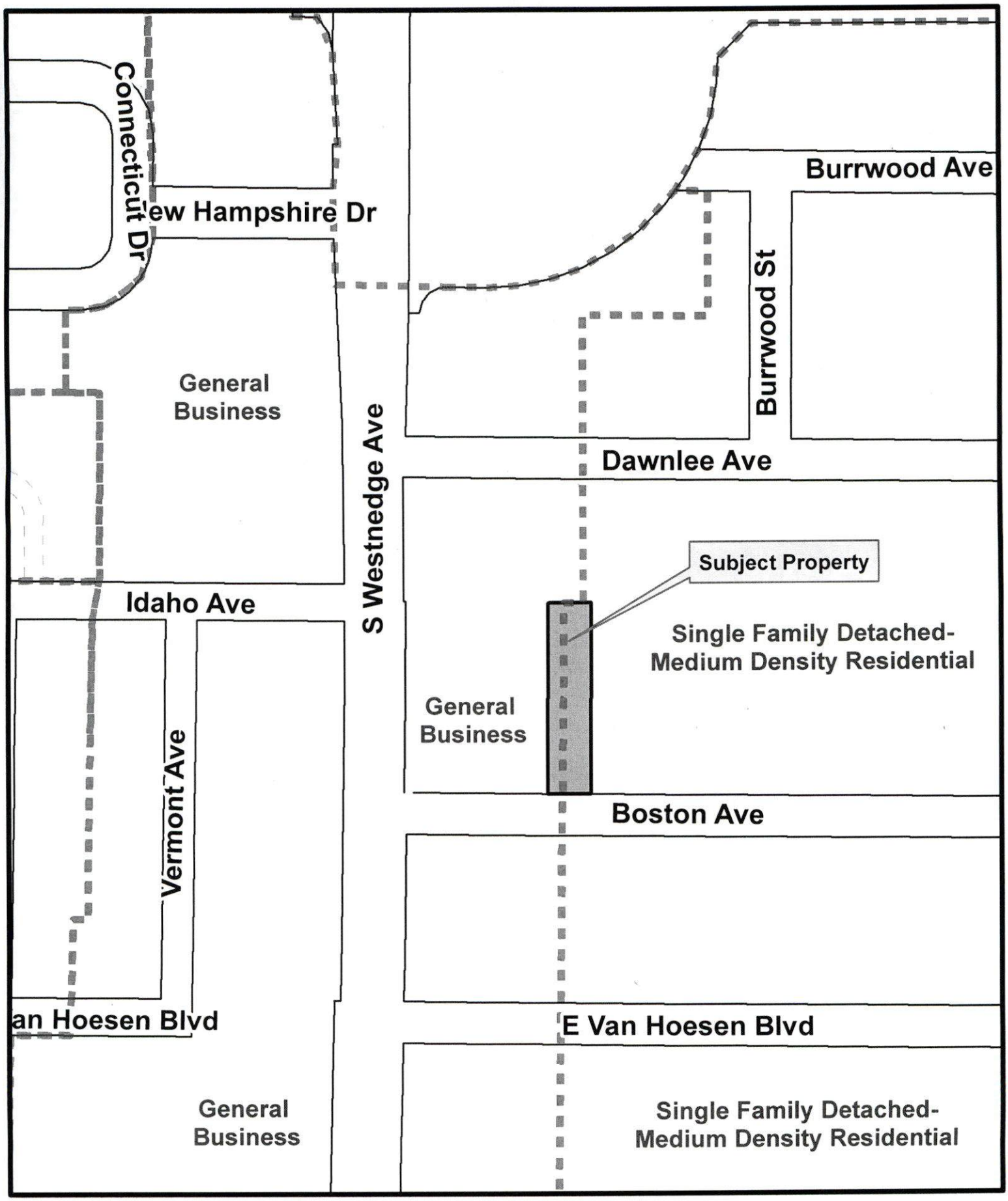
Attachments: Zoning/Vicinity Map
Aerial Photo Map
Future Land Use Map
Development Guideline Table (OS-1)
Rezoning Application and Supporting Materials



Zoning Boundary
Subject Property
300' Notification Boundary

Rezoning: #18/19 - 6
129 Boston Avenue

1 inch = 200 feet



Future Land Use

Subject Property

Future Land Use Map
129 Boston Avenue

1 inch = 200 feet

Aerial Photography
129 Boston Avenue

1 inch = 100 feet

DEVELOPMENT GUIDELINES
Rezoning Application #18/19-6, 129 Boston Avenue
(OS-1, Office Service)

Guideline	Description	Consistent	Comments
Rezoning Requests Z-1	Consistency with Future Land Use Plan	**No**	Future Land Use Map identifies the rezoning parcel as situated within a zone of transition between General Business and Single Family Detached-Medium Density Residential land use. Based on the surrounding land use/zoning pattern, the proposed OS-1 district is not entirely consistent with the Future Land Use Map.
Commercial – 1	Coordinated Development	**No**	The request for OS-1 zoning is not entirely consistent with the Future Land Use Map and redevelopment of the small property with a stand alone office use would not result in a coordinated development pattern.
Commercial – 2	Commercial/Office Uses in General	**No**	While the property is situated adjacent to existing commercial zoning on South Westnedge Avenue, additional nonresidential zoning will result in further encroachment adjacent to the residential uses along Boston Avenue.
Commercial – 3	Local Business Uses	**N/A**	Guideline is not applicable to OS-1 rezoning request.
Commercial – 4	Regional and General Commercial Uses	**N/A**	Guideline is not applicable to OS-1 rezoning request.
Commercial – 5	Portage Commerce Square	**N/A**	Guideline is not applicable to OS-1 rezoning request.
Commercial – 6	City Centre Area	**N/A**	Guideline is not applicable to OS-1 rezoning request.
Commercial – 7	Lake Centre Business Area	**N/A**	Guideline is not applicable to OS-1 rezoning request.
Commercial – 8	Office/Commercial Site Design	**N/A**	Issues associated with pedestrian circulation, site lighting, storm water design, shared/cross access, among others would be reviewed at the site plan stage of development if rezoned to OS-1.
Natural & Historic Resources - 1	Environmental Protection	**Yes**	City of Portage Natural Resources Map does not identify wetland, floodplain or other environmentally sensitive areas on the subject property.
Natural & Historic Resources - 2	Floodplain	**Yes**	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	**Yes**	Storm water system will be reviewed at the site plan stage of development if rezoned to OS-1.
Natural & Historic Resources – 4	Noise	**Yes**	Site design issues including noise associated with the proposed retail development will reviewed at the site plan stage of development if rezoned to OS-1.

Natural & Historic Resources – 5	Historic Resource Preservation	**Yes**	The rezoning site does not contain any historic buildings and is not situated within an established historic district.
Transportation – 1	Transportation Systems	**No**	Boston Avenue is a local residential street. Rezoning the subject property to OS-1 may direct nonresidential traffic further into the residential neighborhood negatively impacting the area. Cut-through traffic to East Milham Avenue via Concord Street may also occur.
Transportation – 2	Street Design	**N/A**	No new streets are proposed.
Transportation – 3	Access Management	**N/A**	Site design issues involving access management will be reviewed at the site plan stage of development if rezoned to OS-1.
Transportation – 4	Non Motorized Travel	**N/A**	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development if rezoned to OS-1.
Transportation – 5	Right-of-Way Preservation	**N/A**	Reviewed at the site plan stage of development if rezoned to OS-1.
Transportation – 6	Parking	**N/A**	Reviewed at the site plan stage of development if rezoned to OS-1.
Municipal Facilities & Services – 2	Sanitary Service	**N/A**	Sanitary sewer is currently available at the site if rezoned to OS-1.
Municipal Facilities & Services –3	Underground Utilities	**N/A**	Reviewed at the site plan stage of development if rezoned to OS-1.

T:\COMMDEV\2018-2019 Department Files\Board Files\Planning Commission\PC Reports\Development Guidelines Tables\Guideline Table 18-19-3 (OS-1).docx

(Rezoning Application #18/19-6)

Michael West

From: Planning and Zoning Applications
Sent: Monday, April 01, 2019 4:54 PM
To: Christopher Forth; Michael West
Subject: FW: Online Form Submittal: Zoning Amendment Application

RECEIVED
APR 02 2019
COMMUNITY DEVELOPMENT

From: noreply@civicplus.com [mailto:noreply@civicplus.com]
Sent: Monday, April 01, 2019 4:14 PM
To: Planning and Zoning Applications <PlanningZoningApplications@portagemi.gov>
Subject: Online Form Submittal: Zoning Amendment Application

Zoning Amendment Application

Applicant Information

First Name	Joey
Last Name	Kejbou
Address	3458 Connors Drive
City	Rochester Hills
State	MI
Zip Code	48307
Email Address	joey@jpklegal.com
Phone Number	248-229-8282
Fax Number	248-250-5597

Property Owner Information

Required if property owner is different than the applicant

First Name	Jayesh & Neha
Last Name	Sharma
Address	6804 Veronica Street
City	Kalamazoo
State	MI

Zip Code	49009
Phone Number	*Field not completed.*
Fax Number	*Field not completed.*
Email Address	*Field not completed.*

Zoning Map Amendment

Property Address	129 Boston Avenue
Parcel ID No.	*Field not completed.*
Plat Name (if applicable)	*Field not completed.*
Current Zoning	R-1A, One Family Residential
Proposed Zoning	OS-1 Office Service
Comprehensive Plan Designation	*Field not completed.*
Site Area (acreage)	*Field not completed.*
Current Land Use	Residential/Vacant
Proposed Land Use	Single Use Law Office Part Time

Zoning Code Text Amendment
Zoning Code section proposed to be modified and/or Proposed language to be considered.

Proposed Amendment	Please see attached Propose Amendment

Applicant/Property Owner Certification
Included is a statement indicating why, in my opinion, the change requested is necessary and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposed zoning amendment on the community or property of other persons in the vicinity of the amendment or affected by the amendment is also included.

upload file attachment if needed	Proposed Amendment- Zoning Amendment Change.pdf
Electronic Signature Agreement	I agree.
Electronic Signature	Joey Kejbou
Date	April 1, 2019

RECEIVED
APR 02 2019
COMMUNITY DEVELOPMENT

Proposed Amendment

Explain Proposed Amendment

129 Boston Avenue (the ***Property***) is a rectangular parcel located near the S Westnedge Avenue commercial corridor, south of Interstate 94. The Property is immediately adjacent to properties zoned B-3 on its western, northern, and southern boundaries. To the east is a residential lot improved with a single-family home.

Over the past decade, there has been substantial growth along the adjoining S Westnedge Avenue corridor, including development of a Walgreens and an AT&T retail store. The large vacant parcel to the south of the Property also provides substantial space for additional commercial development.

Each of the adjoining lots are used for retail activity, and the Property itself is surrounded on three sides with parking lots to service those retail uses. The entire western boundary of the Property adjoins surface parking; nearly all of the northern (rear) Property line adjoins surface parking; and one of the parcels across Boston Avenue to the south is a parking lot — making the Property marginally desirable for continued use a single-family home. In fact, the Property's current zoning as R-1A creates a cutout from the commercial corridor running the length of S Westnedge Avenue in this area, leading to an anomalous situation for a residential property of having the rear yard adjoin a commercial parking lot rather than a residential back yard, and having a front yard partially face a commercial parking lot across the street.

Given the unique circumstances of the Property, the owner seeks rezoning to allow use of the Property that is consistent with neighboring parcels on three sides. The anticipated use will be low intensity and have nominal impact on residential properties to the east. The current plan is to convert the existing house to a small office space, providing a further buffer from commercial activity along S Westnedge Avenue.

The rezoning of the Property will also allow it to function as a buffer parcel to the extent the parcel at 5747 S Westnedge Avenue is used for medical marihuana facilities by a licensee in the future. That particular parcel has been recognized as an appropriate location for such a facility, and a small commercial space on the Property will serve to separate the 5747 Parcel and its adjoining parking lot from the housing to the east.

Nothing in the proposed rezoning will impact traffic or otherwise create nuisance conditions for the adjoining neighborhood. The Property is of such a size and configuration that it will support only limited intensity of use that will not disturb the

neighbors to the east. The Property has no other unique characteristics or features that require continuation as a residentially-zoned property.

The owner respectfully requests that the rezoning request be granted. Such a rezoning will facilitate the concentration of commercial activity along the Westnedge corridor without creating any negative effects on neighboring residential uses.

549094

Proposed Amendment

Address: 129 Boston Avenue, Portage, Michigan 49002 ("Property")

Physical Characteristics: The Property is a rectangular parcel located two parcels east of S Westnedge Avenue's commercial corridor, just south of Interstate 94. Each of the western and northern boundaries of the Property abut properties designated as B-3 General Business. To the east of the Property there are additional residential lots which are zoned R-1A One Family Residential. As it currently sits, much of the Property is undeveloped and used as yard space, particularly to the north of the structure located on the Property.

Recent History of the Property and 5747 S Westnedge: During the course of the last ten years, the neighboring properties to the east of the subject Property have experienced a significant amount of development and commercialization. More specifically, the target area has seen the recent developments of an AT&T retail store in addition to a Walgreens pharmacy. The neighboring property, 5747 S. Westnedge, Portage, Michigan, which has common ownership with the subject Property, has undergone extensive renovations when the current ownership group incurred significant expenses in trying to bring in a national retailer who still occupies a portion of the property (DXL Menswear) and building out the other half of the building for the prior mattress and carpet retailers who occupied that space.

Unfortunately, the renovations the current ownership group incurred for 5747 S Westnedge have been for naught, as one half of the building has remained vacant or leased for significantly below market to limit the monthly losses. The current ownership group has attempted to sell, lease or do anything they can to recoup their investments in 5747 S. Westnedge, however their efforts have been largely unsuccessful. 5747 S Westnedge is one of the largest commercial spaces in this particular area of the commercial corridor that remains unoccupied and has been listed for lease since at least December 2017.

Applicant's Proposed Use and Vision: The current applicant is in the medical marihuana industry. Green Bronco, LLC is an entity which has been prequalified by the State of Michigan and which has previously obtained full licensure to operate a legal medical marihuana facility in another local municipality. As it currently stands, 5747 S Westnedge, Portage, Michigan has a vacant unit could potentially be used as a medical marihuana provisioning center however in order for that plan to come to fruition the current subject Property would need to be rezoned to a non-residential designation that would create a buffer from the other residential properties to the east of the subject Property. In the current proposal, we believe Green Bronco could both maximize the potential use of the vacant unit in 5747 S Westnedge while also making 129 Boston a feasible commercial office business.

Specifically, Green Bronco, LLC currently has multiple retail sites in development in the Kalamazoo County area. One of the members of Green Bronco, Joey Kejbou, is also a practicing attorney who serves as Green Bronco's compliance officer for local and state regulatory matters. The intent of the proposed rezoning serves multiple purposes. A rezoning of the subject Property to an office designation would allow Mr. Kejbou and Green Bronco to utilize the building on 129 Boston Avenue as a satellite office of sorts for his law practice as well

as oversight and management of the various medical marihuana facilities owned by Green Bronco in the Kalamazoo County area. It would be a single user, low traffic, low impact type of use for the subject Property. If used in the proposed capacity, it would create less traffic than even the neighboring residential properties as we anticipate only one vehicle being there approximately 1-3 days/week.

In addition to maximizing the potential of the subject Property, the neighboring unit at 5747 S Westnedge, Portage, Michigan would become a functional, tax generating medical marihuana provisioning center offering patients medical marihuana. The interior of 5747 S Westnedge would receive extensive renovations that will be built to code and professionally maintained in accordance with local and state laws. In addition, if the proposed rezoning is approved, the local properties and area as a whole would be indirect beneficiaries of 5747 S Westnedge's new landscaping, improved security surveillance that will exist all over the exterior of that building, updated lighting that would improve visibility and, from a purely financial perspective, the city would receive a boost in tax revenues.

Conclusion and Request for Approval: In reviewing this honorable Commission's prior recommendation and determination we understand and fully appreciate your concerns regarding a B-3, high intensity zoning designation abutting a residential area. Accordingly, we believe the prior decision to deny a rezoning to a B-3 designation was justified. That being said, if 129 Boston remains zoned residential it will continue to abut a B-3 commercial zoning district that would not be an ideal situation for any residential occupant; essentially creating the type of atmosphere the Commission advocated against in issuing their denial. However, the proposed rezoning would create a more effective buffer of a single user, sparsely used law office that segregates the B-3 zoned properties from other Boston Avenue properties to the east of the subject Property. In addition, the concerns previously cited in the Commission's January 17, 2019 report, which included, among other things, traffic, lighting, loading/unloading would all be alleviated and, in fact, improved for the other residential neighbors if the proposed rezoning is approved.

The proposed rezoning, in our analysis, would significantly increase the functionality of both 129 Boston Ave and 5747 S Westnedge while also addressing all of the concerns previously stated by the Commission in their denial from January 17, 2019. In light of the foregoing, we respectfully request that the Commission approve the proposed rezoning.

FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 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 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

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

Street Address	Parcel ID Numbers
129 Boston Avenue	01610-005-O

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

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

Dated: _____

_____
Adam Herringa, City Clerk

(App #18/19-6)

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Brownfield Redevelopment Incentive Policy Update

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Approve the revisions to the Brownfield Redevelopment Incentive Policy, and authorize the City Manager to approve initial applications for Brownfield Redevelopment Plans.

The Brownfield Redevelopment Financing Act (PA 381 of 1996, as amended) allows a city, village, township or county to establish a Brownfield Redevelopment Program for the purposes of facilitating the reuse of contaminated, functionally obsolete or blighted buildings and properties.

In 2001, the City of Portage established a Brownfield Redevelopment Authority. Since then, five Brownfield Plans were approved for redevelopment projects that utilized state Single Business Tax (SBT) Credits. In 2006, City Council adopted a formal Brownfield Redevelopment Policy that added criteria and a five-year time frame for the use of tax increment financing (TIF), in conjunction with SBT credits, to reimburse private property owners for eligible activities related to brownfield redevelopment. In July 2008, minor revisions to the policy were made to reflect the adoption of the Michigan Business Tax (MBT). In March 2015, revisions to the policy were approved by City Council to enhance economic development. In particular, the policy was revised to: permit participation of property with functionally obsolete buildings and/or blight; extend the use of TIF incentives for longer periods of time based on specific project criteria; and incorporate a formal process to participate with the Kalamazoo County Brownfield Redevelopment Authority (KCBRA) within the City of Portage, including the amount of tax increment revenue to be captured to the county brownfield revolving fund.

The most recent Brownfield Redevelopment Plan approved by City Council in 2017 involved the Stryker Instruments development at Portage Road (now 1942 Stryker Way). This Brownfield Redevelopment Plan was facilitated by a partnership between the KCBRA and the City of Portage. The KCBRA and many other brownfield redevelopment authorities in Michigan have established a revolving fund where tax increment revenue is captured and placed in the fund to provide financial assistance to facilitate future brownfield projects. In the case of the Stryker Instruments project, significant tax increment revenues will be captured by the KCBRA for future projects, but such revenues will not be specifically earmarked for future brownfield redevelopment projects in Portage.

The broader use of brownfield redevelopment incentives within the City of Portage is contemplated as an important tool in redevelopment of not just environmentally contaminated property, but also properties with functionally obsolete buildings and/or blight. Furthermore, the Department of Community Development is currently reviewing three projects seeking the use of this economic

development tool. Therefore, it is recommended the City of Portage policy be revised to incorporate the establishment of a Local Brownfield Revolving Fund (LBRF), which over time will have funding available to assist with the upfront costs of creating a Brownfield Redevelopment Plan amendment, as well as other eligible activities as appropriate.

To reduce the timeline to review and approve a Brownfield Redevelopment Plan, it is recommended that the initial application be reviewed and approved administratively by the City Manager instead of City Council. Subsequent to City Manager approval, the applicant will proceed with preparing a Brownfield Redevelopment Plan amendment and a Development Agreement with the city, followed by Portage Brownfield Redevelopment Authority review, with final approval by the City Council after a public hearing.

The City of Portage Brownfield Redevelopment Incentive Policy revisions have been prepared by the City Administration to further enhance the use of this economic development tool. It is recommended that City Council approve the Brownfield Redevelopment Incentive Policy revisions, and authorize the City Manager to approve initial applications for Brownfield redevelopment plans.

FUNDING: Not applicable

Attachments: 1. Revised Brownfield Redevelopment Incentive Policy (Strike-out/underline and clean version)

PORTAGE
A Natural Place to Move

Department of Community Development

CITY OF PORTAGE BROWNFIELD REDEVELOPMENT INCENTIVE POLICY

The City of Portage encourages the growth and development of the local industry and business tax base, the creation of additional job opportunities for community residents and desires to continue to provide incentives for industry and business expansion. The City Council also recognizes the essential responsibility to the community to maintain the array of public services necessary to ensure the high quality of life that exists in Portage. To facilitate tax base expansion and to fulfill these responsibilities, the City Council hereby establishes this City of Portage Brownfield Redevelopment Incentive Policy.

The City of Portage is *A Natural Place to Move*. To continue to be a community in which growth and development can prosper, the following attributes important to all industries and businesses will be maintained:

- **Low Tax Rate**. The maintenance of the lowest feasible tax rate compared to other full-service cities is essential to economic development and will facilitate expansion and job creation: A very competitive City of Portage tax rate will be continued.
- **Utility Service Rates**. The maintenance of competitive utility rates is also important to provide opportunities for continued growth and development: Cost effective rates and the efficient delivery of utility services by the City of Portage will be continued.
- **Capital Improvements**. Investments in existing public street, water and sewer infrastructure and the expansion of these public systems are necessary and will encourage additional private sector investment: The annual 10-year Capital Improvement Program budget will continue to reflect essential public improvements within the community.
- **Quality of Life Investments**. To provide opportunities for industry and business expansion and to ensure high quality of life standards, public safety, business and neighborhood services, cultural and recreational programming and related community attributes must be maintained: Quality of life investments will be continued by the City of Portage to foster a safe, *Living, Working and Learning* community.

In addition to these important locally-determined economic development and growth factors, the City Council will offer eligible industries and businesses the opportunity to apply for brownfield incentives under Michigan Statute. The City Council is desirous of fostering brownfield redevelopment to strengthen the tax base and to encourage job creation. The City Council also recognizes its fiduciary responsibility to the community to provide public services and uphold the quality of life. Periodic review of the brownfield policy is necessary to ensure consistency with the community needs and objectives.

Inquiries concerning this policy can be directed to the Department of Community Development (269.329.4477), or the Office of the City Clerk (269.329.4511) in Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan 49002.

Brownfield Redevelopment Incentive Policy

The following sections reference the framework for processing and considering brownfield redevelopment incentive applications as provided under the Brownfield Redevelopment Financing Act (PA381 of 1996, as amended). This policy, these procedures and related provisions will

assist the private investors in the ongoing effort to enhance the productive capacity of environmentally distressed, functionally obsolete or blighted buildings and properties and contribute to the health and vibrancy of the City of Portage. The following sections address --

1. The Intent of the City of Portage Brownfield Redevelopment Program
2. The General Review Criteria for Brownfield Applications
3. Brownfield Redevelopment Financial Incentives in the City of Portage
4. Brownfield Redevelopment Application Review Process
5. Amendment of the City of Portage Brownfield Plan Process
6. State of Michigan Review Process
7. Annual Report Requirements for the City and the Applicant
8. Coordination with the Kalamazoo County Brownfield Redevelopment Authority

1. The Intent of the City of Portage Brownfield Redevelopment Program

Per the resolution adopted by the City Council in July 2001, the City of Portage Brownfield Redevelopment Program was established to facilitate reuse of environmentally distressed, functionally obsolete, and/or blighted buildings and property in the community. This economic development program is intended to place vacant and/or underutilized/blighted properties back into productive use, fostering reinvestment in the city and, also, discouraging sprawl development. Consistent with the intent of PA381 of 1996, as amended, City Council established the Portage Brownfield Redevelopment Authority in August 2001 and appointed the Board of Directors of the Portage Economic Development Corporation/Tax Increment Finance Authority (EDC/TIFA) to serve as the Portage Brownfield Redevelopment Authority.

The objective of the Act is to assist in effectively addressing brownfield properties and consider the level of assistance necessary to encourage redevelopment. It is acknowledged that the greater development costs associated with a brownfield, when compared to the development costs of a property that is not environmentally contaminated, functionally obsolete, or blighted is a significant consideration in successful redevelopment and use. The State of Michigan has enacted programs to assist in brownfield redevelopment, and has authorized local units of government to capture incremental increases in local and school property tax revenues to finance eligible activities on a brownfield property including environmental response activities, demolition, public infrastructure improvements, site preparation and lead and asbestos abatement.

2. The General Review Criteria for Brownfield Applications

The City Council will evaluate brownfield redevelopment applications based on the following criteria. The criteria shall be equally applied during the review of applications from eligible property owners:

- The brownfield redevelopment will facilitate the environmental clean-up to accepted State of Michigan standards and the productive reuse of one or more distressed properties, or
- The brownfield redevelopment will facilitate the demolition and removal of a functionally obsolete building (or selective interior building demolition) and site condition, or a blighted building and site condition.
- The brownfield redevelopment involves property that is zoned for office, business or industrial use and/or is planned for office, business or industrial use in the Portage Comprehensive Plan.
- The financial incentives to be provided for the project will not result in the impairment of the operation or the financial soundness of any affected taxing unit.
- A public purpose would be served; i.e., expanded tax base as well as the multiplier effects of additional employment, income and capital investment in the community.
- The project will provide for an expansion of the employment base in the community.

- The proposed facilities will be compatible with the present and future requirements for city services such as roads, utilities and public safety.
- The applicant meets current financial obligations to the city, is in compliance with all applicable state and city codes and ordinances and has no pending or current litigation against the city (including appeals to the Michigan Tax Tribunal).

The preceding criteria are not intended to be exhaustive. The City Council reserves the right to consider such additional criteria that are intended under this policy and that are consistent with promoting the general health, safety, and welfare of the City of Portage.

3. Brownfield Redevelopment Financial Incentives in the City of Portage

The Portage City Council wishes to encourage the environmental clean-up and/or redevelopment of eligible brownfield sites by leveling the playing field between "brownfield" and "greenfield" sites. The Portage City Council will offer the following incentives to stimulate reinvestment in eligible brownfield sites.

A. Tax Increment Financing Incentive. Tax increment financing (TIF) allows the use of tax revenues that result from an increase in taxable value caused by the construction of new facilities or the rehabilitation of existing facilities. Tax revenues can then be used to fund/reimburse the cost of eligible brownfield redevelopment activities.

1. The Portage City Council will support tax increment financing if such financing is necessary for the economic feasibility of an office, commercial or industrial project on a brownfield site. Tax increment financing may be approved to reimburse the applicant only for those costs attributed to approved activities directly related to the brownfield property such as public infrastructure, storm water retention, environmental response, demolition, including reasonable interest expenses as allowed by the Act, and for related fees and costs associated with the tax increment plan, financing, scheduling, reporting and related activities. City Administration costs for review and approval of the brownfield application and plan that involve tax increment financing will be incorporated into the tax increment finance plan as allowed by the Act. The city will not borrow money or issue negotiable revenue bonds or notes to finance eligible activities.

2. In order for a project to be considered for tax increment financing, the following minimum threshold criteria must be met:

   a. The property must be zoned and/or designated for office or business use and located in a "Commercial Revitalization Area", the Downtown Development Authority, the Lake Centre subarea, or the City Centre subarea as identified in the Comprehensive Plan and meet the guidelines of the state brownfield program; OR
   b. The property must be zoned and/or designated for industrial use and located within the general industrial area identified in the Comprehensive Plan and meet the manufacturing guidelines of the state brownfield program; AND
   c. The local tax capture is limited to a maximum of 15 years or when 100% reimbursement of eligible expenses is achieved, whichever time period is shorter. Eligible expenses for projects that involve a functionally obsolete building or blighted building/property shall be limited to activities that demolish and/or remove the obsolete or blighted factors of the building/property; AND
   d. The applicant is not responsible for any existing on-site environmental contamination and/or blighted building or site conditions.

3. The City Council may increase the financial assistance and level of city participation, by granting a TIF capture period that exceeds 15 years but is not longer than 30 years, consistent with the requirements of Act 381 and objectives stated in this policy. One of the following criteria should be considered for such projects:

   a. The project is transformative and involves significant economic development benefits to the community; OR
   b. The minimum taxable value of the project upon completion will be at least $10 million; OR
   c. The project will result in the creation of: 100 or more new jobs with a *median annual salary* above 80% of the Kalamazoo County Area Median Income for a single-person household; OR 50 new jobs, *all* of which have an annual salary above 80% of the Kalamazoo County Area Median Income for a single-person household; OR
   d. Others benefits as may be determined by the City Council.

4. Brownfield Redevelopment Application Review Process

~~The application review process is intended to allow the community the opportunity to review the proposed brownfield redevelopment project in advance of the finalization of a formal brownfield plan amendment. Approval of the application by the City Council will allow the applicant to proceed with preparation of the formal brownfield plan amendment.~~ The application review process includes the following information/steps:

A. Applications shall be submitted to the Department of Community Development and include:

   1. Letter of application, together with the adopted fee.
   2. Project summary of the overall project investment and proposed job creation/retention, a preliminary site plan or site sketch, graphics or other illustrations that detail the project.
   3. Summary of environmental conditions and eligible activities that necessitate consideration of a brownfield plan amendment.
   4. Preliminary estimate of the captured taxable value and tax increment revenues from all eligible properties.
   5. Preliminary estimate of the impact of tax increment financing on the revenues of all taxing units subject to tax capture.

   The application will be promptly processed when all required information has been submitted.

B. Review of a brownfield redevelopment application will be coordinated by the Department of Community Development, with assistance from the Office of City Assessor. The Community Development Department will prepare a ~~The~~ report that will include appropriate analyses and ~~be prepared~~ give~~ing~~ consideration to the application, Michigan Statue, the General Review Criteria specified in this policy and any other pertinent considerations. If the City Manager ~~Council~~ approves the brownfield redevelopment application, ~~the approval will extend for a six month period, after which a new application will be required. During this approval period,~~ the applicant will prepare an amendment to the City of Portage Brownfield Plan, which will be considered as required by Act 381 and relevant statutory requirements.

5. Amendment to the City of Portage Brownfield Plan Process

Within six months of the City Manager ~~Council~~ approval of the brownfield application, the applicant may proceed and prepare an amendment to the City of Portage Brownfield Redevelopment Plan for consideration by the city to include an additional eligible property per the following:

A. Preparation of the Brownfield Redevelopment Plan. The applicant, or designated agent, is responsible for preparing the Brownfield Redevelopment Plan consistent with the Act. The Brownfield Redevelopment Plan shall be properly completed and submitted to the Department of Community Development.

B. City Administrative Review. The Brownfield Redevelopment Plan will be reviewed by the Department of Community Development, with assistance from the Office of City Assessor. A report will be prepared and include appropriate analyses, giving consideration to the approved brownfield application, Michigan Statute, this policy and any other pertinent considerations. The review and report, together with a draft development agreement, will be provided to the Brownfield Redevelopment Authority and to City Council for consideration at the public hearing on the plan.

C. Brownfield Redevelopment Authority Review. The Authority will review the Brownfield Redevelopment Plan and related documents and develop a recommendation that will be forwarded to City Council. After review by the Authority, the plan will be forwarded to the City Council.

D. Public Hearing on the Brownfield Redevelopment Plan. City Council will hold a public hearing on the plan consistent with Act 381 including written notice to taxing units subject to tax capture.

E. Resolution adopted by City Council. After consideration of the proposal and Brownfield Redevelopment Plan, development agreement and related documents, City Council will adopt a resolution certifying the plan.

6. State of Michigan Review Process

If captured school taxes will be used to reimburse the cost of environmental response activities, or any non-environmental activities, approval of the Brownfield Redevelopment Plan and a Work Plan by the MDEQ and/or the MEDC is necessary. A Work Plan details the proposed project, specific activities to be undertaken, and the costs and time frame for completion. The MDEQ and MEDC will review the Brownfield Redevelopment Plan and Work Plan to ensure consistency with statutory, procedure and process requirements, and notify the City of Portage Brownfield Redevelopment Authority that the plan has been approved, approved with conditions, denied or if additional information is needed. The applicable state agency(ies) will approve the Tax Increment Finance Incentives, including the required Work Plans. The city and the authority will only use tax increment revenues in a manner consistent with the approval(s) granted by the applicable state agency(ies). If the plan is approved or approved with conditions by the State of Michigan, the City Council and other local units will be advised, as applicable.

7. Local Brownfield Revolving Fund

PA 381 of 1996 authorizes the creation of a Local Brownfield Revolving Fund (LBRF) that can be used for eligible activities such as: site investigation (e.g. environmental studies such as Baseline Environmental Assessments and Due Care Plans); preparation of a Brownfield Redevelopment Plan; environmental cleanup; demolition; site clearing, amongst others. The benefit of a LBRF is that it can provide funding for future brownfield redevelopment projects that require additional assistance with up front due diligence and planning costs required to prepare a Brownfield Redevelopment Plan, and/or with the cost of eligible redevelopment activities where a project may not otherwise be economically feasible.

Funding for a LBRF typically consists of funds from tax increment revenue in excess of the amount required to reimburse the developer, the local Brownfield Redevelopment Authority for administrative expenses, and the State Brownfield Redevelopment Authority. However, funding for a LBRF may

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also be derived from appropriations and/or grants from public and private sources. In the case of the Portage Brownfield Redevelopment Authority, the LBRF will initially be funded from tax increment revenue derived from approved Brownfield Redevelopment Plans. The LBRF will capture excess tax increment revenue for a period not to exceed five years (which must fall within the maximum 30-year capture period).

8. Annual Report Requirements for the City of Portage and the Applicant

In accordance with Act 381 requirements, an annual financial report will be submitted to the City Council and the State Tax Commission on the status of the activities.

9. Coordination with Kalamazoo County Brownfield Redevelopment Authority

The Kalamazoo County Brownfield Redevelopment Authority (KCBRA) was created in 2002, which also provides incentives for brownfield redevelopment. While most KCBRA projects have occurred within Kalamazoo County townships, the City of Portage may permit a KCBRA project within the city. The KCBRA has established a Local Site Remediation Revolving Fund (LSRRF) that provides funding to assist applicants with up front expenses including environmental studies and preparation of a Brownfield Redevelopment Plan. In the event an applicant seeks approval through the KCBRA, the following criteria and process shall be utilized for the review and approval process:

- KCBRA staff reviews the initial application and consults with the City of Portage Department of Community Development regarding the project.
- KCBRA Brownfield Plans proposed within the City of Portage must be consistent with the criteria and TIF capture provisions outlined in the City of Portage Brownfield Redevelopment Incentive Policy. An additional TIF capture period will be permitted for a period of not more than five years to fund the LSRRF. Dependent on the amount of TIF capture and scope of the project, this time period may be shortened to less than five years.
- After the KCBRA reviews and approves Brownfield Plan, the plan shall be submitted to the City of Portage Department of Community Development. After review by the City Administration, the City of Portage Brownfield Redevelopment Authority will review the Brownfield Plan and make a recommendation to City Council.
- The City Council will then review the Brownfield Plan and if approved, adopt a Resolution Approving a Brownfield Plan.
- If approved by the Kalamazoo County Board of Commissioners and the State of Michigan (if applicable), the KCBRA shall provide an executed copy of the development agreement for the project and annually provide a report regarding Brownfield Plan projects within the City of Portage.

DATE OF ADOPTION BY CITY COUNCIL: ~~April 14, 2015~~June 11, 2019

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CITY OF PORTAGE BROWNFIELD REDEVELOPMENT INCENTIVE POLICY

The City of Portage encourages the growth and development of the local industry and business tax base, the creation of additional job opportunities for community residents and desires to continue to provide incentives for industry and business expansion. The City Council also recognizes the essential responsibility to the community to maintain the array of public services necessary to ensure the high quality of life that exists in Portage. To facilitate tax base expansion and to fulfill these responsibilities, the City Council hereby establishes this City of Portage Brownfield Redevelopment Incentive Policy.

The City of Portage is *A Natural Place to Move.* To continue to be a community in which growth and development can prosper, the following attributes important to all industries and businesses will be maintained:

- **Low Tax Rate**. The maintenance of the lowest feasible tax rate compared to other full-service cities is essential to economic development and will facilitate expansion and job creation: A very competitive City of Portage tax rate will be continued.
- **Utility Service Rates**. The maintenance of competitive utility rates is also important to provide opportunities for continued growth and development: Cost effective rates and the efficient delivery of utility services by the City of Portage will be continued.
- **Capital Improvements**. Investments in existing public street, water and sewer infrastructure and the expansion of these public systems are necessary and will encourage additional private sector investment: The annual 10-year Capital Improvement Program budget will continue to reflect essential public improvements within the community.
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Inquiries concerning this policy can be directed to the Department of Community Development (269.329.4477), or the Office of the City Clerk (269.329.4511) in Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan 49002.

Brownfield Redevelopment Incentive Policy

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8. Coordination with the Kalamazoo County Brownfield Redevelopment Authority

1. The Intent of the City of Portage Brownfield Redevelopment Program

Per the resolution adopted by the City Council in July 2001, the City of Portage Brownfield Redevelopment Program was established to facilitate reuse of environmentally distressed, functionally obsolete, and/or blighted buildings and property in the community. This economic development program is intended to place vacant and/or underutilized/blighted properties back into productive use, fostering reinvestment in the city and, also, discouraging sprawl development. Consistent with the intent of PA381 of 1996, as amended, City Council established the Portage Brownfield Redevelopment Authority in August 2001 and appointed the Board of Directors of the Portage Economic Development Corporation/Tax Increment Finance Authority (EDC/TIFA) to serve as the Portage Brownfield Redevelopment Authority.

The objective of the Act is to assist in effectively addressing brownfield properties and consider the level of assistance necessary to encourage redevelopment. It is acknowledged that the greater development costs associated with a brownfield, when compared to the development costs of a property that is not environmentally contaminated, functionally obsolete, or blighted is a significant consideration in successful redevelopment and use. The State of Michigan has enacted programs to assist in brownfield redevelopment, and has authorized local units of government to capture incremental increases in local and school property tax revenues to finance eligible activities on a brownfield property including environmental response activities, demolition, public infrastructure improvements, site preparation and lead and asbestos abatement.

2. The General Review Criteria for Brownfield Applications

The City Council will evaluate brownfield redevelopment applications based on the following criteria. The criteria shall be equally applied during the review of applications from eligible property owners:

- The brownfield redevelopment will facilitate the environmental clean-up to accepted State of Michigan standards and the productive reuse of one or more distressed properties, or
- The brownfield redevelopment will facilitate the demolition and removal of a functionally obsolete building (or selective interior building demolition) and site condition, or a blighted building and site condition.
- The brownfield redevelopment involves property that is zoned for office, business or industrial use and/or is planned for office, business or industrial use in the Portage Comprehensive Plan.
- The financial incentives to be provided for the project will not result in the impairment of the operation or the financial soundness of any affected taxing unit.
- A public purpose would be served; i.e., expanded tax base as well as the multiplier effects of additional employment, income and capital investment in the community.
- The project will provide for an expansion of the employment base in the community.

- The proposed facilities will be compatible with the present and future requirements for city services such as roads, utilities and public safety.
- The applicant meets current financial obligations to the city, is in compliance with all applicable state and city codes and ordinances and has no pending or current litigation against the city (including appeals to the Michigan Tax Tribunal).

The preceding criteria are not intended to be exhaustive. The City Council reserves the right to consider such additional criteria that are intended under this policy and that are consistent with promoting the general health, safety, and welfare of the City of Portage.

3. Brownfield Redevelopment Financial Incentives in the City of Portage

The Portage City Council wishes to encourage the environmental clean-up and/or redevelopment of eligible brownfield sites by leveling the playing field between "brownfield" and "greenfield" sites. The Portage City Council will offer the following incentives to stimulate reinvestment in eligible brownfield sites.

A. Tax Increment Financing Incentive. Tax increment financing (TIF) allows the use of tax revenues that result from an increase in taxable value caused by the construction of new facilities or the rehabilitation of existing facilities. Tax revenues can then be used to fund/reimburse the cost of eligible brownfield redevelopment activities.

1. The Portage City Council will support tax increment financing if such financing is necessary for the economic feasibility of an office, commercial or industrial project on a brownfield site. Tax increment financing may be approved to reimburse the applicant only for those costs attributed to approved activities directly related to the brownfield property such as public infrastructure, storm water retention, environmental response, demolition, including reasonable interest expenses as allowed by the Act, and for related fees and costs associated with the tax increment plan, financing, scheduling, reporting and related activities. City Administration costs for review and approval of the brownfield application and plan that involve tax increment financing will be incorporated into the tax increment finance plan as allowed by the Act. The city will not borrow money or issue negotiable revenue bonds or notes to finance eligible activities.

2. In order for a project to be considered for tax increment financing, the following minimum threshold criteria must be met:

   a. The property must be zoned and/or designated for office or business use and located in a "Commercial Revitalization Area", the Downtown Development Authority, the Lake Centre subarea, or the City Centre subarea as identified in the Comprehensive Plan and meet the guidelines of the state brownfield program; OR
   b. The property must be zoned and/or designated for industrial use and located within the general industrial area identified in the Comprehensive Plan and meet the manufacturing guidelines of the state brownfield program; AND
   c. The local tax capture is limited to a maximum of 15 years or when 100% reimbursement of eligible expenses is achieved, whichever time period is shorter. Eligible expenses for projects that involve a functionally obsolete building or blighted building/property shall be limited to activities that demolish and/or remove the obsolete or blighted factors of the building/property; AND
   d. The applicant is not responsible for any existing on-site environmental contamination and/or blighted building or site conditions.

3. The City Council may increase the financial assistance and level of city participation, by granting a TIF capture period that exceeds 15 years but is not longer than 30 years, consistent with the requirements of Act 381 and objectives stated in this policy. One of the following criteria should be considered for such projects:

   a. The project is transformative and involves significant economic development benefits to the community; OR
   b. The minimum taxable value of the project upon completion will be at least $10 million; OR
   c. The project will result in the creation of: 100 or more new jobs with a *median annual salary* above 80% of the Kalamazoo County Area Median Income for a single-person household; OR 50 new jobs, *all* of which have an annual salary above 80% of the Kalamazoo County Area Median Income for a single-person household; OR
   d. Others benefits as may be determined by the City Council.

4. Brownfield Redevelopment Application Review Process

The application review process includes the following information/steps:

A. Applications shall be submitted to the Department of Community Development and include:

   1. Letter of application, together with the adopted fee.
   2. Project summary of the overall project investment and proposed job creation/retention, a preliminary site plan or site sketch, graphics or other illustrations that detail the project.
   3. Summary of environmental conditions and eligible activities that necessitate consideration of a brownfield plan amendment.
   4. Preliminary estimate of the captured taxable value and tax increment revenues from all eligible properties.
   5. Preliminary estimate of the impact of tax increment financing on the revenues of all taxing units subject to tax capture.

   The application will be promptly processed when all required information has been submitted.

B. Review of a brownfield redevelopment application will be coordinated by the Department of Community Development, with assistance from the Office of City Assessor. The Community Development Department will prepare a report that will include appropriate analyses and give consideration to the application, Michigan Statue, the General Review Criteria specified in this policy and any other pertinent considerations. If the City Manager approves the brownfield redevelopment application, the applicant will prepare an amendment to the City of Portage Brownfield Plan, which will be considered as required by Act 381 and relevant statutory requirements.

5. Amendment to the City of Portage Brownfield Plan Process

Within six months of the City Manager approval of the brownfield application, the applicant may proceed and prepare an amendment to the City of Portage Brownfield Redevelopment Plan for consideration by the city to include an additional eligible property per the following:

A. Preparation of the Brownfield Redevelopment Plan. The applicant, or designated agent, is responsible for preparing the Brownfield Redevelopment Plan consistent with the Act. The Brownfield Redevelopment Plan shall be properly completed and submitted to the Department of Community Development.

B. City Administrative Review. The Brownfield Redevelopment Plan will be reviewed by the Department of Community Development, with assistance from the Office of City Assessor. A report will be prepared and include appropriate analyses, giving consideration to the approved brownfield application, Michigan Statute, this policy and any other pertinent considerations. The review and report, together with a draft development agreement, will be provided to the Brownfield Redevelopment Authority and to City Council for consideration at the public hearing on the plan.

C. Brownfield Redevelopment Authority Review. The Authority will review the Brownfield Redevelopment Plan and related documents and develop a recommendation that will be forwarded to City Council. After review by the Authority, the plan will be forwarded to the City Council.

D. Public Hearing on the Brownfield Redevelopment Plan. City Council will hold a public hearing on the plan consistent with Act 381 including written notice to taxing units subject to tax capture.

E. Resolution adopted by City Council. After consideration of the proposal and Brownfield Redevelopment Plan, development agreement and related documents, City Council will adopt a resolution certifying the plan.

6. State of Michigan Review Process

If captured school taxes will be used to reimburse the cost of environmental response activities, or any non-environmental activities, approval of the Brownfield Redevelopment Plan and a Work Plan by the MDEQ and/or the MEDC is necessary. A Work Plan details the proposed project, specific activities to be undertaken, and the costs and time frame for completion. The MDEQ and MEDC will review the Brownfield Redevelopment Plan and Work Plan to ensure consistency with statutory, procedure and process requirements, and notify the City of Portage Brownfield Redevelopment Authority that the plan has been approved, approved with conditions, denied or if additional information is needed. The applicable state agency(ies) will approve the Tax Increment Finance Incentives, including the required Work Plans. The city and the authority will only use tax increment revenues in a manner consistent with the approval(s) granted by the applicable state agency(ies). If the plan is approved or approved with conditions by the State of Michigan, the City Council and other local units will be advised, as applicable.

7. Local Brownfield Revolving Fund

PA 381 of 1996 authorizes the creation of a Local Brownfield Revolving Fund (LBRF) that can be used for eligible activities such as: site investigation (e.g. environmental studies such as Baseline Environmental Assessments and Due Care Plans); preparation of a Brownfield Redevelopment Plan; environmental cleanup; demolition; site clearing, amongst others. The benefit of a LBRF is that it can provide funding for future brownfield redevelopment projects that require additional assistance with up front due diligence and planning costs required to prepare a Brownfield Redevelopment Plan, and/or with the cost of eligible redevelopment activities where a project may not otherwise be economically feasible.

Funding for a LBRF typically consists of funds from tax increment revenue in excess of the amount required to reimburse the developer, the local Brownfield Redevelopment Authority for administrative expenses, and the State Brownfield Redevelopment Authority. However, funding for a LBRF may also be derived from appropriations and/or grants from public and private sources. In the case of the Portage Brownfield Redevelopment Authority, the LBRF will initially be funded from tax increment revenue derived from approved Brownfield Redevelopment Plans. The LBRF will capture excess tax increment revenue for a period not to exceed five years (which must fall within the maximum 30-year capture period).

8. Annual Report Requirements for the City of Portage and the Applicant

In accordance with Act 381 requirements, an annual financial report will be submitted to the City Council and the State Tax Commission on the status of the activities.

9. Coordination with Kalamazoo County Brownfield Redevelopment Authority

The Kalamazoo County Brownfield Redevelopment Authority (KCBRA) was created in 2002, which also provides incentives for brownfield redevelopment. While most KCBRA projects have occurred within Kalamazoo County townships, the City of Portage may permit a KCBRA project within the city. The KCBRA has established a Local Site Remediation Revolving Fund (LSRRF) that provides funding to assist applicants with up front expenses including environmental studies and preparation of a Brownfield Redevelopment Plan. In the event an applicant seeks approval through the KCBRA, the following criteria and process shall be utilized for the review and approval process:

- KCBRA staff reviews the initial application and consults with the City of Portage Department of Community Development regarding the project.
- KCBRA Brownfield Plans proposed within the City of Portage must be consistent with the criteria and TIF capture provisions outlined in the City of Portage Brownfield Redevelopment Incentive Policy. An additional TIF capture period will be permitted for a period of not more than five years to fund the LSRRF. Dependent on the amount of TIF capture and scope of the project, this time period may be shortened to less than five years.
- After the KCBRA reviews and approves Brownfield Plan, the plan shall be submitted to the City of Portage Department of Community Development. After review by the City Administration, the City of Portage Brownfield Redevelopment Authority will review the Brownfield Plan and make a recommendation to City Council.
- The City Council will then review the Brownfield Plan and if approved, adopt a Resolution Approving a Brownfield Plan.
- If approved by the Kalamazoo County Board of Commissioners and the State of Michigan (if applicable), the KCBRA shall provide an executed copy of the development agreement for the project and annually provide a report regarding Brownfield Plan projects within the City of Portage.

DATE OF ADOPTION BY CITY COUNCIL: June 11, 2019

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Permit to Conduct Fireworks Display

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Approve a permit for a fireworks display on July 5, 2019, at Ramona Park sponsored by the Portage Rotary Club.

The Portage Rotary Club has submitted an application for a permit to conduct a public fireworks display on July 5, 2019 at Ramona Park. A letter from the Portage Rotary requesting favorable consideration of the permit is attached. The public display of fireworks is regulated by Public Act 328 of 1931, the Fireworks Law. The Act provides that municipalities may issue permits for public fireworks displays on a form issued by the State Fire Marshal.

The Act requires that the local governmental unit rule on the competency and qualifications of pyrotechnic operators who propose to conduct a display before the permit is issued. In the City of Portage, the responsibility is designated to the Fire Marshal. Night Magic, Incorporated, a professional pyrotechnic company with a long record of conducting public fireworks displays, including those in the City of Portage, will conduct the 2019 Portage Rotary display. Based on requirements set forth in the International Fire Code and applicable National Fire Protection Association (NFPA) standards, the Fire Marshal has determined that Night Magic, Incorporated, is both competent and qualified.

The Portage Public Safety Department is coordinating with the Portage Rotary Club to ensure a safe and orderly event. Further, the attached informational letter was sent by the Portage Rotary Club to property owners within one-quarter mile of the launch location of the fireworks about the event. As such, it is recommended that City Council approve a permit for the proposed public fireworks display sponsored by the Portage Rotary Club.

FUNDING: N/A

Attachments: 1. 2019 Fireworks Application

Portage Rotary Club

May 14, 2019

City of Portage
7900 S. Westnedge
Portage, MI 49002

Dear Mayor and Council,

This is our formal request for a permit for Portage Rotary to host and hire the vendor, Night Magic, Inc., to produce a fireworks celebration on July 5, 2019 (rain date July 6) at Ramona Park, 8600 S. Sprinkle Road. We have worked with the City of Portage Parks and Recreation Department as well as police, fire and DNR to coordinate the event. All the departments have cooperated to provide a successful event.

Portage Rotary will be providing concessions and some fun family activities during the event with the gates opening up at 6:00 PM that evening. Major contributors from businesses and the community will be recognized for their financial contributions to the cost of the fireworks. The fireworks show will be about 20 minutes in duration and will be shot from a large barge on Long Lake.

We thank the City of Portage for their continued support and cooperation for this event.

Sincerely,

Karen Foster

Karen Foster
Portage Rotary Club

P.O. Box 55 • Portage, MI 49081

2019 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY
DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

- ☐ Agricultural or Wildlife Fireworks
- ☐ Articles Pyrotechnic
- ☐ Display Fireworks
- ☑ Public Display
- ☐ Private Display
- ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT Portage Rotary Club	ADDRESS OF APPLICANT P.O. Box 55, Portage, MI 49081	AGE OF APPLICANT 18 YEARS OR OLDER XX YES ☐ NO
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER Karen Foster	ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER 504 E. Centre, Portage, MI 49002	269 207 6122
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR Night Magic – Dustin Schurg	ADDRESS OF PYROTECHNIC OPERATOR 10548 Mill Tower Dr. Rancho Cordova, CA 95870	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER XX YES ☐ NO
NO. YEARS EXPERIENCE 6 yrs / NO. DISPLAYS 50	WHERE Three oaks, Norton Shores, Saugatuck, Waterford	
NAME OF ASSISTANT	ADDRESS OF ASSISTANT	AGE OF ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
NAME OF OTHER ASSISTANT	ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO

EXACT LOCATION OF PROPOSED DISPLAY
8600 S. Sprinkle Rd, Portage, MI 49002

DATE OF PROPOSED DISPLAY July 5, 2019 Rain Date July 6, 2019	TIME OF PROPOSED DISPLAY 10:15 pm or dusk

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

NO STORAGE IS REQUIRED

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) 10,000,000	NAME OF BONDING CORPORATION OR INSURANCE COMPANY Britton-gallagher & associates

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY
One Cleveland Center, 1375 East 9th Street, Cleveland, OH 44114

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional paper as needed)
300	3 Inch Shells

SIGNATURE OF APPLICANT	DATE 4-25-19

BFS-417 (Rev 01/18)

2019

Permit for Fireworks Other Than Consumer or Low Impact
Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
(517) 241-8847

Authority	2011 PA 256	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
Compliance	Required	
Penalty	Permit will not be issued.	

This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

Public Display

ISSUED TO: Dustin Schurg
AGE (18 or over): 24 yrs

ADDRESS: 10548 Mill Tower Dr. Rancho Cordova, CA 95870

NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION: ***NIGHT MAGIC DISPLAYS***

ADDRESS: ***3999 HUPP RD, LA PORTE IN 46350***

NUMBER AND TYPES OF FIREWORKS:

300 3 inch display shells

EXACT LOCATION OF DISPLAY OR USE: Ramona Park, 8600 S. Sprinkle Rd, Portage, MI 49002

CITY, VILLAGE, TOWNSHIP: Portage
DATE: 7/5/19 7-6 Rain date
TIME: dusk

BOND OR INSURANCE FILED: ☒ Yes ☐ No
AMOUNT: ***$10,000,000.00***

Issued by action of the Legislative Body of a

☒ city ☐ village ☐ township of Portage on the _____ day of _____ 20__

_____
(Signature and Title of Legislative Body Representative)

FORM IS VALID FOR YEAR SHOWN ONLY

BFS-49e

Michigan Department of Natural Resources - Law Enforcement

MARINE SPECIAL EVENT APPLICATION AND PERMIT

Issued under authority of Part 801, Marine, Part 811 ORV and Part 821 Snowmobile, of the Natural Resource and Environmental Protection Act, Act 451, P. A. of 1994, as amended. Failure to comply with the provisions of this Act is a misdemeanor and may result in fines and/or imprisonment.

FOR USE ONLY
Permit Number D7-M-K2-1952

APPLICANT: This completed and signed application must be received by the appropriate DNR office at least 30 days prior to the event, or the permit may not be authorized. Locations and addresses on next page.

Name of Applicant: Night Magic Displays	Sponsoring Organization/Individual/Group: Portage Rotary Club / Karen Foster	Name of Person in Charge of Event: Dustin Schurg
Street Address: 3999 Hupp Road, Building R-3-1	Street Address: 504 E Centre Ave	Street Address: 10548 Mills Tower Drive
City, State, ZIP: La Porte, IN 46350	City, State, ZIP: Portage, Mi 49002	City, State, ZIP: Rancho Cordova, CA 95670
Email Address: magicpyro@aol.com	Email Address: kfoster@bpmportage.com	Email Address: dustinschurg@gmail.com
Business Telephone: (800) 998-3900 / Home Telephone: (574) 298-1812	Business Telephone: (269) 207-6122	Business Telephone: ( ) / Home Telephone: (219) 226-5607
Event Date(s) (mm/dd/yyyy) If seasonal, attach proposed schedule: 07/05/2019, Rain date is 07/06/2019		Where will "Person in Charge" be during the event? On site
Event Starting and Finishing Times: 10:20 to 10:45 PM		How can "Person in Charge" be contacted during the event? cell phone (219) 226-5607

Type of Event (Check appropriate boxes)

☒ **Marine** - Pursuant to Section 80164 of Act 451, P.A. of 1994, as amended.
☐ Canoe Race ☐ Parade ☐ Hydroplane Race ☐ Offshore Race ☐ Sailboat Race ☐ Motorboat Race ☐ Water Skiing
☒ Fireworks* ☐ Swimming ☐ Raft Race ☐ Sailboard ☐ Other (Specify) _____

***Applicant must include copy of Fireworks Display Permit issued by local unit of government.**

☐ **Off-Road Vehicle (ORV)** - Pursuant to Section 81122 of Act 451, P.A. of 1994, as amended.
☐ Bike ☐ ORV ☐ Other (specify)

☐ **Snowmobile** - Pursuant to Section 82119 of Act 451, P.A. of 1994, as amended.

Location of Event - Body of Water: Long Lake, Ramona Park, Portage, Mi ☒ Inland Water ☐ Great Lakes/Navigable Waters	Township: Pavillion	County: Kalamazoo	Section(s):
Estimated Number of Vehicles: 0	Number of spectators (if applicable): 4000-5000	Number of Event Participants: three	Sponsor of Patrol Vessels: Pavillion Township Fire Dept, Kalamazoo County Marine Patrol
Do conditions require special law enforcement patrols? ☐ Yes ☐ No	Types of Medical Support Units (if any): City of Portage Fire Dept. EMS		Number of Medical Support Units: ONE

APPLICANT: Read all pages and attachments before certification and signature.

CERTIFICATION

I hereby certify that I have read, understand, and agree to abide by the conditions contained on page 2, governing this permit in the conduct of the operations under this permit, and that the information provided is true and accurate to the best of my knowledge.

Richard Wilson — Applicant Signature
4-29-19 — Date

APPLICANT: Submit completed and signed application to appropriate DNR office at least 30 days prior to event or permit may not be authorized. Locations and addresses on next page.

FOR DNR USE ONLY

Investigation Findings & Recommendations State any problems this event may cause, special equipment the event may require, special enforcement effort that may be required, special use permits, and where they may be obtained.

SGT JEFF BABBERS — Investigating Officer (please print)
245 — Badge Number
Signature
5/3/19 — Date of Investigation (mm/dd/yyyy)

AUTHORIZATION

☑ **EVENT IS AUTHORIZED** for the date(s) and time(s) specified as long as conditions are complied with prior to and/or during stated event(s). Failure to meet all specified conditions automatically invalidates this permit and may subject permittee to prosecution.

Number of Law Enforcement Patrol Boats Vehicles Ø **Type** Ø

Special Conditions - See Page 2:
1☐ 2☐ 3☑ 4☑ 5☑ 6☐ 7☐ 8☑ 9☑ 10☐ 11☐ 12☑ 13☐ 14☑ 15☑ 16☑

Other:

SGT JEFF BABBERS
5/3/19

☐ **EVENT IS NOT AUTHORIZED**

DISTRIBUTION: Original – DNR District Office Copy – Applicant, County Sheriff, DNR CO

PR9204 (Rev. 08/12/2014)

RECEIVED
MAY 02 2019
LAW PLAINWELL

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 4/25/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Britton-Gallagher and Associates, Inc.
One Cleveland Center, Floor 30
1375 East 9th Street
Cleveland OH 44114

CONTACT NAME:
PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101
E-MAIL ADDRESS: info@brittongallagher.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Everest Indemnity Insurance Co.	10851
INSURER B : Everest Denali Insurance Company	16044
INSURER C : Maxum Indemnity Company	26743
INSURER D : Liberty Mutual Insurance Co	
INSURER E : Liberty Mutual Insurance Co	25035
INSURER F :	

INSURED 2321
Miand Inc. dba Night Magic Displays
3999 E. Hupp Rd, Building R-3-1
La Porte IN 46350

COVERAGES **CERTIFICATE NUMBER:** 48009268 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			SI8GL01460-191	2/4/2019	2/4/2020	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY X PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
B	AUTOMOBILE LIABILITY			SI8CA00186-191	2/4/2019	2/4/2020	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
C	UMBRELLA LIAB X OCCUR			EXC6034145	2/4/2019	2/4/2020	EACH OCCURRENCE	$ 9,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 9,000,000
	DED RETENTION $							$
D E E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC539S714854	2/4/2019	2/4/2020	X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N	N/A		WC534S524913	2/4/2019	2/4/2020	E.L. EACH ACCIDENT	$ 1,000,000
	(Mandatory in NH)			WC523S311836	2/4/2019	2/4/2020	E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
The City of Portage, its' agents, employees & elected officials, Kalamazoo County, Pavilion Township, Long Lake Association, the Village of Paw Paw, and Portage Rotary Club are named as additional insured with respect to the fireworks display on July 5, 2019, at Ramona Park, Portage MI. Raindate July 6, 2019.

CERTIFICATE HOLDER

City of Portage
7900 S. Westnedge Ave.
Portage MI 49002

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS CERTIFICATE SUPERSEDES PREVIOUSLY ISSUED CERTIFICATE

Portage Rotary Club

May 15, 2019

Greetings:

We're back – New Location.

The Portage Rotary Club is planning a public fireworks show to be held the evening of July 5, 2019, (rain date July 6) beginning at dusk, at Ramona Park, 8600 S. Sprinkle Road. The fireworks display will be conducted by a licensed professional pyrotechnic operator contracted by Portage Rotary.

In an effort to promote positive neighbor relations, Portage Rotary is notifying you of the community event. Records provided by the City of Portage indicated that you are the owner of a property located within one-quarter mile of this location. It is anticipated that the Portage City Council will review and consider granting a permit to conduct a fireworks display at the June 11, 2019, 7 pm. at Portage City Council Meeting Portage City Hall. As a neighbor, if you have any formal comments regarding the proposed fireworks display, they can be provided at the June 11, 2019 City Council Meeting or in writing to:

Office of the City Clerk
City of Portage
7900 South Westnedge Ave
Portage, MI 49002

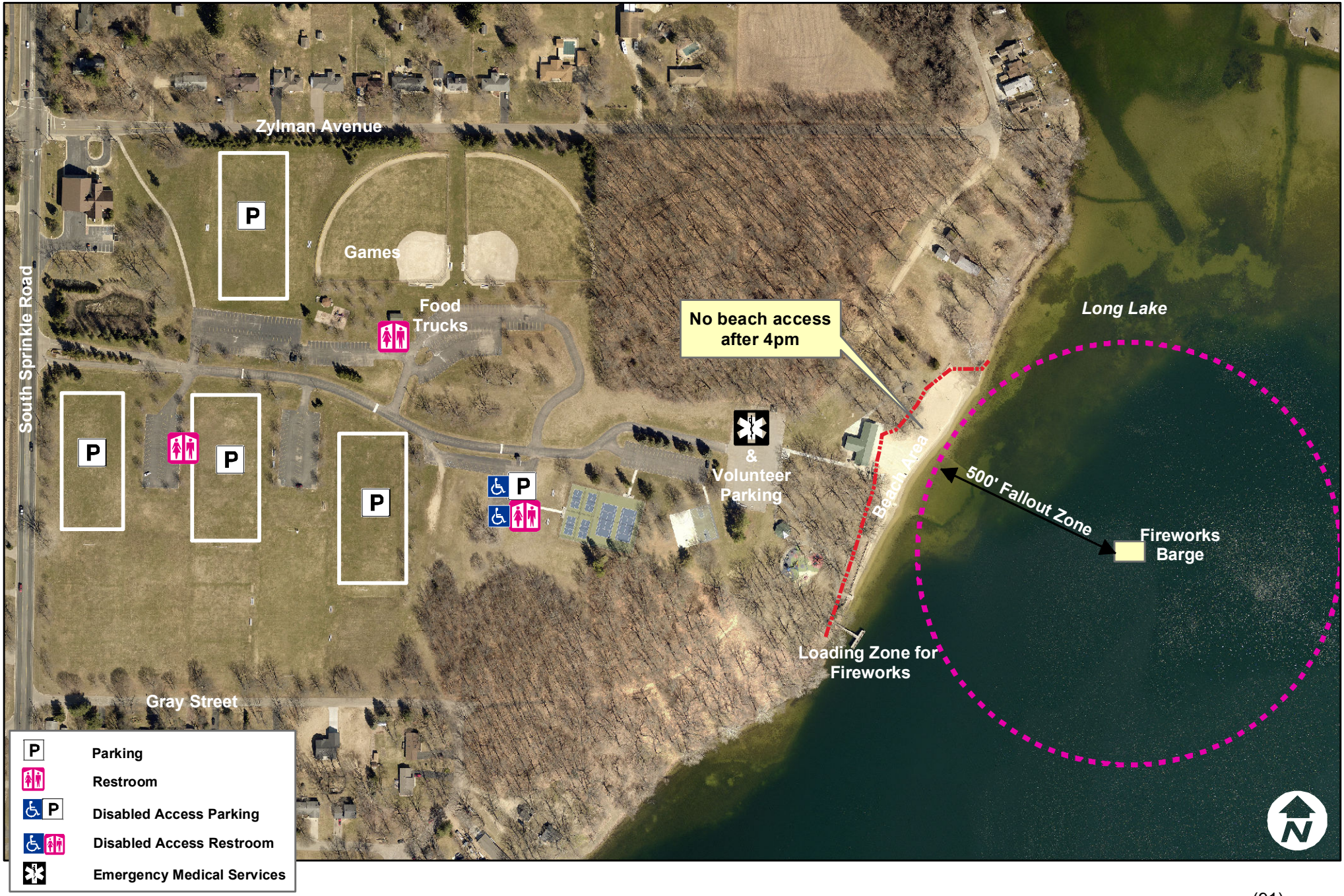
If you have questions about the proposed fireworks display, please contact City of Portage Parks and Recreation 329 4522. The Portage Rotary hopes you will enjoy the fireworks display and thanks you in advance for your support of this patriotic community event.

Sincerely,

Portage Rotary

P.O. Box 55 • Portage, MI 49081

Independence Day Fireworks Celebration
Ramona Park, 8600 South Sprinkle Road
July 5, 2019



TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Angling Road and Meredith Street Reconstruction Project - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a construction contract to Michigan Paving and Materials Company of Kalamazoo, Michigan for the Angling Road and Meredith Street Reconstruction project in an amount not to exceed $1,007,431.95 and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

The FY 2018-2019 Capital Improvement Program budget contains funds for the reconstruction of Angling Road from Vincent Drive to the north city limits and Meredith Street from Sprinkle Road to East Kilgore Road. The work on Angling Road includes a new left-turn lane for Angling Road Elementary, storm drainage improvements, concrete curb radii at intersections, ADA sidewalk ramp upgrades, two sanitary sewer leads for future residential lot development, new pavement, pavement markings and signage. The work on Meredith Street includes milling the existing pavement, sidewalk extension on the west side to connect to existing sidewalk at East Kilgore Road, resurfacing, pavement markings and signage.

On June 26, 2018, City Council approved a contract with AR Engineering, LLC in the amount of $87,750 for design engineering of the Angling Road and Meredith Street Reconstruction project. Design was finalized for bidding the project and on May 30, 2019, two bids were received with the low bid being submitted by Michigan Paving and Materials Company, of Kalamazoo, MI, in the amount of $1,007,431.95.

It is recommended that City Council award a construction contract to Michigan Paving and Materials Company of Kalamazoo, MI, for the Angling Road and Meredith Street Reconstruction project in an amount not to exceed $1,007,431.95 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available in the Fiscal Year 2018-2019 Capital Improvement Program budget.

Attachments: 1. Angling Road and Meredith Street - Bid Tabulation

ANGLING ROAD AND MEREDITH STREET RECONSTRUCTION PROJECTS
BID TABULATION

	Total
Michigan Paving & Materials Co. 2300 Glendenning Road Kalamazoo, MI 49001	$1,007,431.95
Rieth-Riley Construction Co., Inc. 911 Hatfield Avenue Kalamazoo, MI 49001	$1,050,309.21

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Lovers Lane Properties, LLC, Brownfield Redevelopment Plan, 6666 Lovers Lane

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Accept the application from Lovers Lane Properties, LLC for a Brownfield Redevelopment Plan Amendment, and authorize the applicant to proceed with preparation of the plan amendment.

Attached is a request from Southwest Michigan First, on behalf of Lovers Lane Properties, LLC, the owner of 6666 Lovers Lane. The request is to utilize incentives offered through the City of Portage Brownfield Incentive Policy, and to amend the City of Portage Brownfield Redevelopment Plan. The 2.48-acre property at 6666 Lovers Lane is zoned I-1, light industrial and is developed with a 10,500-square-foot building constructed in 1980 and associated off-street parking lot. The property owner proposes to renovate the underutilized building with interior and exterior renovations of the building and exterior site upgrades. The building will accommodate a prospective tenant with plans to create approximately 25-30 new jobs with an average salary of $30,000 per year. The total investment in the property is expected to be $700,000-$750,000. Construction is anticipated to begin in the summer of 2019, with completion by the end of the calendar year.

The property is considered an "Eligible Property" under the Brownfield Redevelopment Financing Act, PA 381 of 1986, due to soil and groundwater contamination impacted with arsenic, selenium and lead at concentrations in excess of the applicable standards of the Michigan Department of Environment, Great Lakes and Energy (EGLE) shown on the attached Soil Probe Location Diagram. The applicant notes that the property may also be eligible as the building is functionally obsolete due to its age and poor condition.

While the scope of work is being finalized based on initial site plan review of the project, the applicant estimates eligible brownfield redevelopment activities will be in the range of $150,000-$175,000 and will include selective site and building demolition, site preparation, and costs related to preparation of the Baseline Environmental Assessment and Due Care Plan. Per the city Brownfield Redevelopment Incentive Policy, the scope of this project will be eligible for a tax increment revenue capture period of 15 years during which the developer may be reimbursed for eligible expenses. The 15-year time period will result in a reimbursement to the developer of approximately 90% of the eligible expenses.

While the investment amount has not been finalized, it is estimated the proposed Brownfield Redevelopment Plan will capture approximately $244,000 in tax increment revenue generated from the redevelopment, including reimbursement to the developer, an allocation to the State Brownfield Redevelopment Fund, administrative fees to the City of Portage Brownfield Redevelopment Authority, and allocation after the initial 15 years to the Local Brownfield Revolving Fund.

The subject property has been vacant and underutilized for more than two years. Redevelopment will result in new jobs to the community, as well as growth to the long-term tax base. It is recommended that City Council accept the application from Lovers Lane Properties, LLC for a Brownfield Redevelopment Plan Amendment, and authorize the applicant to proceed with preparation of the plan amendment.

FUNDING: Tax increment revenue from the project will be captured to pay for eligible brownfield redevelopment activities. Final tax capture and impact on local taxing jurisdictions will be included in the Brownfield Redevelopment Plan amendment.

Attachments:

1. 6666 Lovers Lane Brownfield Redevelopment Plan - application summary
2. Site plan for 6666 Lovers Lane
3. Soil Sampling Map
4. Eligible Activities Table

southwest michigan first
THE GREATEST FORCE FOR CHANGE IS A JOB

MEMORANDUM

TO: Vicki Georgeau, Director of Community Development
City of Portage

FROM: Joe Agostinelli, partner
Southwest Michigan First

SUBJECT: 6666 Lovers Lane Brownfield Plan

DATE: May 29, 2019

Overview

The proposed redevelopment consists of a single 2.48-acre parcel which contains a long vacant and blighted 10,050 square foot industrial building located at 6666 Lovers Lane in the City of Portage. The current owner, Lovers Lane Properties, LLC acquired the property in October 2016. The project will involve the selective interior demolition of most of the non-structural portions of the building to facilitate the construction of new single tenant class A office and warehousing space within the building. Approximately 6,000 square feet of the building will be used for office, while the balance will be utilized for warehousing and distribution. The proposed tenant for the facility is anticipated to bring approximately 25-30 new full-time equivalent jobs paying an average wage of $30,000. The total capital investment on the project is expected to be approximately $700,000 to 750,000. Construction on the project is planned to begin in the 2nd or 3rd quarter of 2019 and will be completed by December 31, 2019.

Brownfield Qualification

The property is considered "Eligible Property" under the Brownfield Redevelopment Financing Act, Public Act 381 of 1996 ("Act 381") due to the fact that soil at the property is impacted with arsenic and selenium, and the groundwater at the property is impacted with arsenic and lead at concentrations in excess of the most stringent applicable Michigan Department of Environment, Great Lakes & Energy (EGLE) Generic Residential Cleanup Criteria (GRCC). Based on the findings of this site assessment activity, the property is a "Facility" as defined by Part 201 of the Natural Resources and Environmental Protection Act.

While Facility status is being used as the qualification trigger for the purposes of this plan, the property could likely also qualify as functionally obsolete and/or blighted.

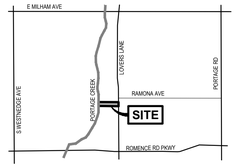
Brownfield Eligible Activities

The plan currently anticipates approximately $150,000 to $175,000 of Eligible Activities which the developer is seeking reimbursement out of tax increment revenues generated by the project. These activities include environmental site assessment and due care, demolition, site preparation and public infrastructure improvements. Based on current projections, it is not anticipated that the Eligible Activities will be fully reimbursed within the 15-year limitation contained within the City's incentive policy.

BENCHMARKS

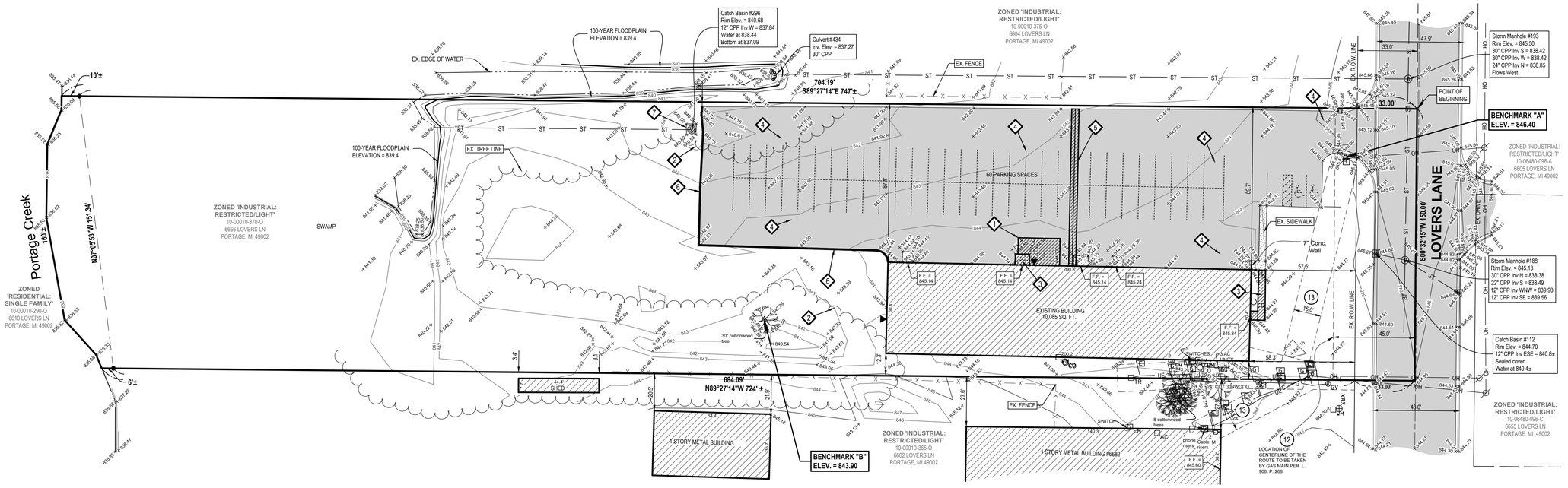
BENCHMARK "A" ELEV. = 846.40 (NAVD 88))
Set railroad spike in North side of utility pole (1'± above ground level), located 40' West of centerline of Lovers Lane at South side of drive entrance to building #6666.

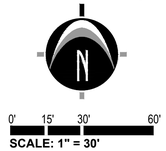
BENCHMARK "B" ELEV. = 843.90 (NAVD 88)
Set railroad spike in North side of 30" Cottonwood tree (1'± above ground level), located 67' West and 34' South of North line of building #6666



LOCATION MAP

NOT TO SCALE





SURVEYOR'S NOTES

1) Flood Zone Classification: **An examination of the National Flood Insurance Program's Flood Insurance Rate Map for Community Number 260577, Panel Number 0302 D, with an Effective Date of February 17, 2010, shows this parcel to be located in Zones AE** (base flood elevation determined), **X-shaded** (areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depth of less than 1 foot of with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood) **and X-not shaded** (areas determined to be outside of the 0.2% annual chance floodplain). **Base flood elevation = 839.4 (NAVD 88). No field surveying was performed to determine these zones.**
2) Source information from plans and markings has been combined with observed evidence of utilities to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary. These locations should not be interpreted to be exact locations nor should it be assumed that they are the only utilities in this area.
3) Waters edge as plotted and shown hereon was field located on April 2, 2019. The boundary along the waters edge is subject to change due to natural causes and it may or may not represent the actual location of the limit of title.
4) NOTE TO CONTRACTORS: 3 (THREE) WORKING DAYS BEFORE YOU DIG, CALL MISS DIG AT TOLL FREE 1-800-482-7171 FOR UTILITY LOCATIONS ON THE GROUND.

SCHEDULE B - SECTION II NOTES

(12) 12. Easement in favor of Consumers Power Company (now known as Consumers Energy) as recorded in Liber 906, Page 268. **The easement described in this document is a blanket easement. Location of centerline of the route to be taken by gas main is shown on this survey.**

(13) 13. Easement in favor of Consumers Power Company (now known as Consumers Energy) as recorded in Instrument No. 2003-029303. **Approximate location of the easement described in this document is shown on this survey.**

811 Know what's **below.** **CALL** before you dig.

UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

NOTE:
EXISTING UTILITIES AND SERVICE LINES IDENTIFIED AS "PLAN" WERE OBTAINED FROM AVAILABLE AS-BUILT RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH AND STATUS OF ALL UTILITIES AND SERVICE LINES PRIOR TO NEW CONNECTIONS.

REMOVAL / DEMOLITION NOTES

1) THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES AT LEAST THREE WEEKS PRIOR TO THE BEGINNING OF CONSTRUCTION OPERATIONS. THERE ARE EXISTING UNDERGROUND UTILITIES WHICH CROSS THE PROPOSED REPLACEMENT WORK AREAS. ALTHOUGH THEIR EXACT LOCATION CANNOT BE DETERMINED, IT IS KNOWN THESE UTILITIES ARE LOCATED WHERE DIGGING IS REQUIRED. THE CONTRACTOR SHALL CONDUCT THE REQUIRED EXCAVATION IN THESE AREAS WITH EXTREME CAUTION.
2) ALL EXISTING UTILITY INFORMATION SHOWN IS TAKEN FROM EXISTING RECORDS, AND FIELD VERIFIED WHERE ACCESSIBLE ONLY. INFORMATION OBTAINED FROM EXISTING RECORDS MAY NOT BE COMPLETE OR ACCURATE. THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THIS PLAN HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THEIR ACCURACY. THE CONTRACTOR SHALL FIELD VERIFY FOR ACCURACY, LOCATION AND CONDITION.
3) BEFORE ANY WORK IS STARTED ON THE PROJECT AND AGAIN BEFORE FINAL ACCEPTANCE BY THE CITY AND BY THE OWNER, REPRESENTATIVES OF THE CITY, THE OWNER AND THE CONTRACTOR SHALL MAKE AN INSPECTION OF THE EXISTING SEWERS WITHIN THE WORK LIMITS WHICH ARE TO REMAIN IN SERVICE AND WHICH MAY BE AFFECTED BY THE WORK. THE CONDITION OF THE EXISTING UTILITIES AND THEIR APPURTENANCES SHALL BE DETERMINED FROM FIELD OBSERVATIONS AND EXISTING VIDEO TAPES. RECORDS OF THE INSPECTIONS SHALL BE KEPT IN WRITING BY THE CONTRACTOR.
4) THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED FOR DEMOLITION WORK.
5) ALL EXISTING UTILITIES, SEWERS AND WATER LINES ARE TO REMAIN UNDISTURBED UNLESS OTHERWISE NOTED ON THE PLANS. THE CONTRACTOR SHALL CONTACT AND COORDINATE WITH ALL APPLICABLE UTILITY COMPANIES, MUNICIPALITIES AND AGENCIES BEFORE COMMENCING ANY WORK.
6) THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES REGARDING REMOVAL OF EXISTING POLES, OVERHEAD WIRES, UNDERGROUND UTILITIES, GUY WIRES, GAS LINES, ETC. ALL ADJUSTMENT OR RECONSTRUCTION WORK, EXCEPT FOR THOSE STRUCTURES OTHERWISE NOTED ON THE PLANS, SHALL BE PERFORMED BY THE CONTRACTOR. EXISTING APPURTENANCES SUCH AS UTILITY POLES AND VALVES BOX SHALL NOT BE DISTURBED BY THE CONTRACTOR DURING CONSTRUCTION.
7) THE CONTRACTOR SHALL MAINTAIN EXISTING UTILITY SERVICE TO ALL ADJOINING PROPERTIES.
8) ALL DEBRIS SHALL BE REMOVED FROM THE SITE, AND NO STOCKPILING ON SITE SHALL BE ALLOWED UNLESS APPROVED BY THE OWNER OR THEIR REPRESENTATIVES.
9) THE CONTRACTOR SHALL LIMIT SAWCUT AND PAVEMENT REMOVAL TO ONLY THOSE AREAS WHERE REQUIRED OR AS SHOWN. ALL PAVEMENTS TO BE REMOVED SHALL BE SAWCUT AND REMOVED TO FULL DEPTH AT ALL PAVEMENT LIMITS OR EXISTING JOINTS. IF ANY DAMAGE IS INCURRED TO ANY OF THE SURROUNDING PAVEMENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS REMOVAL AND REPAIR AT NO ADDITIONAL COST TO ANYONE ELSE, INCLUDING THE CITY OR OWNER.
10) ASPHALT AREAS SHOWN TO BE SAWCUT AND REMOVED FULL DEPTH ARE ACTUAL FACE OF PROPOSED CURBS. IT WILL BE NECESSARY TO MAKE OFF-SET SAWCUTS TO PROVIDE CLEARANCE FOR PROPOSED CURBS: THE CONTRACTOR SHALL DETERMINE THE AMOUNT OF OFF-SET NECESSARY TO CONSTRUCT THE PROPOSED CURBS. ADDITIONAL CUTS MAY BE DESIRED TO FACILITATE THE REMOVAL OF THE EXISTING PAVEMENT, BUT THERE WILL BE NO EXTRA PAYMENT FOR ADDITIONAL CUTS. PAVEMENT SHALL BE REMOVED WITHOUT DAMAGING OR UNDERMINING THE REMAINING PAVEMENT. IF ADJACENT PAVEMENT IS DAMAGED, THE CONTRACTOR SHALL MAKE ADDITIONAL FULL DEPTH SAWCUTS AND REMOVE THE DAMAGE AREAS AS NECESSARY.
11) ALL PAVEMENT REMOVAL AREAS SHALL BE FULL PAVEMENT CROSS-SECTION REMOVAL DOWN TO NATIVE SOIL LAYER.
12) ALL TREES WITHIN THE GRADING LIMITS SHALL BE REMOVED UNLESS OTHERWISE NOTED.

TITLE DESCRIPTION

The Title Description and Schedule B items hereon are from Chicago Title Insurance Company, Policy Number: 3906844699CML, date of Policy: October 12, 2016.

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

Commencing in the East and West 1/4 (quarter) line of Section 10, Town 3 South, Range 11 West, at a point 1333.9 feet West of the East 1/4 (quarter) post of said Section, thence South parallel to the East line of said Section 804 feet for the place of beginning of the land hereinafter described, said point also being in the center of Lovers Lane, and continuing thence South parallel to the East line of said Section and along the center line of Lovers Lane 150 feet, thence West parallel to the East and West 1/4 (quarter) line of said section to the Easterly bank of Portage Creek, thence Northerly along the Easterly bank of said creek to a point 804 feet South of the East and West 1/4 (quarter) line, thence East to the place of beginning.

REMOVAL / DEMOLITION NOTES

1. SAWCUT & REMOVE EXISTING ASPHALT AS NECESSARY FOR NEW CONCRETE PAD
2. REMOVE EXISTING TREES/SHRUBS AS NECESSARY
3. SAWCUT & REMOVE EXISTING CONCRETE AS NECESSARY
4. ALL EXISTING ASPHALT SURFACE TO BE MILLED AND RESURFACED.
5. REMOVE, REPLACE, AND/OR MODIFY EXISTING PAVEMENT AS NECESSARY FOR FENCING (FOR FENCE POSTS)
6. SAWCUT EXISTING EDGE OF PAVEMENT AS NECESSARY TO PROVIDE SMOOTH TRANSITION BETWEEN EXISTING AND PROPOSED ASPHALT.
7. REMOVE AND REPLACE EX. CONCRETE APRON AS NECESSARY.

LEGEND

AC	Air Conditioner		Miss Dig Flag - Fiber Optic	C	Cable TV
	Benchmark		Miss Dig Flag - Gas	E	Electric
	Catch Basin - Round		Miss Dig Flag - Phone	OE	Overhead Electric
	Catch Basin - Square		Miss Dig Flag - Water	UE	Underground Electric
CO	Cleanout	M	Manhole	FO	Fiber Optic
C	Cable Riser	MW	Monitor Well	G	Gas
	Culvert		Parking Meter	OH	Overhead Utility
	Deciduous Tree	P	Post	SS	Sanitary
E	Electric Manhole	T	Phone Riser	ST	Storm
EM	Electric Meter	SB	Soil Boring	T	Telephone
E	Electric Riser	SBX	Stop Box	OT	Overhead Telephone
	Evergreen Tree	S	Sign	UT	Underground Telephone
FCT	Faucet	STOP	Stop Sign	W	Watermain
	Flag	YIELD	Yield Sign	X X	Fence
GM	Gas Meter	S	Sanitary Sewer Manhole		Guard Rail
G	Gas Riser		Stake		Railroad
GV	Gas Valve	B	Stormwater Manhole		Zoning Setback
	Guy Anchor	T	Telephone Manhole		Tree
GP	Guy Pole	TR	Transformer	543	Ex. Grade Contour
	Hand Hole		Utility Pole		Asphalt
	Handicap Parking	GAS	Underground Gas Marker		Concrete
	Hydrant	WL	Wetland Marker		Gravel
	Iron - Set	WM	Water Meter		Building
	Iron - Found	W	Water Manhole		EXITING BITUMINOUS REMOVAL
	Light Pole	WV	Water Valve		EXISTING CONCRETE REMOVAL
MB	Mailbox	WELL	Water Well		EXISTING UTILITY LINE REMOVAL
	Miss Dig Flag - Cable	YD	Yard Drain	X X X	EXISTING TREE REMOVAL
	Miss Dig Flag - Electric		Miscellaneous/Unknown	X	

NEDERVELD
www.nederveld.com
800.222.1868
GRAND RAPIDS
217 Grandville Ave., Suite 302
Grand Rapids, MI 49503
Phone: 616.575.5190
ANN ARBOR
CHICAGO
COLUMBUS
HOLLAND
INDIANAPOLIS
ST. LOUIS

PREPARED FOR:

Dixon Architecture
Attention: Ken Dixon
P.O. Box 404
Ada, MI 49301

Telephone: (616-682-4570)

REVISIONS:

Title: Preliminary Sketch		V. Date: 04.08.19
Drawn: SW	Checked: SW	S. Date: 04.08.19
Title: Site Plan		V. Date: 04.11.19
Drawn: SW	Checked: SW	S. Date: 04.11.19
Title: Site Plan Submittal		V. Date: 04.15.19
Drawn: SW	Checked: SW	S. Date: 04.15.19

6666 Lovers Lane

Existing Conditions and Demolition Plan

PART OF THE SOUTHEAST 1/4 OF SECTION 10, T3S, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN

STAMP:

STATE OF MICHIGAN
STEVEN L. WITTE
ENGINEER
No. 46769
LICENSED PROFESSIONAL ENGINEER

PROJECT NO: 19400231

SHEET NO: C-201

SHEET: 1 OF 3

19400231-CPI.dwg SW 4/17/2019 10:04

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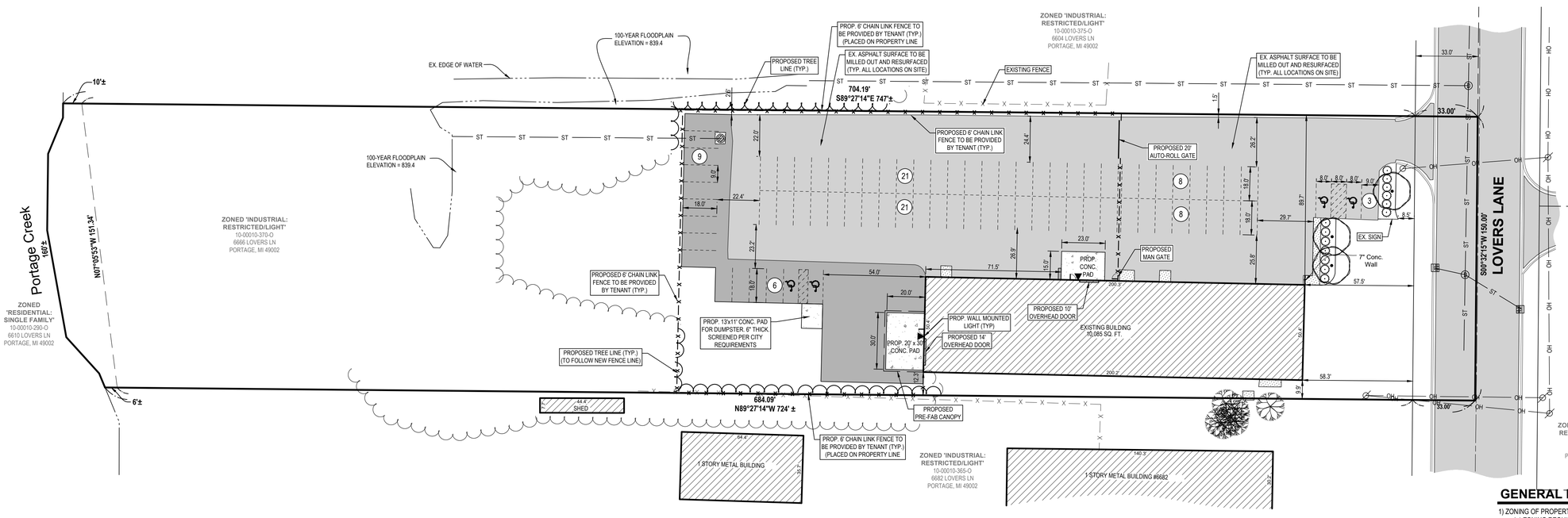


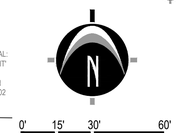
BENCHMARKS

BENCHMARK "A" ELEV. = 846.40 (NAVD 88))
Set railroad spike in North side of utility pole (1'± above ground level), located 40' West of centerline of Lovers Lane at South side of drive entrance to building #6666.

BENCHMARK "B" ELEV. = 843.90 (NAVD 88)
Set railroad spike in North side of 30" Cottonwood tree (1'± above ground level), located 67' West and 34' South of North line of building #6666

LOCATION MAP

NOT TO SCALE



LEGEND

- EXISTING BITUMINOUS
- EXISTING CONCRETE
- PROPOSED BITUMINOUS
- PROPOSED CONCRETE

GENERAL NOTES

1) ZONING OF PROPERTY: I-1 : LIGHT INDUSTRIAL
   I-1 ZONING REQUIREMENTS:
   MINIMUM LOT AREA = NOT APPLICABLE SF
   MINIMUM LOT WIDTH = NOT APPLICABLE
   MAXIMUM ALLOWED BUILDING HEIGHT = 40 FT
   MAXIMUM ALLOWED BUILDING COVERAGE = NOT APPLICABLE
   MINIMUM ALLOWED BUILDING SETBACKS:
   FRONT YARD = 75 FT (50 FT FOR THE BUILDING IF FRONT IS USED FOR OFFICE)
   SIDE YARD = 12 FT (OR ⅓ HEIGHT OF BUILDING, WHICHEVER IS GREATER)
   REAR YARD = 75 FT (ABUTTING RESIDENTIAL)
2) SUMMARY OF LAND USE:
   A) TOTAL ACREAGE = 2.47 ACRES (APPROX.107,464 SF) (EXCLUDING ROAD R.O.W.)
   B) AREA OF EXISTING BUILDING = 10,085 SF
   C) EXISTING BUILDING HEIGHT = APPROXIMATELY 20 FT
   D) BUILDING LOT COVERAGE = APPROXIMATELY 9.4%
   E) EXISTING ON-SITE ASPHALT/CONCRETE AREA = APPROX. 28,400 SF
   F) TOTAL PROPOSED ON-SITE ASPHALT/CONCRETE AREA = APPROX. 35,150 SF
   G) TOTAL IMPERVIOUS PERCENTAGE = APPROXIMATELY 42.1% (45,236 SF)
   H) THE BUILDING WILL BE USED BY COMCAST AS AN OFFICE.
   I) ZONING OF SURROUNDING PARCELS:
   NORTH, SOUTH, EAST = LIGHT INDUSTRIAL
   WEST = RESIDENTIAL
3) PARKING REQUIREMENTS:
   A) TYPICAL PARKING SPACE = 9' x 18' (22 FT TWO-WAY DRIVE AISLES)
   B) TYPICAL BARRIER FREE SPACE = 8' x 18' (WITH 8 FT WIDE VAN ACC. AISLES)
   D) NUMBER OF SPACES REQUIRED = 51 (BASED ON 1 PER 200 SF OF BUILDING FOR OFFICE USE) (COMCAST HAS INDICATED THAT THEY NEED A MINIMUM OF 75 SPACES TO HAVE THE SITE FUNCTION PROPERLY).
   E) NUMBER OF SPACES PROVIDED = 76
   F) MINIMUM ALLOWED PARKING SETBACK:
   FRONT YARD = 50 FT
   SIDE AND REAR YARDS = 0 FT (10 FT ABUTTING RESIDENTIAL)
4) THE WEST PORTION OF THE SITE IS IN THE 100 YEAR FLOOD PLAIN, BASED ON THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAPS. THE 100 YEAR FLOOD ELEVATION IS APPROXIMATELY 639.4.
5) BEST MANAGEMENT PRACTICES WILL BE UTILIZED DURING AND AFTER CONSTRUCTION OF THE PROJECT. MEASURES WILL INCLUDE THE USE OF SILT FENCING, SEEDING AND MULCHING, SEDIMENT INLET FILTERS, COMPACTION AND PAVING. THE OWNER OF THE SUBJECT PARCEL SHALL HAVE THE RESPONSIBILITY TO MAINTAIN THE PERMANENT SOIL EROSION PROTECTION MEASURES.
6) NO NEW SIGNS ARE PROPOSED AT THIS TIME.
   ANY/ALL FUTURE SIGNS SHALL BE CONSTRUCTED TO THE STANDARDS SET FORTH BY THE CITY OF PORTAGE ZONING ORDINANCE.
   FREESTANDING SIGN (ONE PER LOT):
   MAXIMUM SIZE = 48 SF
   MAXIMUM HEIGHT = 10 FT
   MINIMUM SETBACK = 10 FT FROM ALL PROPERTY LINES
   WALL-MOUNTED SIGN (ONE PER BUILDING):
   MAXIMUM SIZE = 10% OF TOTAL AREA OF WALL TO WHICH IT'S ATTACHED (100 SF MAX)
7) UTILITIES SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETTED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.
8) CONTRACTOR TO FIELD VERIFY ALL INVERTS.
9) ALL LIGHTING SHALL COMPLY WITH THE CITY OF PORTAGE ZONING ORDINANCE. ALL LIGHTING SHALL BE FULLY SHIELDED FROM ALL ADJACENT PROPERTIES. NEW LIGHTING SHALL NEW WALL-MOUNTED LIGHTING AT THE OH DOORS. THE FIXTURES WILL BE SHOEBOX TYPE FIXTURES THAT DIRECT THE LIGHT DOWNWARD.
10) LANDSCAPING SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF PORTAGE TOWNSHIP ZONING ORDINANCE.
11) THE PERMANENT PARCEL NUMBER FOR THE SITE IS 10-00010-370-0. THE ADDRESS FOR THE SITE IS 6666 LOVERS LANE.
12) THE CONSTRUCTION OF THE SITE WILL BEGIN IMMEDIATELY PENDING CITY/AGENCY APPROVALS AND PERMITS, IT IS ANTICIPATED THAT THE PROJECT WILL BE COMPLETED IN 2019. THE PROJECT WILL BE COMPLETED IN ONE PHASE.
13) THE STORM WATER RUNOFF FROM THE SITE WILL BE COLLECTED BY THE EXISTING CATCHBASIN AND STORM SEWER PIPE ON THE SITE.
14) THE SITE SOIL IS PRIMARILY OSHTEMO SAND ON THE EAST PORTION OF THE SITE, AND ADRIAN MUCK ON THE WEST PORTION OF THE SITE, BASED ON THE USDA SOIL SURVEY MAP INFORMATION.

LANDSCAPE CALCULATIONS

REQUIRED LANDSCAPING:

FRONT YARD LANDSCAPING
REQUIRED:
1 DECIDUOUS TREE PER 30 FT SCREENING PARKING AREA.
36" HEDGE ROW SCREENING PARKING AREA.

PROPOSED LANDSCAPING:

FRONT YARD LANDSCAPING
90' PAVEMENT FRONTAGE
- 3 DECIDUOUS TREES
- EVERGREEN HEDGE ROW

PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	SIZE	QTY
	Lt	Liriodendron tulipifera / Tulip Tree	2.5" cal. min.	3
SHRUBS	**CODE**	**BOTANICAL NAME / COMMON NAME**	**SIZE**	**QTY**
	Js	Juniperus x pfitzeriana `Sea Green` / Sea Green Juniper	24-30" ht.	13

LANDSCAPE NOTES

PLANTING NOTES:

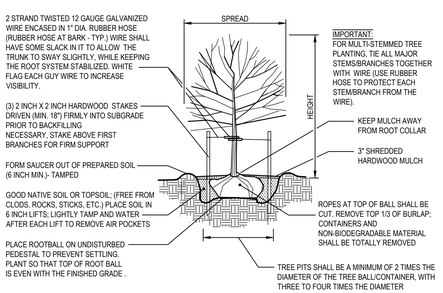
1) ALL PLANT MATERIAL SHALL BE LOCALLAY NURSERY GROWN NO.1 GRADE AND INSTALLED ACCORDING TO ACCEPTED PLANTING PROCEDURES. ALL PLANT MATERIALS SHALL MEET CURRENT AMERICAN ASSOCIATION OR NURSERYMEN STANDARDS. DO NOT PLANT MATERIALS UNTIL DIRECTED BY OWNER, LANDSCAPE ARCHITECT, AND/OR CONSTRUCTION MANAGER. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL, FOR ANY REASON BEFORE OR AFTER IT IS INSTALLED.
2) SIZES SPECIFIED ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE INSTALLED.
3) ANY PLANT SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
4) MAINTENANCE OF LANDSCAPING ITEMS, TREES, AND PLANTS SHALL BE PERFORMED BY THE PROPERTY OWNER OR A QUALIFIED PROFESSIONAL. ALL LANDSCAPING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH APPLICABLE MUNICIPAL STANDARDS AND IN ACCORDANCE WITH CURRENT INDUSTRY STANDARDS IN A NEAT, HEALTHY AND WEED FREE CONDITION. ANY DEAD, DISEASED OR DAMAGED PLANT MATERIALS ARE TO BE REPLACED IMMEDIATELY AFTER NOTIFIED TO DO SO.
5) PLANT TREES AND SHRUBS IN ACCORDANCE WITH PLANTING DETAILS. DIG TREE PITS PER DETAILS. PLANT TREES AND SHRUBS AT THE SAME GRADE LEVEL AT WHICH THEY WERE GROWN AT THE NURSERY. IF HEAVY CLAY SOILS ARE EVIDENT, PLANT TREES AND SHRUBS HIGHER, APPROX. 1/4 OF THE ROOT BALL ABOVE GRADE, AND BACKFILL TO TOP OF ROOT BALL.
6) REMOVE ALL TWINE, WIRE, NURSERY TREE GUARDS, TAGS AND INORGANIC MATERIAL FROM ROOT BALLS. REMOVE THE TOP 1/3 OF BURLAP FROM EARTH BALLS AND REMOVE BURLAP FROM AROUND TRUNK.
7) FINELY SHREDDED HARDWARD BARK MULCH, NATURAL COLOR (NON-COLORED), IS REQUIRED FOR ALL PLANTINGS AND PLANTING BEDS. MULCH PER PLANTING DETAILS. MULCH IN PLANT BEDS SHALL BE 3" THICK AT TIME OF INSPECTION AND AFTER COMPACTED BY RAIN OR IRRIGATION. ALL PLANTING BEDS SHALL BE EDGED WITH 6" X 12 GAUGE STEEL LANDSCAPE EDGING.
8) LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES. IF A CONFLICT WITH UTILITIES EXIST, NOTIFY OWNER/CONSTRUCTION MANAGER PRIOR TO PLANTING.
9) PLANT MATERIAL SHALL BE GUARANTEED FOR ONE YEAR AFTER PLANTING AND ACCEPTANCE.

TOPSOIL AND TURF NOTES:

1) WHEREVER GROUND IN ITS NATURAL STATE HAS BEEN DISTURBED, APPROVED LANDSCAPING OR GRASS SHALL BE FULLY INSTALLED, AND ESTABLISHED WITHIN A REASONABLE PERIOD OF TIME, BUT NO LONGER THAN ONE GROWING SEASON (UNLESS OTHERWISE NOTED AND APPROVED).
2) DURING EXCAVATION, GRADING, AND INSTALLATION OF REQUIRED LANDSCAPING, ALL SOIL EROSION AND SEDIMENTATION CONTROL REGULATIONS SHALL BE STRICTLY FOLLOWED AND COMPLIED WITH.
3) ALL LAWN AREAS SHALL RECEIVE SOD OR HYDROSEED. TURF SHALL BE INSTALLED ON TOPSOIL UNLESS APPROVED OTHERWISE. DO NOT PLANT UNTIL ACCEPTANCE OF FINISH GRADE.
3) SOD SHALL BE GROWN ON TOPSOIL UNLESS APPROVED OTHERWISE. SOD SHALL BE 2 YEARS OLD AND STRONGLY ROOTED. PLACE SOD TIGHTLY WITH NO GAPS AND WITH GRAIN IN SAME DIRECTION. SEAMS OF SOD SHALL BE STAGGERED IN A RUNNING BOND PATTERN. SOD SHALL BE WATERED IMMEDIATELY TO AVOID DRYING OUT. DO NOT INSTALL SOD UNTIL ACCEPTANCE OF FINISH GRADE AND IRRIGATION SYSTEM IS OPERATING PROPERLY UNLESS DIRECTED IN WRITING TO DO OTHERWISE. FINISH ROLL SOD WITH A WATER FILLED LAWN ROLLER, ROLL PERPENDICULAR TO LENGTH OF SOD.
4) TURF SHALL BE INSTALLED ON A MIN. OF 3"-4" OF LIGHTLY COMPACTED APPROVED TOPSOIL. TOPSOIL SHALL BE FERTILE, SCREENED, FRIABLE TOPSOIL FREE OF STONES 1/2" IN DIA. AND LARGER, ROOTS, STICKS, OR OTHER EXTRANEOUS MATERIAL INCLUDING NOXIOUS PLANTS. PH BETWEEN 6.0 AND 6.5, SALTS 500 PARTS PPM, ORGANIC CONTENT 3% MIN. DO NOT INSTALL TOPSOIL UNTIL APPROVED BY OWNER/C.M.. TOPSOIL SHALL BE FINE GRADED TO A SMOOTH FINISH, FREE OF LUMPS AND DEPRESSIONS.
5) ALL LANDSCAPE ISLANDS WITHIN PARKING LOTS SHALL BE BACK FILLED WITH TOPSOIL TO A DEPTH OF 18" MIN.

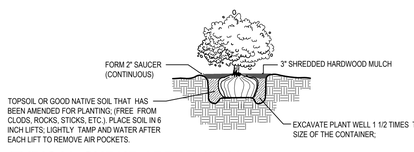
IRRIGATION NOTES:

1) ALL PLANTING AREAS, LAWN AREAS AND LANDSCAPE ISLANDS SHOWN ARE TO HAVE A COMPLETE IRRIGATION SYSTEM. THE G.C. SHALL BE RESPONSIBLE FOR RETAINING A QUALIFIED FIRM FOR THE DESIGN OF THE IRRIGATION SYSTEM. THE DESIGN MUST SHOW HOW THE SYSTEM TIES INTO THE BUILDING AND MUST SHOW ALL OF THE NECESSARY EQUIPMENT FOR A COMPLETE SYSTEM. THE G.C. SHALL SUBMIT THE IRRIGATION SYSTEM DESIGN TO THE ARCHITECT/OWNER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.



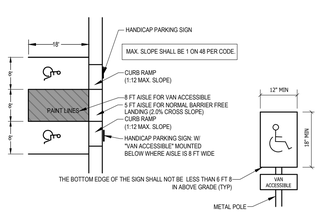
TYPICAL TREE PLANTING DETAIL

N.T.S.



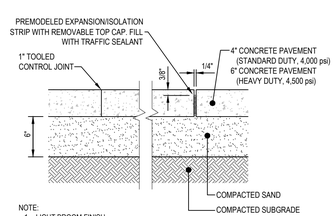
TYPICAL SHRUB / PERENNIAL / ORNAMENTAL GRASS PLANTING DETAIL

N.T.S.

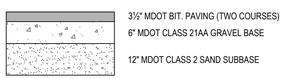


TYPICAL BARRIER FREE ACCESSIBLE PARKING SPACES

N.T.S.



NOTE:
1. LIGHT BROOM FINISH
2. LOCATE CONTROL JOINTS AND EXPANSION JOINTS PER ACI STANDARDS
3. PANEL SIZE SHALL NOT EXCEED 8 FEET
4. PANELS SHALL BE KEPT AS SQUARE AS POSSIBLE WITH THE LENGTH NEVER EXCEEDING 1.25X THE WIDTH
5. 1.0#CU.YD. FIBER REINFORCEMENT
6. AIR ENTRAPMENT - 6% ± 1%
7. SLUMP 4"±1"



NOTE:
1. REFER TO GEOTECHNICAL REPORT FOR FINAL PAVEMENT DESIGN SPECIFICATION
2. NO RECYCLED ASPHALT PRODUCT ALLOWED IN ANY WEARING COURSE.

STANDARD DUTY PAVEMENT CROSS SECTION

N.T.S.

811 Know what's **below.** **CALL** before you dig.

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NOTE:
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ST. LOUIS

PREPARED FOR:

Dixon Architecture
Attention: Ken Dixon
P.O. Box 404
Ada, MI 49301

Telephone: (616-682-4570)

REVISIONS:

Title: Preliminary Sketch		V. Date: 04.08.19
Drawn: SW	Checked: SW	S. Date: 04.08.19
Title: Site Plan		V. Date: 04.11.19
Drawn: SW	Checked: SW	S. Date: 04.11.19
Title: Site Plan Submittal		V. Date: 04.15.19
Drawn: SW	Checked: SW	S. Date: 04.15.19

6666 Lovers Lane

Site Layout Plan

PART OF THE SOUTHEAST 1/4 OF SECTION 10, T3S, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN

STAMP:
STATE OF MICHIGAN
STEVEN L. WITTE
ENGINEER
No. 46769
LICENSED PROFESSIONAL ENGINEER

PROJECT NO:
19400231

SHEET NO:
C-205

SHEET: 2 OF 3

19400231CP1.dwg SW 4/17/2019 11:09

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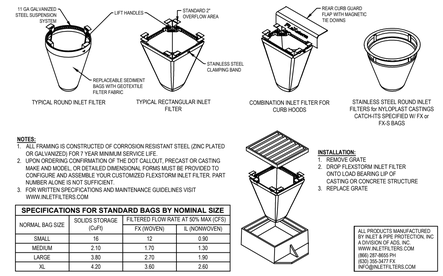
BENCHMARKS

BENCHMARK "A" ELEV. = 846.40 (NAVD 88))
Set railroad spike in North side of utility pole (1'± above ground level), located 40' West of centerline of Lovers Lane at South side of drive entrance to building #6666.

BENCHMARK "B" ELEV. = 843.90 (NAVD 88)
Set railroad spike in North side of 30" Cottonwood tree (1'± above ground level), located 67' West and 34' South of North line of building #6666



NOTES:
1. ALL FRAMING IS CONSTRUCTED OF CORROSION RESISTANT STEEL (ZINC PLATED OR GALVANIZED) FOR 7 YEAR MINIMUM SERVICE LIFE.
2. UPON ORDERING CONFIRMATION OF THE DOT CALLOUT, PRECAST OR CASTING MAKE AND MODEL, OR DETAILED DIMENSIONAL FORMS MUST BE PROVIDED TO CONFIGURE AND ASSEMBLE YOUR CUSTOMIZED FLEXSTORM INLET FILTER. PART NUMBER ALONE IS NOT SUFFICIENT.
3. FOR WRITTEN SPECIFICATIONS AND MAINTENANCE GUIDELINES VISIT WWW.INLETFILTERS.COM

SPECIFICATIONS FOR STANDARD BAGS BY NOMINAL SIZE			
NOMINAL BAG SIZE	SOLIDS STORAGE (CuFt)	FILTERED FLOW RATE AT 50% MAX CFS)	
		FX (WOVEN)	IL (NONWOVEN)
SMALL	16	12	0.90
MEDIUM	2.10	1.70	1.30
LARGE	3.80	2.70	1.90
XL	4.20	3.60	2.60

INSTALLATION:
1. REMOVE GRATE
2. DROP FLEXSTORM INLET FILTER ONTO LOAD BEARING LIP OF CASTING OR CONCRETE STRUCTURE
3. REPLACE GRATE

ALL PRODUCTS MANUFACTURED BY INLET & PIPE PROTECTION, INC. A DIVISION OF ADS, INC.
WWW.INLETFILTERS.COM
(866) 287-8664 PH
(830) 330-3477 FX
INFO@INLETFILTERS.COM

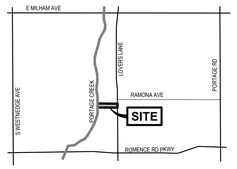
FLEXSTORM INLET FILTER DETAIL

N.T.S.

LEGEND

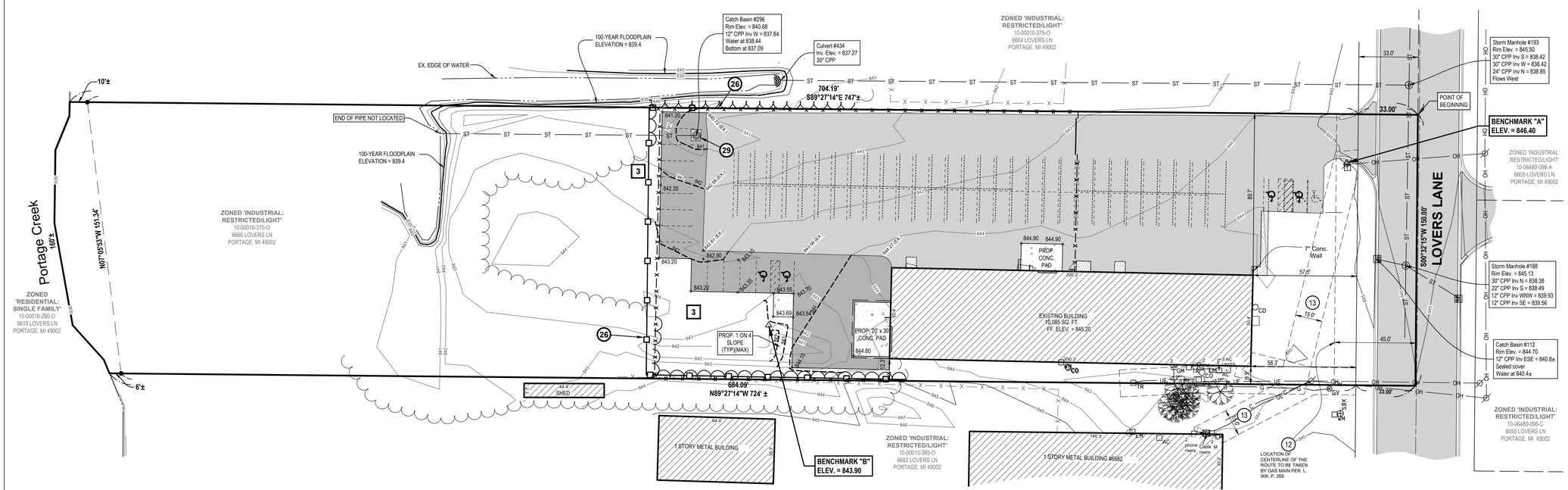
- EXISTING BITUMINOUS
- EXISTING CONCRETE
- PROPOSED BITUMINOUS
- PROPOSED CONCRETE

0' 15' 30' 60'
SCALE: 1" = 30'



LOCATION MAP

NOT TO SCALE

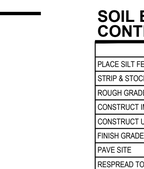


CONSTRUCTION NOTES

1) ALL CONSTRUCTION AND MATERIAL SPECIFICATIONS INCLUDED FOR THIS PROJECT SHALL BE IN ACCORDANCE WITH THE MDOT CONSTRUCTION AND MATERIALS SPECIFICATIONS (LATEST EDITION) AND THE ORDINANCES OF THE CITY, WHERE CONFLICTS OCCUR IN THE ABOVE, THE CITY SHALL BE THE GOVERNING AUTHORITY.
2) VARIATION IN EXISTING SOIL CONDITIONS MAY IMPACT THE EARTHWORK QUANTITIES IF UNSUSABLE SOILS ARE ENCOUNTERED DURING CONSTRUCTION.
3) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING WATER AND SEWERAGE SYSTEM RESULTING FROM NON-CONFORMANCE WITH THE APPLICABLE STANDARDS OR THROUGH GENERAL NEGLIGENCE.
4) ALL WORK, INCLUDING INSPECTIONS AND TESTING COST REQUIRED FOR REMOVAL, RELOCATION OR NEW CONSTRUCTION FOR PRIVATE OR PUBLIC UTILITIES, WILL BE DONE BY AND AT THE EXPENSE OF THE CONTRACTOR AND INCLUDED IN THE BID PRICE FOR THE VARIOUS WORK ITEMS UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND PAYING FOR ALL NECESSARY PERMITS FROM THE CITY AND COUNTY AND ANY OTHER AGENCY FOR ALL WORK DONE BY THE CONTRACTOR.
5) ANY DEFECTS IN THE CONSTRUCTION, INCLUDING MATERIALS OR WORKMANSHIP, SHALL BE REPLACED OR CORRECTED BY REMOVAL AND REPLACEMENT OR OTHER APPROVED METHODS PRIOR TO ACCEPTANCE BY THE CITY OR OWNER WITHOUT ANY ADDITIONAL COST TO THE CITY OR OWNER.
6) ALL LAWN AREAS REMOVED OR DISTURBED SHALL BE REPLACED WITH TOPSOIL AND SOD WHERE NEEDED AND SHALL BE RESEEDED AND MULCHED IF SATISFACTORY RE-ESTABLISHMENT OF LAWN DOES NOT OCCUR.
7) ALL PUNCH LIST AND DEFICIENCY WORK SHALL BE COMPLETED WITHIN 1 MONTH OF THE END OF CONSTRUCTION.
8) THE CONTRACTOR SHALL OBTAIN A STREET OPENING PERMIT FROM THE CITY BEFORE BEGINNING WORK WITHIN ANY PUBLIC STREET RIGHT-OF-WAY.
9) THE CONTRACTOR SHALL MAINTAIN A CURRENT SET OF CONSTRUCTION DRAWINGS ON SITE AT ALL TIMES.
10) THESE PLANS HAVE BEEN DEVELOPED FOR ELECTRONIC FIELD LAYOUT. DIMENSIONS SHOWN ARE FOR GRAPHIC PRESENTATION ONLY AND SHOULD NOT BE USED FOR LAYOUT. CONTACT THE ENGINEER IF ANY DISCREPANCIES BETWEEN THE PLAN AND ELECTRONIC DATA ARE DISCOVERED.
11) THE WORK LIMITS SHOWN ON THESE PLANS ARE FOR PHYSICAL CONSTRUCTION ONLY. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY LIGHTS, BARRICADES, FLAGMEN, ETC, AS REQUIRED TO PERFORM THE REQUIRED WORK. THE INSTALLATION AND OPERATION OF ALL TEMPORARY TRAFFIC CONTROL AND TEMPORARY TRAFFIC CONTROL DEVICES AS REQUIRED SHALL BE PROVIDED BY THE CONTRACTOR WHETHER INSIDE OR OUTSIDE THESE WORK LIMITS. THE CONTRACTOR SHALL FURNISH, ERECT, MAINTAIN AND SUBSEQUENTLY REMOVE SUCH ADDITIONAL TRAFFIC CONTROL DEVICES LOCATED OUTSIDE THE LIMITS OF CONSTRUCTION AS ARE REQUIRED ON THOSE STREETS WHICH ARE USED AS DETOURS, INCLUDING "ROAD CLOSED" SIGNS AND BARRICADES AT THE POINT WHERE THE ROAD IS CLOSED TO THROUGH TRAFFIC.
12) THE CONTRACTOR SHALL PROTECT LOCATION OF ALL PROPERTY PINS AND BENCHMARKS.
13) ALL WORK CONTEMPLATED SHALL AT ALL TIMES BE SUBJECT TO THE DIRECT INSPECTION OF THE CITY, OWNER AND THEIR REPRESENTATIVES. THE CITY AND OWNER RESERVES THE RIGHT TO HALT ALL CONSTRUCTION ACTIVITY FOR NONCONFORMANCE OF PLANS, SPECIFICATIONS AND OTHER APPLICABLE STANDARDS OR REGULATIONS.
14) PRICES BID PER FOOT FOR ALL PIPES IS COMPACTED IN PLACE REGARDLESS OF SOIL OR ROCK CONDITIONS.
15) CONTRACTOR IS RESPONSIBLE FOR ALL SIGNS, BARRICADES AND SAFETY FENCES TO DETER PEOPLE FROM ENTERING THE WORK AREA AND FOR MAINTAINING AND PROTECTING THE FLOW OF VEHICULAR AND PEDESTRIAN TRAFFIC AROUND THE JOB SITE. TRAFFIC CONTROLS SHALL BE COORDINATED WITH THE POLICE DEPARTMENT AND THE CITY.
16) PRIOR TO ANY CONSTRUCTION OR GRADING, A PROTECTIVE BARRIER, FENCE, POST AND/OR SIGNS CLEARLY INDICATING LIMITS OF WORK/DISTURBANCE SHALL BE INSTALLED INDICATING NO TREE REMOVAL OR DISTURBANCES OUTSIDE LIMITS. THE CITY AND OWNER SHALL BE CONTACTED UPON DETERMINATION OF LIMITS IN THE FIELD.
17) ALL ROAD SURFACES, EASEMENTS OR RIGHT-OF-WAYS DISTURBED BY CONSTRUCTION OF ANY PART OF THIS IMPROVEMENT ARE TO BE RESTORED COMPLETELY TO THE SATISFACTION OF THE CITY AND THE OWNER.
18) NO PARKING OF CONTRACTOR OR CONTRACTOR EMPLOYEE'S VEHICLES ON ANY PUBLIC STREETS SHALL BE PERMITTED.
19) ALL DISTURBED SIGNS, GUARDRAILS, MAIL BOXES, AND DRIVEWAYS SHALL BE REPAIRED OR REPLACED AS DIRECTED BY THE CITY AND THE OWNER.
20) DUST CONTROL: THE CONTRACTOR SHALL SUPPLY ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY SUCH AS CALCIUM CHLORIDE, WATER OR A MOTORIZED DUST-FREE STREET SWEEPING DEVICE TO MAINTAIN ALL ROADWAYS BEING USED FOR ACCESS TO THE CONSTRUCTION SITE AND SHALL ADHERE TO ALL ORDINANCES OF THE CITY, COUNTY, MDEQ OR ANY OTHER GOVERNING AUTHORITY.
21) ALL SEWERS, MANHOLES, JUNCTION CHAMBERS AND INLET BASINS MUST BE CLEANED BEFORE ACCEPTANCE BY THE CITY AND OWNER.
22) IF MUD, SOIL OR OTHER DEBRIS IS DEPOSITED ON ADJACENT STREETS, ROADS OR OTHER PROPERTY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF SUCH AT THE END OF EACH WORK DAY OR AS REQUIRED DURING THE WORK DAY.
23) ADJUST TO GRADE OR RECONSTRUCT TO GRADE WORK SHALL INCLUDE THE REMOVAL AND REPLACEMENT OF ANY EXISTING CONCRETE BLOCKOUT PAVEMENT, DAMAGED PAVEMENT DOWELS OR OTHER SUCH LOAD TRANSFERS DEVICES SHALL BE REPLACED AS DIRECTED BY THE COUNTY AND THE ENGINEER.
24) ALL EXISTING CASTINGS FOR STRUCTURES TO BE ADJUSTED OR RECONSTRUCTED TO GRADE SHALL BE FIELD CHECKED AT THE TIME OF CONSTRUCTION AND MARKED SUITABLE FOR SALVAGE AND REUSE OR REPLACED.
25) COMPACTED PREMIUM BACKFILL (MDOT CLASS II SAND) WILL BE REQUIRED AT ALL FILL AREAS OR ANY STREETS WHERE REMOVAL AND REPLACEMENT OF PAVEMENT IS REQUIRED AND FOR ALL UNDERGROUND CONSTRUCTION UNDER ANY DRIVEWAY OR PAVEMENT INCLUDING THE 45 DEGREE ANGLE OF INFLUENCE FROM THE OUTSIDE EDGE OF PAVEMENT OR TOP OF CURB. COMPACTION TESTS SHALL BE REQUIRED EVERY 50 FEET UNDER PAVEMENT. PAVEMENT INCLUDES, BUT NOT LIMITED TO, ROADWAY SURFACES, SIDEWALKS, BIKE WAYS, DRIVEWAYS, SHOULDERS, BUILDINGS, ETC.
26) NO BUILDING MATERIAL, EQUIPMENT, VEHICLES OR CHEMICALS SHALL BE STORED OR PLACED OUTSIDE LIMITS OF WORK/DISTURBANCE.
27) STORMWATER POLLUTION PREVENTION ITEMS SHALL BE IN PLACE PRIOR TO COMMENCING CLEARING OPERATIONS, EARTHWORK GRADING, OR ANY OTHER TYPE OF CONSTRUCTION ACTIVITY.
28) ROOF DRAINS, FOUNDATION DRAINS AND OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SEWER ARE PROHIBITED.
29) CONSTRUCTION NOISE SHALL BE KEPT TO A MINIMUM DURING NIGHTTIME HOURS AND MUST COMPLY WITH MUNICIPAL NOISE CODE REQUIREMENTS.
30) ALL TREES WITHIN THE GRADING LIMITS SHALL BE REMOVED UNLESS OTHERWISE NOTED.
31) CONTRACTOR TO FIELD VERIFY AND SCOPE EXISTING SANITARY SEWER LATERAL TO CONFIRM ELEVATION, SLOPE, CONDITION AND PHYSICAL CONNECTION TO PUBLIC SANITARY SEWER MAIN PRIOR TO CONNECTION OF NEW LATERAL SERVICE.

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

1) CONTRACTOR SHALL POSSESS THE SOIL EROSION AND SEDIMENTATION CONTROL PERMIT PRIOR TO START OF ANY EARTH WORK.
2) CONTRACTOR SHALL MODIFY THIS SOIL EROSION AND SEDIMENTATION CONTROL PLAN TO SHOW THE ADDITIONAL CONTROL MEASURES INTENDED TO BE USED DURING CONSTRUCTION. SUBMIT MODIFICATIONS TO THE CONTROLLING AGENCY, THE OWNER, AND THE ENGINEER.
3) EROSION PROTECTION SHALL BE PROVIDED AT ALL STORM SEWER INLETS AND OUTLETS. ALL BARE EARTH SHALL BE STABILIZED WITH SEEDING.
4) REFER TO THE M.D.O.T. "SOIL EROSION AND SEDIMENTATION CONTROL MANUAL" (APRIL 2006) FOR ADDITIONAL INFORMATION.
5) THE ENTIRE STORM SEWER SYSTEM SHALL BE CLEANED AND FLUSHED FOLLOWING CONSTRUCTION AND PAID RECEIPT THEREOF PROVIDED TO THE ENGINEER AND COUNTY SESC AGENT PRIOR TO FINAL PAYMENT TO THE CONTRACTOR OR FINAL ACCEPTANCE OF THE CONSTRUCTION BY THE OWNER.



SOIL EROSION CONTROL SCHEDULE 2019

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
PLACE SILT FENCE												
STRIP & STOCKPILE TOPSOIL												
ROUGH GRADE SITE												
CONSTRUCT IMPROVEMENTS AROUND BUILDING												
CONSTRUCT UTILITY LINES TO BUILDING												
FINISH GRADE SITE												
PAVE SITE												
RESPREAD TOPSOIL/COMPACTION												
SEED DISTURBED AREAS												
SITE RESTORATION/CLEAN UP												

811 Know what's below. CALL before you dig.

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ST. LOUIS

PREPARED FOR:

Dixon Architecture
Attention: Ken Dixon
P.O. Box 404
Ada, MI 49301

Telephone: (616-682-4570)

REVISIONS:

Title: Preliminary Sketch		V. Date: 04.08.19
Drawn: SW	Checked: SW	S. Date: 04.08.19
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Drawn: SW	Checked: SW	S. Date: 04.11.19
Title: Site Plan Submittal		V. Date: 04.15.19
Drawn: SW	Checked: SW	S. Date: 04.15.19

6666 Lovers Lane

Grading, Utility, and S.E.S.C. Plan

PART OF THE SOUTHEAST 1/4 OF SECTION 10, T3S, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN

STAMP:

STATE OF MICHIGAN
STEVEN L. WITTE
ENGINEER
No. 46769
LICENSED PROFESSIONAL ENGINEER

PROJECT NO:
19400231

SHEET NO:
C-300

SHEET: 3 OF 3

19400231-CPI.dwg SW 4/17/2019 10:27

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Plan Key Notes *(Not all keynotes appear on each floor plan)*

1. DEMOLISH OPENING IN EXTERIOR WALL FOR NEW STEEL OVERHEAD DOOR ASSEMBLY (x2 LOCATIONS). REFER TO WALL SECTIONS & DOOR SCHEDULES.
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3. DEMOLISH OPENING IN EXTERIOR WALL FOR NEW ALUMINUM STOREFRONT DOOR & WINDOW SYSTEM (x1 LOCATIONS). REFER TO WALL SECTIONS & DOOR SCHEDULES.
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5. 8'-0" TALL, FABRIC-WRAPPED CHAINLINK FENCE, TYPICAL.
6. NEW EXTERIOR CONCRETE APRON (x2 LOCATIONS).
7. REFER TO SHEET A6.3 FOR MILLWORK DETAILS & SPECIFICATIONS IN BREAK ROOM & OPEN OFFICE.
8. **GENERAL NOTE:** REMOVE EXISTING EXTERIOR WALL FINISH & REPLACE WITH NEW FINISH. REFER TO EXTERIOR ELEVATIONS ON SHEET A4.1.
9. **GENERAL NOTE:** FIELD VERIFY LOCATION OF PRE-ENGINEERED COLUMNS & WIND COLUMNS; NOTIFY ARCHITECT IF ANY WIND COLUMNS INTERFERE WITH OVERHEAD DOOR OR MAN DOOR LOCATIONS PRIOR TO CONSTRUCTION.
10. **BID ALTERNATE:** DEMOLISH OPENING IN EXTERIOR WALL FOR NEW ALUMINUM STOREFRONT WINDOW (x4 LOCATIONS). REFER TO WINDOW SCHEDULE.
11. REPAIR GYPSUM BOARD FINISH AT INSIDE FACE OF ALL EXTERIOR OFFICE WALLS; EXTEND UP TO 6" ABOVE CEILING HEIGHT.
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General Notes

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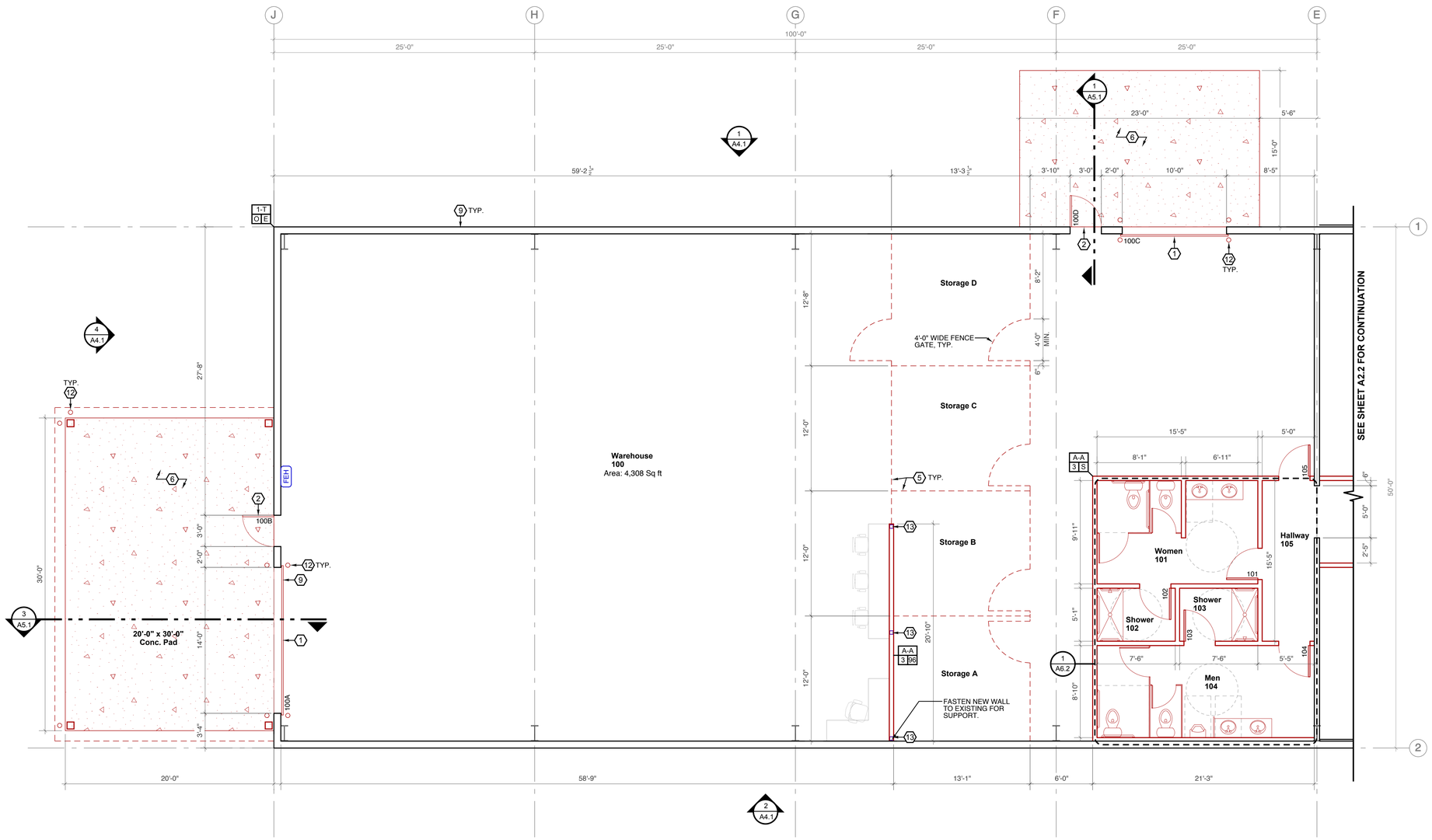
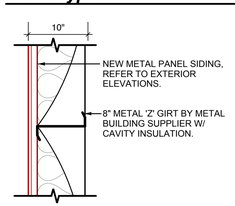
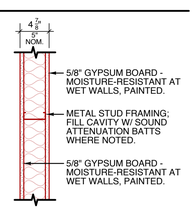
10. PROVIDE GYP BOARD CONTROL JOINTS FOR ANY WALL WITH AN UNINTERRUPTED LENGTH OF 30'-0" OR MORE.
11. ALL BATHROOMS, WASHER/DRYER ROOMS, & KITCHEN WET WALLS TO RECEIVE MOLD & MILDEW RESISTANT DRYWALL.



Wall Types



1 TYPICAL EXISTING EXTERIOR PRE-ENGINEERED WALL ASSEMBLY W/ NEW METAL PANEL SIDING.



A TYPICAL NON-RATED INTERIOR PARTITION WALL, EXTEND TO UNDERSIDE OF STRUCTURE.

Wall Types Legend

FIRE RESISTANCE RATING
- - NONE
- 1 1 HOUR
- 2 2 HOUR
- 3 3 HOUR
- 4 4 HOUR

WALL COMPOSITION
NUMBER -EXTERIOR WALL TYPE
LETTER -INTERIOR WALL TYPE

STUD SIZE
- 1 1 5/8" METAL STUD
- 2 2 1/2" METAL STUD
- 3 3 5/8" METAL STUD
- 4 4" METAL STUD
- 5 2x4 WOOD STUD
- 6 6" METAL STUD
- 7 2x6 WOOD STUD
- 8 8" METAL STUD
- O OTHER: SEE WALL TYPES

A 1 A / 6 | O

WALL INSULATION
- A SOUND ATTENUATION
- T THERMAL
- - NONE

WALL STUD & FINISH HEIGHT
- E EXTERIOR, SEE SECTIONS
- X SHAFT, SEE SECTIONS
- S BOTTOM OF STRUCTURE
- C EXTEND 6" ABOVE CEILING
- O OTHER, SEE WALL TYPE
- (#) TOP OF WALL IN INCHES
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CONCRETE WALL THICKNESS
- A 4" NOMINAL BLOCK/ 4" CONC
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- F 14" REINFORCED CONCRETE

1. Warehouse Floor Plan

SCALE: 3/16" = 1'-0"
BLDG AREA: 10,000 SqFt

0' 2' 4' 8'

N

Floor Plan Legend

- EXISTING ELEMENT TO REMAIN
- NEW WALL CONSTRUCTION

dixon ARCHITECTURE
523 Ada Drive SE, Suite 200
PO Box 404
Ada, MI 49301-404
p. (616) 682-4570
www.dixonarch.com

Lovers Lane Tenant Improvement
6666 Lover's Lane
Portage, Michigan
Warehouse Floor Plan

Revisions:
Bid Set: 10/2/18

Project No: 217072
Issue Date: 6/6/18
Reviewer: KCD
Drawn By: TRW

A2.1

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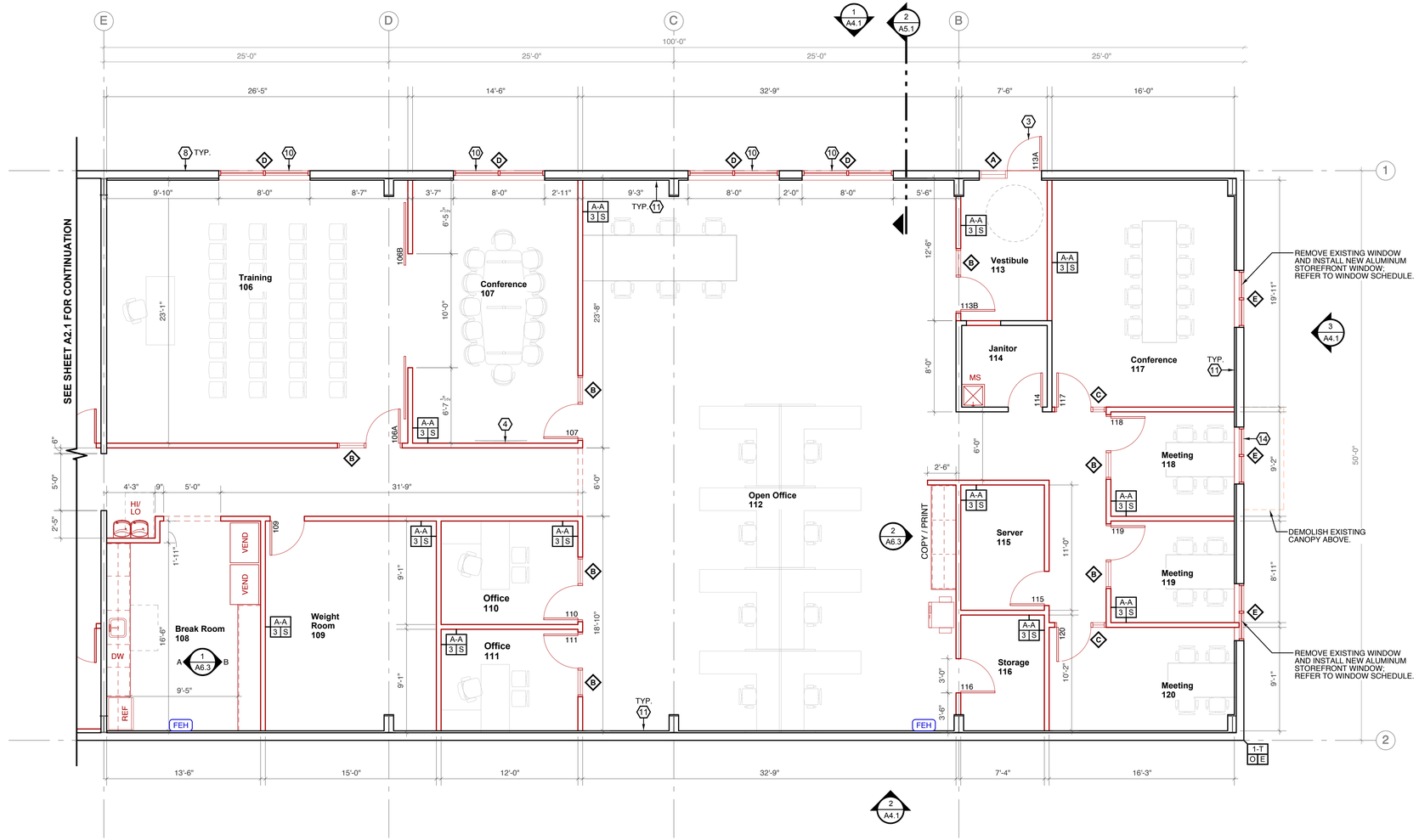
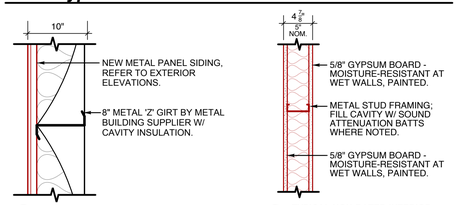


Wall Types



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1. Office Floor Plan

SCALE: 3/16" = 1'-0"
BLDG AREA: 10,000 SqFt

N

0' 2' 4' 8'

Floor Plan Legend

- EXISTING ELEMENT TO REMAIN
- NEW WALL CONSTRUCTION

dixon ARCHITECTURE
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Ada, MI 49301-404
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www.dixonarch.com

Lovers Lane Tenant Improvement
6666 Lover's Lane
Portage, Michigan
Office Floor Plan

Revisions:
Bid Set: 10/2/18

Project No: 217072
Issue Date: 6/6/18
Reviewer: KCD
Drawn By: TRW

A2.2

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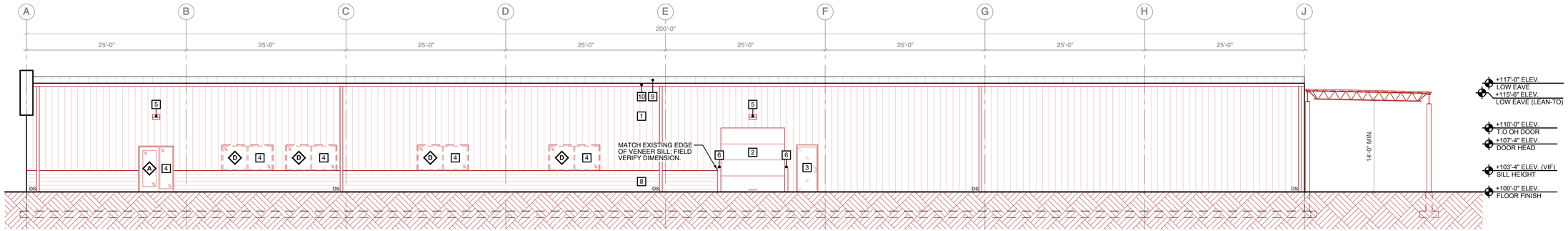
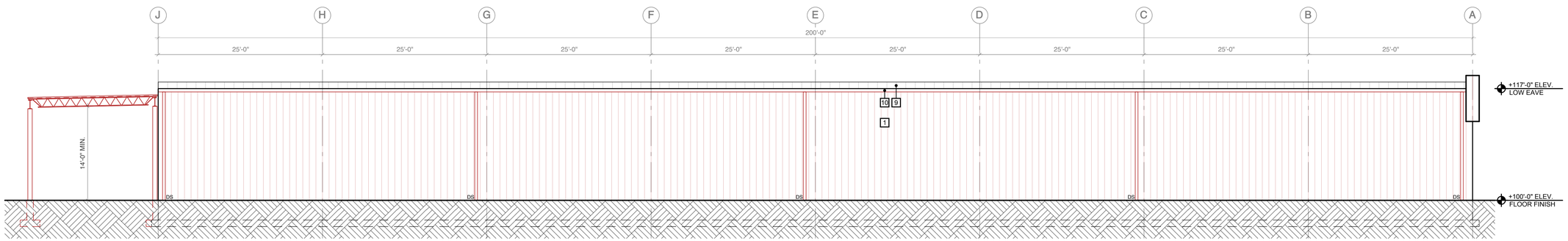


1. North Elevation

SCALE: 1/8" = 1'-0"

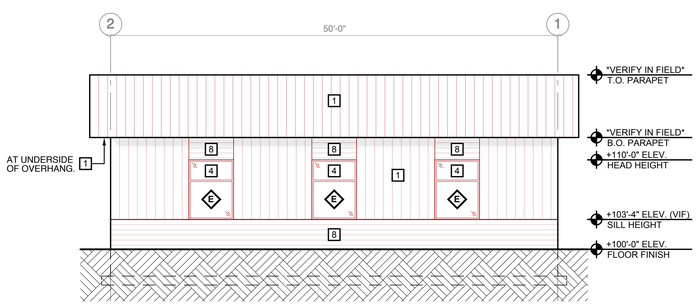
0' 4' 8' 16'



2. South Elevation

SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



3. East Elevation

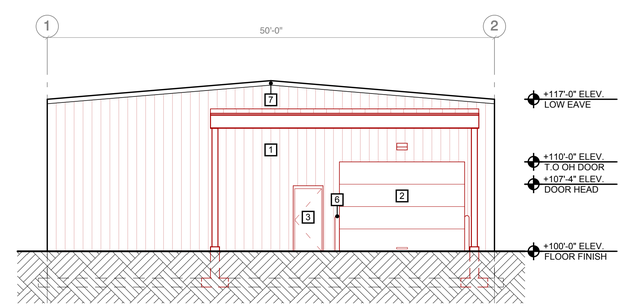
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'

Material Legend

(ALL SELECTIONS TO BE CONSIDERED "BASIS OF DESIGN") (ALL COLORS TO BE VERIFIED BY OWNER)

LABEL	MATERIAL	MANUFACTURER	STYLE	COLOR
1	METAL PANEL SIDING	TBD	TBD	TBD
2	OVERHEAD DOOR	TBD	TBD	TBD
3	HOLLOW METAL MAN DOOR	TBD	TBD	TBD
4	ALUMINUM STOREFRONT SYSTEM	TBD	TBD	TBD
5	WALL PACK EXTERIOR LIGHT FIXTURE	TBD	TBD	TBD
6	GALVANIZED STEEL BOLLARD	TBD	TBD	TBD
7	PRE-FINISHED METAL TRIM	TBD	TBD	TBD
8	HORIZONTAL METAL PANEL SIDING	TBD	TBD	TBD
9	EXISTING STANDING SEAM METAL ROOF	EXISTING	EXISTING	EXISTING
10	PRE-FINISHED GUTTER & DOWNSPOUT	TBD	TBD	TBD



4. West Elevation

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Lovers Lane Tenant Improvement

6666 Lover's Lane
Portage, Michigan

Exterior Elevations

Revisions:
Bid Set: 10/2/18

Project No: 217072
Issue Date: 9/24/18
Reviewer: KCD
Drawn By: TRW

A4.1

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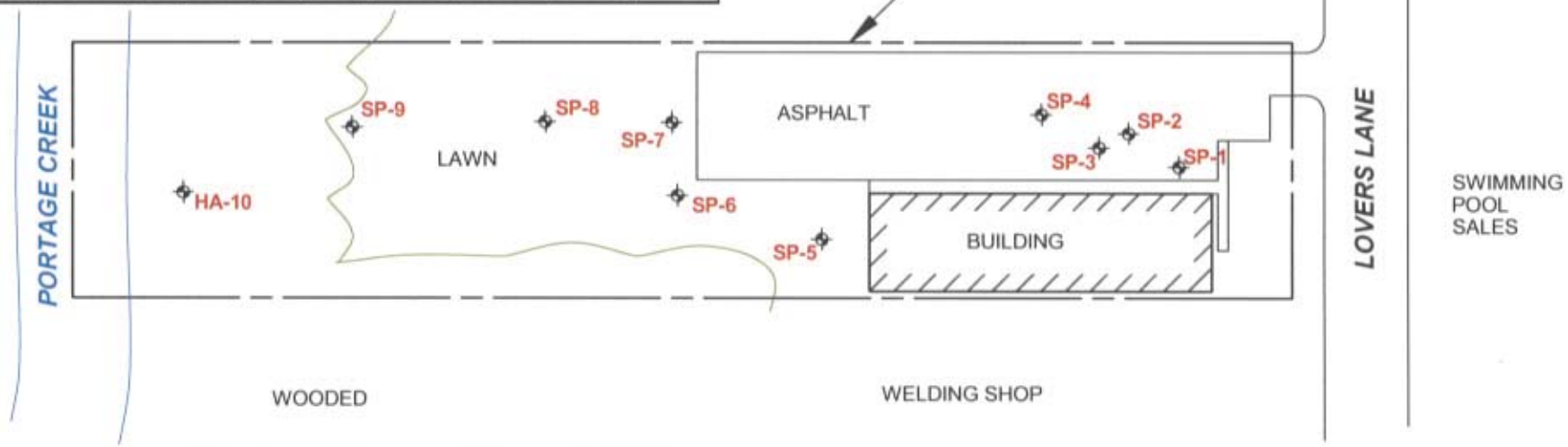
SOIL ANALYTES DETECTED IN EXCESS OF LABORATORY MDLS (UG/KG)

Analyte	Location (Feet bg) / Concentration					MDEQ DWPC	MDEQ DCC	MDEQ GSIPC	MDEQ SVIAC
	SP-1 (5-6)	SP-6 (4-5)	SP-7 (4-5)	SP-8 (4-5)	SP-9 (5-6)				
Arsenic	36,700	1,850	3,250	1,690	3,910	4,600 (SDBL = 5,800)	7,600 (Non-Residential = 37,000)	4,600	NLV
Barium	71,000	36,900	64,900	48,200	51,700	1,300,000	37,000,000	ID	NLV
Cadmium	440	210	ND	250	380	6,000	550,000	ID	NLV
Chromium	3,760	2,050	3,700	3,730	3,200	30,000	2,500,000	3,300 (SDBL= 18,000)	NLV
Copper	8,010	10,700	10,900	10,100	13,500	5,800,000	20,000,000	ID	NLV
Lead	5,290	37,500	21,700	23,600	52,800	700,000	400,000	ID	NLV
Selenium	980	ND	ND	ND	ND	4,000	2,600,000	400 (SDBL = 410)	NLV
Zinc	14,200	19,000	23,800	39,800	54,400	2,400,000	170,000,000	ID	NLV

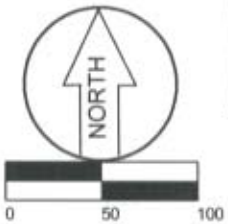
GROUNDWATER ANALYTES DETECTED IN EXCESS OF MDLS (UG/L)

Analyte	Location (Feet bg) / Concentration				Residential MDEQ DWC	Residential MDEQ GSIC	Residential MDEQ GVIAC
	SP-1 (9)	SP-2 (8)	SP-3 (7)	SP-4 (8)			
Arsenic	12	35	216	56	10	10	NLV
Barium	158	142	85	279	2,000	ID	NLV
Chromium	ND	ND	ND	10	100	ID	NLV
Copper	6	23	12	59	1,000	ID	NLV
Lead	6	19	7	52	4	29*	NLV
Zinc	21	65	25	140	2,400	ID	NLV



LEGEND

SP-8 = SOIL PROBE/AUGER LOCATION (SES 2016)



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY. BASE MAP TAKEN FROM 2013 AERIAL PHOTOGRAPH AND TAX RECORDS AND FIELD NOTES. FEATURES ARE APPROXIMATE.

Soils Environmental Solutions, LLC

SOIL PROBE LOCATION DIAGRAM

DRAWN	TNS
DATE	9/30/2016
SCALE	1" = 100' +/-
PROJECT	16-693

FORMER WRIGHT BEAUTY ACADEMY
6666 LOVERS LANE
PORTAGE, MICHIGAN

FIGURE 2

2.4 Eligible Activities Costs and Schedule

EGLE Eligible Activities Costs and Schedule		
EGLE Eligible Activities	**Cost**	**Completion Season/Year**
Department Specific Activities		
Phase I & II ESA, BEA	$ 9,700	Fall 2016
Due Care Plan	$ 2,000	Fall 2016
EGLE Eligible Activities Sub-Total	**$ 11,700**	
Brownfield Plan Preparation	**$ -**	
EGLE Eligible Activities Total Costs	**$ 11,700**	

Local Only Eligible Activities Costs and Schedule		
Local Only Eligible Activities	**Cost**	**Completion Season/Year**
Demolition		
Selective Interior Demolition	$ 37,600	Summer 2019
Site demolition - Concrete removal	$ 5,900	Summer 2019
Site demolition - Asphalt removal	$ 15,525	Summer 2019
Sub-Total - Demolition	**$ 59,025**	
Infrastructure Improvements		
Urban Stormwater management		Summer 2019
Urban Stormwater management engineering & design		Summer 2019
Oversight and Project Management		Summer 2019
Subtotal – Infrastructure	**$ -**	
Site Preparation		
Geotechnical Engineering & Surveying	$ 5,500	Summer 2019
Surveying & Staking	$ 2,500	Summer 2019
Clearing and Grubbing	$ 2,500	Summer 2019
Temporary Soil Erosion Control	$ 5,000	Summer 2019
Temporary Site Control	$ 4,000	Summer 2019
Land Balancing	$ 17,500	Summer 2019
Cut & Fill	$ 18,000	Summer 2019
Oversight and project management	$ 3,330	Summer 2019
Sub-Total – Site Prep	**$ 58,330**	
Local Only Eligible Activities Sub-Total	**$ 117,355**	
Contingency (15%)	**$ 17,603**	
Brownfield Plan Preparation	**$ 7,500**	
Local Only Eligible Activities Total Costs	**$ 142,458**	
Combined EGLE & Local Only Eligible Activites Total Costs	**$ 154,158**	

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Delinquent Water and Sewer Bills

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2019 will be transferred to the 2019 city tax roll and assessed against the property for which the services were furnished.

In accordance with city ordinances, unpaid water and sewer utility accounts considered un-collectible by the Finance Director are required to be reported to City Council on an annual basis. As of June 3, 2019, unpaid utility accounts total $48,237.12. A progressive series of six separate notifications have been issued to the customer/owner in accordance with city procedures, State laws and Municipal Code Section 82-374 through 82-376, and these notices have not resulted in payment in all cases. A listing is attached showing the delinquent accounts. An updated listing of delinquent accounts will be produced on Tuesday, June 11 to account for payments made to these accounts received between Friday, May 31 at 12 noon and Tuesday, June 11.

State law allows the charges to remain with the associated property. According to Chapter 82, Division 7, Section 82-197, Lien for Unpaid Charges, Portage Code of Ordinances, the unpaid accounts are to be transferred to the city tax roll and assessed against properties to which the services were provided. Action by City Council to order notice to all applicable property owners that all unpaid water and/or sewer charges transferred to the 2019 city tax roll is requested to begin this process.

FUNDING: N/A

Attachments: 1. Delinquent Utilities as of 060319

Delinquent UB to Tax List

Monday, June 03, 2019

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
00001-010-C	5090 S SPRINKLE RD	5090 SPRINKLE LLC	5090 SPRINKLE, LLC	279.12
00007-190-O	6427 S 12TH ST	MININES, ANNIE MARIE	GATES, ANNIE M	191.91
00009-186-O	6780 S WESTNEDGE AVE	SEARS ROEBUCK & CO-UNIT 1110 - PF	TF PORTAGE MI, LLC	3,332.16
00010-025-O	6328 LOVERS LN	VLIEK, WYATT	GREENWAI, LLC	217.69
00010-096-O	6125 S WESTNEDGE AVE	MATTRESS FIRM - PREB	AGREE LIMITED PARTNERSHIP	11.96
00010-120-C	6207 S WESTNEDGE AVE	LBG REAL ESTATE COMPANIES, LLC	LBG PORTAGE CENTER, LLC	33.74
00010-240-O	6841 S WESTNEDGE AVE	J AND S AUTO & TRUCK SERVICES	HOVINGA, BRUCE & KAREN	415.72
00010-330-O	6922 LOVERS LN	AUSLAND, ANNEMARIE	AUSLAND, ANNEMARIE	7.49
00013-095-B	7696 S SPRINKLE RD	LIGHTING & DECOR	BUSINESS ONE USA	279.61
00015-385-O	827 E CENTRE AVE	ANDERSON, JOYCE	ANDERSON, JOYCE	217.11
00016-206-O	7480 S WESTNEDGE AVE	MINI MART LLC	KALAMAZOO INVESTMENT PROP	171.93
00016-560-O	323 SCHURING RD	SLAGER, PAUL	SLAGER, PAUL R & DAWN M	16.07
00016-675-O	806 W CENTRE AVE	WILSON, KIMBERLY	HUNTINGTON NATIONAL BANK	159.12
00016-675-O	806 W CENTRE AVE	DARNER, JANICE	HUNTINGTON NATIONAL BANK	7.78
00018-084-B	4591 ROMENCE RD	STEENSTRA, MARIJO	STEENSTRA, MARIJO	447.44
00018-187-O	7755 S 12TH ST	K & M STRADT ENTERPRISES, LLC	K & M STRADT ENTERPRISES, LL	7.66
00018-570-O	3734 TARTAN CIRCLE	SUN, WENFANG	SUN, WENFANG & HUANG, LEI &	241.43
00023-311-B	2123 FOREST DR	PARIS, GRETCHEN	PARIS, GRETCHEN M	34.00
00023-345-O	8817 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	445.85
00023-347-O	8811 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	445.85
00023-365-O	8927 AUSTIN CT	POINDEXTER, WILLIAM	POINDEXTER, WILLIAM E & B M	174.85
00024-025-O	8129 S SPRINKLE RD	CURL, WILLIAM	CURL, WILLIAM	43.57
00025-145-O	4729 NASH AVE	MENDHAM JR, PHILIP & JODI	MENDHAM JR, PHILIP L & JODI L	38.70
00025-155-O	4811 NASH AVE	PREUSSEL, JAMES	PREUSSEL, JAMES B	281.99
00026-015-O	1671 SOUTH SHORE DR	STAPNOWSKI, JULIE	STAPNOWSKI, JULIE	71.11
00026-130-O	2329 STANLEY AVE	DEBAULT, ASHLEY	DEBAULT, ASHLEY	11.59
00026-146-O	2472 STANLEY AVE	FARRINGTON, LYNETTE	FARRINGTON, LYNETTE	782.64
00026-220-A	2523 STANLEY AVE	KEECH, ROBERT	KEECH, DILLON R	53.88
00027-035-O	1110 SOUTH SHORE DR	RAAB, CAROLYN	RAAB SR, DONALD L & CAROLYN	445.85
00027-180-O	1213 BACON AVE	DENAWAY, JACOB	DENAWAY, JACOB	338.57
00027-205-O	1625 BACON AVE	CONGDON, SCOTT	STEWART, MICHAEL S & SUSAN	115.90
00029-450-O	9801 SHAVER RD	NATIVE SUN, LLC	NATIVE SUN, LLC	398.84
00032-545-O	10542 OAKLAND DR	VANBENNEKOM, GREGORY/MARLA M	VANBENNEKOM, GREG W & M M	38.65
00033-078-O	10316 S WESTNEDGE AVE	GARCIA, HECTOR	TALBERT, JAMES H	592.26
00034-165-O	406 E OSTERHOUT AVE	BARBER, JOANNE L	BARBER, JOANNE L	54.85
00034-206-O	10839 CORA DR	POWERS, SEAN	WHITE, LAURENCE E	75.34
00035-014-O	10160 WOODLAWN DR	NEWHOUSE, LARRY & PAM	NEWHOUSE, LARRY K & P L	54.16
00340-125-O	8418 PORTAGE RD	JONES, LATORIA	JONES, LATORIA	268.42

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
00340-126-O	8414 PORTAGE RD	WOJCIECHOWSKI, DAVID & SUE	RIDER, RYAN	789.16
00490-016-O	7199 VENICE DR	SCHILLING, WM	SCHILLING, WILLIAM & KARIN	166.27
00490-018-O	7171 VENICE DR	AUCUNAS, ALEX & BRANDY	AUCUNAS, BRANDY & ALEX	120.00
00490-040-O	7173 PROVENCE DR	MATEUS, ANITA	MATEUS, ANITA	382.98
00491-113-O	7311 SALERNO CIR	HOYAT, MAIN	HAYAT, MIAN SAQIB	859.87
00492-134-O	4720 MARCEL AVE	JANIK, DEBORAH	JANIK, MICHAEL G & DEBORAH M	541.00
00510-005-O	10873 AUTUMN VIEW LN	CRAWFORD, RON	STOCK, TROY A & LORIE L	215.69
00540-004-O	2750 AVALON WOODS DR	BALE, SANDRA	BALE, STEVEN D	58.95
00580-025-O	9929 WOODLAWN DR	LEVERETT, BRENT	TELL, JASON	16.41
00700-018-O	4618 DEEP POINT DR	WYMAN, MATTHEW	4618 DEEP POINT DR. LLC	38.27
00760-002-O	3620 W MILHAM AVE	TILAL, MOHAMMED	TISBY, JIMMIE M & SHARESE L	312.25
00880-005-O	1424 WINTERS DR	HUSKEY, LINDSAY	KAKABEEKE, NICHOLAS W	169.34
00890-028-O	5668 BRIARHILL CT	GRETER, RICHARD	GRETER, NICOLE	247.28
00902-041-O	6865 SHALLOWFORD WA	FIELDING, TIM	LAVENDER, MATTHEW	94.39
00940-003-O	5008 OLD COLONY RD	CORONADO, AUDREY	QUICKEN LOANS, INC	19.12
00940-008-A	1317 W KILGORE RD	HOLCOMB, DAVID E	WIMSATT, WILLIAM	186.44
00940-057-O	5116 BRONSON BL	PRESSLEY, DAVID	PRESSLEY, DAVID	167.07
00940-069-O	5107 MAPLERIDGE DR	BROWN, BRIAN	STEINSDOERFER, GREG & MELIS	94.23
01000-040-O	8347 BROOKWOOD DR	BRYANT, REBECCA	BRYANT, KEVIN & REBECCA L	354.76
01000-054-A	8113 BROOKWOOD DR	HOSBEIN, HENRY & JILL	HOSBEIN, HENRY A & J M	522.11
01001-062-O	8333 CHARWOOD DR	NYBLOM, PATRICIA OR SHERYL	NYBLOM, SHERYL	236.05
01001-069-O	1115 WOODVIEW DR	OLDENBURG, LAURA	OLDENBURG, LAURA J	357.01
01120-007-O	308 DAWNLEE AVE	MINERT, DAWN	MINERT, DAWN D	56.22
01180-037-O	9336 QUARTER LINE DR	BRINNEMAN, DAWN	BRINNEMAN, MICHAEL	59.38
01241-029-O	8301 TRANQUIL ST	HARRIS, VANCE	HARRIS II, VANCE G	445.85
01241-035-O	8337 TRANQUIL ST	WOHLSCHEID, CRAIG	BECKER, JOANI R	122.94
01241-036-O	8343 TRANQUIL ST	WENTZEL, CINDY	WENTZEL, CINDY K	356.05
01241-038-O	1021 ORCHARD DR	THRASHER, CONNIE	THRASHER, CONNIE J	413.09
01241-046-O	8314 TRANQUIL ST	GETTYS, THOMAS	GETTYS, THOMAS & B	260.83
01241-049-O	1002 SHUMWAY AVE	MARLETT, HEATHER	BAKER, WESLEY J & RACHEL E	12.15
01610-005-O	129 BOSTON AVE	SHARMA, JAY	SHARMA, JAYESH C & NEHA J	43.42
01723-185-O	1509 EDINGTON ST	SMITH, RACHAEL	NEWNUM, TIM J	59.87
01724-222-O	6504 HAMPTON ST	KEHOE, BERNICE	AMENT, BRUCE & STACY	125.26
01900-025-O	218 AMOS AVE	ROUSH, RUSSELL	ROUSH, RUSSELL J & J K	347.23
01900-031-O	326 AMOS AVE	DIMAS, TRISHA	DIMAS, SERGIO	395.10
01900-034-O	412 AMOS AVE	SHARPE, CAROLYN	MIHELICH, DAVID C	96.96
01900-040-O	417 AMOS AVE	WILLIAMS, KEN	WILLIAMS, KENNETH A	128.06
01900-052-O	205 AMOS AVE	HARPOLE, SHARLA	HARPOLE, JASON & SHARLA	258.27
01930-012-O	7870 WAPITI ST	PENCE, HOLLY	ADAMS, KEATON M	33.39
02020-011-O	4402 E CENTRE AVE	GIFFORD, AMY	GIFFORD, AMY R	31.95
02140-015-O	9240 PORTAGE RD	SALTERS, KURTIS & KANGAS, JUDY	KANGAS, JUDY A	59.84

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
02200-014-O	307 DELLA ST	GRIFFIN, PARIS	TRIGUBO, MOIRA B	158.15
02200-057-O	506 DELLA ST	CAREY, JENNIFER	AYOTTE, BLAINE	266.76
02200-091-O	205 RUTH ST	RAIFSNIDER, NICOLE	BENJAMIN, M M	163.59
02320-020-O	1904 WINTERS DR	HRAB, HEATHER	LEIDERMAN, WHITNEY & FOLLOV	96.60
02441-061-O	427 LARKSPUR AVE	BALL, DAVID	BALL, EDWARD M & VICTORIA M	175.46
02500-018-O	8510 OAKSIDE ST	LEGALLEY, MINDY	LEGALLEY, MINDY	445.85
02561-091-O	1812 BENDER RD	HANEY, MIRANDA	SWISHER, ADAM & MIRANDA	85.74
02561-098-A	1721 BENDER RD	NICHOLS, JEFFREY	NICHOLS, JEFFREY A	209.18
02561-104-O	1913 BENDER RD	RICKSTAD, BRANDON	DOWNS, MORGAN	487.27
02561-144-O	2020 INDIAN RD	WINEKA, MEGHAN	KHABEIRY, NILE & WINEKA, M ME	79.13
02561-145-A	2012 INDIAN RD	SMITH, SCOTT B	SMITH, SCOTT B & A J F	218.76
02561-146-O	2002 INDIAN RD	BREESE, ANN MARIE	BREESE, GABRIEL & ANN MARIE	460.55
02561-164-O	1326 E KILGORE RD	GONZALEZ, JOSE G	GONZALEZ, JOSE G	664.85
02606-012-O	5229 SHAGBARK CT	LEWIS-BRAUSSARD, KATHERYN	LEWIS-BROUSSARD, KATHRYN	467.15
02740-034-O	6013 SALEM LN	HOPKINS, JOSH	HAYES, JACOB & AVELAR, GIULIA	78.76
02800-021-O	1801 MANDIGO AVE	MUNCY, ALLEN	BUONVICINO, JEAN	58.42
02920-009-O	5226 GROSSE POINTE ST	ZIPPLE-MORRISON, KARL & DANIELLE	ZIPPLE- MORRISON KARL AND D/	500.84
02920-022-O	5229 GROSSE POINTE ST	COOPER, KATHY	COOPER, KATHY L	262.86
02920-027-O	5125 GROSSE POINTE ST	TASKEY, ROGER/PAM	GRAY, DARCY M	101.30
02980-018-A	1528 HAMELINK DR	LUTEYN, DANIELLE	REINHOLT, JAMES & BETH E	88.37
03040-042-O	216 NEW HAMPSHIRE DR	NEWTON, STEVEN	BYERS, GERALDINE	239.91
03161-021-O	6843 ISABELLE ST	GONZALEZ, RAYMOND & NORMA	GONZALEZ, RAYMOND & NORMA	1,455.83
03186-124-O	5569 OLD MISSION ST	KELLY, PHILIP	THORNBURG, KATHY	196.49
03210-022-O	1498 AUBURN WOODS TRL	HOPP, KEVIN & MELINDA	HOPP, KEVIN	19.89
03342-026-O	6828 TROTWOOD ST	DUNIFIN - PREB, JUSTIN	DUNIFIN, JUSTIN A	269.44
03700-080-O	5908 MONTICELLO AVE	RICHTER, CHARLES	RICHTER, CHARLES W	145.29
03700-108-A	5813 MT VERNON AVE	WEBB, MAUREEN	TRIGUBO, MOIRA	170.14
03700-112-A	5739 MT VERNON AVE	DAVID, JESSE	DAVID, JESSE	256.61
03700-173-O	5920 MT VERNON AVE	LYND, JESSICA	LONGMAN, AMY R	188.09
03861-024-O	622 CLIFFWOOD AVE	ROBINSON, ANDREW & JENNIFER	COOK, DANIEL & SARAH E	441.94
03960-016-O	753 W KILGORE RD	ANDERSON, RICHARD	JERECO, LLC	111.45
03960-028-A	1113 W KILGORE RD	ESCH, MATTHEW	ESCH, MATTHEW E	180.91
04020-050-O	1504 ROMENCE RD	STEVENS, ANDREW	STEVENS, ANDREW	29.02
04141-038-O	8738 BALMORAL ST	MILLER, CLARENCE E.	MILLER, CLARENCE E	50.46
04141-046-O	3805 FLORINDA AVE	BAKHUYZEN, MICHAEL	BAKHUYZEN, MICHAEL H & K F	25.00
04183-051-O	1131 LUDINGTON AVE	STRADT, MARTIN	STRADT, MARTIN & KRISTEN	19.12
04200-001-O	505 E CENTRE AVE	GASAWAY, JIM	GASAWAY, JAMES E & L R	6.17
04200-003-O	515 E CENTRE AVE	GASAWAY, JIM	GASAWAY, JAMES E & L R	23.20
04200-221-O	801 DRURY LN	GREENMAN, GREGORY	GREENMAN, GREGORY D	77.40
04200-283-O	7626 GARDEN LN	VANDEWOESTYNE, KRISTI	WEBSTER, JOANN H	59.30
04200-316-O	7539 LAKE WOOD DR	MALCOLM, PAUL	BEEBE, P THOMAS & J - TRUSTEE	50.00

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
04440-011-O	10419 DEWBERRY ST	DOYLE, JAMES T	DOYLE, JAMES T	1,101.71
04500-008-O	4621 HANOVER AVE	HENDERSON, SHAYNA	THOMAS, KAREEN D	264.31
04500-067-O	5532 BEDFORD ST	LAGE, JEANETTE	EMENS, DYLAN	72.35
04501-188-O	5622 TIFFIN ST	ESHKEITI, ALI	GUEYE, MAREME	55.66
04501-210-O	5632 CHESHIRE ST	ROBINSON, PAMELA	PACE, NATHANAEL	186.12
04501-252-O	4507 PITTSFORD AVE	DENNIS, GERALD	DENNIS, GERALD A & PROCHNO,	197.24
04503-339-O	5840 CRANSTON ST	HOWARD, BRENDA	MARTIN, COLETTE	362.32
04560-012-O	2307 BYRD DR	BENNETT, JOHN	GREER, TODD	233.74
04560-125-O	1909 ECKENER DR	KELLERMAN, JON	DITTMAR, TASHA & MOKWA, ETH	48.63
04680-011-O	8126 LAKE WOOD DR	KRIETZ II, CLARENCE & LISA	KRIETZ II, CLARENCE W & LISA J	58.85
04680-029-O	8143 LAKE WOOD DR	DAY, COLLEEN	NEMETH, PETER & RIGGS, KAITL	119.38
04681-061-O	612 PROSPERITY DR	COVILLE, LAURA	COVILLE, LAURA	56.90
04682-092-O	8126 LORAC ST	BOWEN, JEREMY	SHEMBERGER, REBECCA	155.61
04683-124-O	8146 SOUTHFIELD ST	CRAWFORD, BRADLEY JAMES	CRAWFORD, BRADLEY J & ELIZAI	59.00
04741-045-O	10126 TERRY LN	KERNELL, ANTHONY	KERNELL, ANTHONY	292.11
04742-070-O	726 KARENDALE AVE	CUNNINGHAM, DANIEL E	CUNNINGHAM, DANIEL & LINDA	397.49
04805-130-O	2751 BRAHMS AVE	HUBBARD, GARY	HUBBARD, GARY D	13.91
04920-004-O	10527 S WESTNEDGE AVE	LARSON, KIMBERLY	LARSON, KIMBERLY	148.24
05160-002-O	2713 WOODBINE AVE	LETO, TIM	LETO, TIMOTHY	23.20
05160-015-O	2407 WOODBINE AVE	HALE, SHIRLEY	EVERCLARE, LLC	48.60
05160-034-O	2024 WOODBINE AVE	RICHTER, TARA	CHICKS HOMES, LLC	100.00
05220-001-O	124 SCHURING RD	WATSON,DENISE	DICKERMAN VENTURES, LLC	235.36
05341-037-O	7329 WRENBURY ST	PAPPAS, CLYDE	LONG BEACH MORTGAGE LOAN	150.58
05380-007-O	6936 ORCHARD MEADOW CT	PALMER-PREB, ERIC	PALMER, ERIC D	323.22
05400-037-O	8526 NEWHOUSE ST	REAL PROPERTY MANAGEMENT	NEWHOUSE DUPLEX LLC	26.86
05460-017-O	5724 ROANOKE ST	JORDAN, AUSTIN	OLSEN, RYAN R	149.07
05502-037-O	7233 PRESTWICK LN	GERGER, MARK	GERGER, MARK E & M A	199.40
05520-036-O	620 CALICO AVE	FOSTER, MARIE	FOSTER, JASON & MARIE	208.96
05520-061-O	696 SOUTH SHORE DR	CAPSHAW, WYATT	ROOT, KATELYN	36.78
05521-111-O	404 VELVET AVE	CARR, WILLIAM	JACKSON-CARR, GLORIA	168.48
05522-165-O	414 GABARDINE AVE	HASKE, BRIAN	HENGST, JILL M & SCOTT	246.66
06300-010-O	9408 EAST SHORE DR	KVIETKUS, ROBERT	KVIETKUS MD, RACHELINA TRUS	103.60
06360-049-O	916 LAKEVIEW DR	GREENMAN, ANN	GREENMANE, GREG	59.38
06480-017-O	2118 RAMONA AVE	SPRAU, JAMES	SPRAU, JAMES E JR	445.85
06540-022-O	1815 GREENVIEW AVE	STEWART, MICHAEL	BLUEGRASS DEVELOPMENT LLC	59.04
06540-070-O	1803 FESCUE ST	WILLMS, KATHERINE	BGP, LLC	298.54
06540-078-O	1728 GREENVIEW AVE	AUKERMAN, NICHOLE	MILONAS PROPERTIES, L.L.C.	265.07
06541-101-O	6734 BUCKHORN ST	CAMPBELL, DARCY	MORSMAN, JOHN C	120.75
06661-014-O	9408 CHAPEL ST	LAKER, BRENDA	LAKER, BRENDA	217.87
06780-012-O	8221 OAKSIDE ST	PEARSALL, JON	PEARSALL, JON B	12.37
06840-022-D	427 CAMEO AVE	BUSHOUSE, KRISTY	RIDENOUR, KRISTY L	50.48

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
06840-036-O	526 DORSET ST	HETTINGER, MICHAEL	BISHOP, HEATHER M & NATHAN I	6.06
06840-052-O	324 CAMEO AVE	LANDIS, KRISTINE	SKEES-THURMOND, DORIS	126.71
07020-001-O	5012 WOODMONT DR	VAN HORN, MICHELLE	BUCHANAN, MICHELLE	508.63
07020-003-O	123 W KILGORE RD	BYERS, LINDA	BYERS SR, MICHAEL & LINDA	351.02
07020-009-O	327 W KILGORE RD	KLYOP, GARY	KLYOP, ELSIE J - TRUSTEE	67.04
07020-016-O	622 LANDSDOWNE AVE	MORRIS, JASON	MORRIS, JASON A & GRIGGS, JA(	774.39
07020-034-O	5124 MIDFIELD DR	FRAGA, PAIGE	FRAGA, MIGUEL	432.72
07080-002-O	802 ROMENCE RD	LADIK, JIM & AMY	LADIK, JAMES B & HOARD, A E	59.38
07160-037-O	7140 BOLINGBROOK DR	NOWICKI, CHRISTOPHER	CALEY, CARL R & JENNIFER L	29.96
07200-108-O	505 W CENTRE AVE	DEVROU, KELLY	MAIN STREET PROPERTIES II, LL(	56.15
07620-016-O	605 SUNBRIGHT AVE	FISHER, ROBERT	MASTERSON, TRACEY A	175.09
07620-045-O	505 PECAN AVE	CARO JR, ROBERT & JENNIFER	EMRICK, LEIGH ANN	91.35
07621-110-O	6009 PEACHTREE ST	PIERCE, LANCE	PIERCE, LANCE E	59.38
07622-124-O	6144 PEACHTREE ST	TAFT, GREGORY	FLAKE, ANDRE	10.94
07680-002-O	652 SOUTH SHORE DR	DILLARD, THERON	ENSIGN, LISA & HARRY	409.48
07740-001-O	5011 STONEHENGE DR	SCHAUER, ROBERT T.	SCHAUER, ROBERT T	181.92
07740-004-O	5037 STONEHENGE DR	BRINNEMAN, MIKE	BRINNEMAN, MICHAEL & DAWN	130.34
07740-045-O	1509 W KILGORE RD	CONLON, PATRICIA	CONLON, JOHN J & P B	190.39
07800-023-O	7180 MARFIELD ST	SPANGLER, ZACK	HARRIS, KIMBERLY	48.70
07980-017-A	4207 LONG LAKE DR	BROOKS, JONI	VALLEAU, EDWARD & DIXIE	209.52
07980-104-A	4550 LONG LAKE DR	FLEURY, CHAD	CHICKS PROPERTIES, LLC	124.62
08040-045-O	3405 WOODHAMS AVE	SCOTT, STEVEN	SCOTT, STEVEN T	96.50
08220-007-O	5348 WISTERIA ST	ROSS, WILLIE J.	TOI ROSS, KANDEISS	7.92
08220-018-O	5327 WISTERIA ST	ESTRADA, BRIAN	ESTRADA, BRIAN	325.31
08220-026-O	5336 PLATEAU ST	ROLAN II, SIMON	ROLAN, VICTORIA	278.98
08220-034-O	5347 PLATEAU ST	LEIMBACH, KYLER	GILLESPIE, GAR L	91.42
08220-043-O	5336 AZALEA ST	CLEVELAND, MARK A & C N	CLEVELAND, MARK A & C N	243.32
08220-062-O	325 ANDY AVE	HANNAHS, JOSHUA	HANNAHS, JOSHUA	167.69
08220-066-O	227 ANDY AVE	GARCIA, RAUL	GARCIA, RAUL	59.25
08220-066-O	227 ANDY AVE	SANDERS, WILLIAM	GARCIA, RAUL	184.00
08402-118-O	6740 AMBERLY ST	JASEPH, JAMIE	UPTON, KATHY A	287.37
08763-100-O	4321 BEECHMOUNT AVE	HOTCHKISS, AMY	TERZANO, CARMEN	92.96
08763-140-O	5724 ALTEN ST	BROWN, VANITRA	BROWN, RELIJAH	261.13
08763-142-O	5713 ALTEN ST	MCELFRESH, LACEY	SNAP III INVESTMENTS, LLC	253.37
08763-149-O	4232 CEDARCREST AVE	KEITH, KIM OWEN	KEITH, KIM O	293.94
08820-024-O	1923 PLEASANT DR	BROOKS, JONI	BROOKS, SCOTT & KATHRYN	108.54
08820-024-O	1923 PLEASANT DR	LUTTRELL, DARIN	BROOKS, SCOTT & KATHRYN	92.30
08820-064-O	1725 PROSPERITY DR	WARNER, ANDREA	WARNER, ANDREA E	24.14
08880-055-O	1308 LAKEVIEW DR	RIDENOUR, CHRISTINA	MCCOY, THOMAS M	55.23
09000-011-O	1423 ORCHARD DR	BROWN JR, JOHN W	BROWN, JOHN W JR & CAROLINE	445.85
09000-017-O	1523 ORCHARD DR	LAND, ASHLEIGH & MATTHEW	LAND, ASHLEIGH M & MATTHEW '	121.36

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
09000-029-O	1516 ORCHARD DR	NEMETH, LORI	NEMETH, MICHAEL A & L S	287.56
09000-031-O	1422 ORCHARD DR	FOWLER, ERIC	LKS RENTALS, LLC	143.18
09000-033-A	1402 ORCHARD DR	NEEDHAM, JODI	NEEDHAM, JODI	348.69
09054-033-O	423 W VAN HOESEN BL	KING, CHRISTOPHER	GROSSER, DAWN M	250.17
09056-035-O	5904 DAKOTA AVE	CARROLL, KRISTA	R & J EQUITIES LLC	137.40
09056-045-O	5928 DAKOTA AVE	HUGHSON, SAMUEL	HUGHSON JR, SAMUEL & MARSH	160.47
09057-013-O	5927 UTAH AVE	VERMEULEN, CHRISTIAN	GREER, TODD N	300.97
09057-043-O	5924 NEVADA AVE	VANFULPEN, THOMAS G & P A	VANFULPEN, THOMAS G & P A	445.85
09060-041-O	5806 NEVADA AVE	DERYKE, MARILYN A	DERYKE, MARILYN A	160.47
09064-007-O	410 W VAN HOESEN BL	SMITH, STEVEN	FETT, KATHLEEN A	180.47
09064-007-O	410 W VAN HOESEN BL	MUSZYNSKI, ROBERT	FETT, KATHLEEN A	165.07
09064-041-O	5812 OHIO AVE	HODKINS, DANIEL	HODGKINS, DANIEL A II	165.53
09066-041-O	5808 VERMONT AVE	IDEN, JEREMY	LOWER, PHILIP	19.52
09402-038-O	7742 INNISBROOK DR	PHELPS, STEVE	WICKHAM, ANNE	186.59
09412-031-O	6195 SABLEWOOD CIR	GUPTA, INDUBALA	GUPTA, KUMAR & GUPTA, SAHIL	212.41
09451-030-O	2414 WOODY NOLL DR	CATO, CHRISTOPHER	CATO, CHRISTOPHER R	9.38
09482-053-O	1834 SCHURING RD	WATKINS, SCOTT	MCCOY, JUSTIN M & KATIE L	59.33
09482-066-O	7410 ROCKFORD ST	LEMNAH, JEFFREY AND AMY	KELLY, JEFFREY	50.00
09485-186-O	1720 WOODLAND DR	BUCHER, LINDSAY	BUCHER, LINDSAY A	55.59
09540-002-A	3930 HAYES ST	RICHARDS, RANDY L.	RICHARDS, RANDY L	182.75
09540-006-A	3905 HAYES ST	ULLREY, RANDI	VANLOON, NATHAN D	138.77
09540-012-E	8908 BALMORAL ST	LEBIECKI, MEGAN	LEBIECKI, MEGAN M & MORRIS, C	50.96
22222-222-Z	8094 LAND O LAKES DR	REMUND, KATRINA	REMUND, KATRINA	51.08
22222-222-Z	5231 E Q AVE	WAGNER, ASHLEY	MORALES, CRISTINA	318.84
44444-444-Z	1566 E T AVE	HARRIS, JERRY	ROELOF, NANCY	103.44

Total Accounts 227 **Total:** **$48,237.12**

Report Generated: 6/3/2019 8:48 AM
Report Options: All Accounts

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Professional Services Contract Extension - School Crossing Guards

SUPPORTING PERSONNEL: Nicholas Armold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Award a two-year contract renewal to All City Management Services, Inc., in the amount not to exceed $64,444 per year to provide school crossing guard services, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

On April 30, 2015, City Council awarded a two-year contract to All City Management Services, Inc. (ACMS), of Santa Fe Springs, CA, for the provision of crossing guard services for the City of Portage. The contract allows for the option of two additional two-year terms. On June 27, 2017, City Council approved a two-year renewal, which is set to expire on June 30, 2019. ACMS has provided excellent service over the contract period and the city requested a renewal quote from ACMS for the second of the two-year renewal periods. The current annual fee is $58,514 and the proposed annual fee for this two-year period will not exceed $64,444, representing a 10% increase.

It is recommended that City Council award a two-year contract renewal to All City Management Services in the amount not to exceed $64,444 per year to provide school crossing guard services and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are budgeted in the FY 2018-2019 Police Division budget.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Code of Ordinance Amendment - Fireworks

SUPPORTING PERSONNEL: Nicholas Armold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Accept for first reading the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, changing the dates that fireworks can be used, and set a second reading with final adoption for June 25, 2019.

The State of Michigan legalized consumer-grade fireworks in 2011 and allowed the use of fireworks the day before, the day of and the day after every national holiday, until 1 a.m. on each day. Subsequently, the City of Portage approved a fireworks ordinance as restrictive as allowed by state law, limiting the use of consumer-grade fireworks to the day before, the day of and the day after a national holiday (30 days). In December 2018, the State of Michigan passed HB 5939, which significantly reduced the number of days fireworks can be used as shown below:

- December 31 until 1 a.m. on January 1
- The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- June 29 to July 4 until 11:45 p.m. on each of those days
- July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

The city frequently receives resident complaints pertaining to the use of fireworks, particularly concerning the late-night / early morning noise disturbances. Therefore, it is recommended that City Council accept for first reading the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, changing the dates that fireworks can be used, and set a second reading with final adoption for June 25, 2019. If approved, the ordinance would take effect on July 11, 2019.

FUNDING: N/A

Attachments:
1. Letter from Kate Moon regarding fireworks
2. Letter from Emily Moon regarding fireworks
3. 2019 Fireworks Ordinance Adoption Notice
4. 2019 Fireworks Ordinance Amendment - Redline / Strikeout
5. 2019 Fireworks Ordinance Amendment - Final

Dear city of portage
for memorial day. (4th of July is
okay) ly there is alot of fireworks
at night and I can't sleep. We
don't ever set up fireworks at
our house. This has been becoming
a BIG problem! can you do
any thing to fix it? If not it's
okay. make sure to write back!

with respect,
Kate moon
3rd grade
9 years old.
6636

Thanks!

Dear City of Portage
for memorial day and
veterans day we should
not have fireworks.
1. Might remind veter
of gunshots. 2. People
need sleep.

Love,
Emma Moon

6636 Bothbang
Portage Mich.

ADOPTION OF ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN that an Ordinance to amend Article 7, Consumer Fireworks, of Chapter 34, Fire Prevention and Protection, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2019, and will become effective _____, 2019.

NOTICE IS FURTHER GIVEN that the amendment reads as follows:

THE CITY OF PORTAGE ORDAINS:

ARTICLE 7. CONSUMER FIREWORKS.

Sec. 34-157. - Purpose.

The purpose of this article is to provide for the regulation of the ignition, discharge and use of consumer fireworks within the City of Portage, as permitted under the Michigan Fireworks Safety Act, MCL 28.451 et seq.

Sec. 34-158. - Definitions.

As used in this chapter, the following definitions shall apply:

(1) *Act* means Act 256 of the Public Acts of Michigan of 2011, being MCL 28.451, et seq., as it may be amended from time to time. (The Michigan Fireworks Safety Act.)

(2) *Consumer fireworks* means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5 as defined in the Act. Consumer fireworks does not include low-impact fireworks.

(3) *Public property* means any public park, street right-of-way (including the unimproved portions), city owned property and any other public place open to the public.

(4) *Firework* or *fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation as defined in the Act.

(5) *Low-impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1.1.1 to 3.1.1.8, and 3.5.

(6) *Minor* means an individual who is less than 18 years of age.

(7) *Person* means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

(8) *Property of another person* includes hotel and motel property, apartment property, and condominium property, where an owner, management company, or association has or retains authority and control over the use of the property or common areas.

(9) *Use of consumer fireworks* includes the ignition, discharge and use of consumer fireworks.

Sec. 34-159. - Consumer fireworks prohibited; exceptions.

No person shall ignite, discharge or use consumer fireworks within the City, except on the following days, after 11:00 a.m.:

(1) December 31 until 1 a.m. on January 1.

(2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(3) June 29 to July 4 until 11:45 p.m. on each of those days.

(4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Sec. 34-160. -Uses of fireworks prohibited.

(1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission.

(2) Consumer and low-impact fireworks shall not be ignited, discharged or used by a person while under the influence of alcoholic liquor or a controlled substance or a combination of both as those terms are defined by the Act.

(3) No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

(4) A minor shall not possess consumer fireworks. Age verification shall be made by checking a driver’s license or another form of acceptable identification, permitted by the Act.

Sec. 34-161. - Penalties.

(1) A person violating the provisions of this article shall be responsible for a municipal civil infraction punishable by a civil fine of not more than $1,000.00 for each violation and no other fine or sanction. In accordance with the Act, $500.00 of this fine shall be remitted to the City of Portage Police Department for enforcement of this article.

(2) A police officer, fire marshal or other person employed by the city department of public safety are authorized city officials pursuant to Section 2-202 of this Code and may issue and serve civil infraction citations for violations of this article.

(3) All fireworks possessed, used, discharged and/or ignited in violation of this article are subject to seizure. A person who is found responsible for violation of this article shall be

required to reimburse the city for the costs of storing, disposing of, or destroying consumer fireworks that were confiscated for a violation of this article.

(4) Following final disposition of a finding of responsibility for violating any provision of this article or of the Act, the city may dispose of or destroy any consumer fireworks retained as evidence in that prosecution or may use such consumer fireworks for training purposes as provided by the Act.

(5) No provision of this article shall prevent a prosecution or a civil infraction under state law for violation of the provisions of the Act.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time.

Dated: _____ _____

Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Randall L. Brown & Associates, PLC
1662 East Centre Avenue
Portage, MI 49002

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[D R A F T]

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 7, CONSUMER FIREWORKS, OF CHAPTER 34
FIRE PREVENTION AND PROTECTION**

THE CITY OF PORTAGE ORDAINS:

That Chapter 34 shall be amended as follows:

ARTICLE 7. CONSUMER FIREWORKS.

Sec. 34-157. - Purpose.

~~(a) Since the adoption of the Michigan Fireworks Safety Act, MCL 28.451, et. seq., which has legalized the sale, possession and use of consumer fireworks in Michigan with some restrictions, there has been disruptions to the peace and quiet in areas of the city resulting in a negative impact to the quality and life of the city's residents. An amendment to this Act now permits greater local regulation over the use and regulation of consumer fireworks. This article enables the city to effectively exercise that authority.~~

~~(b)~~ The purpose of this article is to provide for the regulation of the ignition, discharge and use of consumer fireworks within the City of Portage, as permitted under the Michigan Fireworks Safety Act, MCL 28.451 et seq.

Sec. 34-158. - Definitions.

As used in this chapter, the following definitions shall apply:

(1) *Act* means Act 256 of the Public Acts of Michigan of 2011, being MCL 28.451, et seq., as it may be amended from time to time. (The Michigan Fireworks Safety Act.)

(2) *Consumer fireworks* means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States ~~c~~Consumer ~~p~~Product ~~s~~Safety ~~c~~Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5 as defined in the Act. Consumer fireworks does not include low-impact fireworks.

(3) *Public property* means any public park, street right-of-way (including the unimproved portions), city owned property and any other public place open to the public.

(4) *Firework* or *fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation as defined in the Act.

(5) *Low-impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, ~~2.1,~~ 3.1.1.1 to 3.1.1.8, and 3.5.

(6) *Minor* means an individual who is less than 18 years of age.

~~(7) *National holiday* , as used in this chapter, means the following legal public holidays:~~

~~a. New Years' Day~~

~~b. Birthday of Martin Luther King, Jr.~~

~~c. Washington's Birthday~~

~~d. Memorial Day~~

~~e. Independence Day~~

~~f. Labor Day~~

~~g. Columbus Day~~

~~h. Veterans Day~~

~~i. Thanksgiving Day~~

~~j. Christmas Day~~

(7~~8~~) *Person* means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

(8~~9~~) *Property of another person* includes hotel and motel property, apartment property, and condominium property, where an owner, management company, or association has or retains authority and control over the use of the property or common areas.

(9~~10~~) *Use of consumer fireworks* includes the ignition, discharge and use of consumer fireworks.

Sec. 34-159. - Consumer fireworks prohibited; exceptions.

~~(a) A person shall not ignite, discharge or use consumer fireworks, except on the day preceding, the day of, or the day after a national holiday.~~

~~(b) In addition to the prohibitions contained in section 34-159(a), a person shall not ignite, discharge or use consumer fireworks on the day preceding, the day of, or the day after a national holiday between the hours of 1 a.m. and 8 a.m.~~

~~(c) Consumer fireworks shall not be sold to a minor.~~

No person shall ignite, discharge or use consumer fireworks within the City, except on the following days, after 11:00 a.m.:

(1) December 31 until 1 a.m. on January 1.

(2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(3) June 29 to July 4 until 11:45 p.m. on each of those days.

(4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Sec. 34-160. - ~~Certain uses of fireworks prohibited~~Uses of fireworks prohibited.

~~When consumer fireworks are permitted pursuant to the exception in section 34-159(a), the following shall apply~~:

(1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission.

(2) Consumer and low-impact fireworks shall not be ignited, discharged or used by a person while under the influence of alcoholic liquor or a controlled substance or a combination of both as those terms are defined by the Act.

(3) No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

(4) A minor shall not possess consumer fireworks. Age verification shall be made by checking a driver's license or another form of acceptable identification, permitted by the Act.

Sec. 34-161. - Penalties.

(1~~a~~) A person violating the provisions of this article shall be responsible for a municipal civil infraction punishable by a civil fine of not more than $~~5~~1,000.00 for each violation and no other fine or sanction. In accordance with the Act, $500.00 of this fine shall be remitted to the City of Portage Police Department for enforcement of this article.

(2~~b~~) A police officer, fire marshal or other person employed by the city department of public safety are authorized city officials pursuant to ~~s~~Section 2-202 of this Code and may issue and serve civil infraction citations for violations of this article.

~~(c) Following final disposition of a finding of responsibility for violating section 34-160(1), (2) or (3) of this article, the city may dispose of or destroy any consumer fireworks retained as evidence in that prosecution.~~

(3~~d~~) All fireworks possessed, used, discharged and/or ignited in violation of this article are subject to seizure. A person who is found responsible for violation of this article shall be required to reimburse the city for the costs of storing, disposing of, or destroying consumer fireworks that were confiscated for a violation of this article.

(4c) Following final disposition of a finding of responsibility for violating any provision of of this article or of the Act, the city may dispose of or destroy any consumer fireworks retained as evidence in that prosecution or may use such consumer fireworks for training purposes as provided by the Act.

(5~~e~~) No provision of this article shall prevent a prosecution or a civil infraction under state law for violation of the provisions of the Act.

Dated: _____, 2019

_____
Patricia Randall, Mayor

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

CERTIFICATION

I, Adam Herringa, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2019.

_____
Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:
Date_____

_____
City Attorney

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AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 7, CONSUMER FIREWORKS, OF CHAPTER 34 FIRE PREVENTION AND PROTECTION

THE CITY OF PORTAGE ORDAINS:

That Chapter 34 shall be amended as follows:

ARTICLE 7. CONSUMER FIREWORKS.

Sec. 34-157. - Purpose.

The purpose of this article is to provide for the regulation of the ignition, discharge and use of consumer fireworks within the City of Portage, as permitted under the Michigan Fireworks Safety Act, MCL 28.451 et seq.

Sec. 34-158. - Definitions.

As used in this chapter, the following definitions shall apply:

(1) *Act* means Act 256 of the Public Acts of Michigan of 2011, being MCL 28.451, et seq., as it may be amended from time to time. (The Michigan Fireworks Safety Act.)

(2) *Consumer fireworks* means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5 as defined in the Act. Consumer fireworks does not include low-impact fireworks.

(3) *Public property* means any public park, street right-of-way (including the unimproved portions), city owned property and any other public place open to the public.

(4) *Firework* or *fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation as defined in the Act.

(5) *Low-impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1.1.1 to 3.1.1.8, and 3.5.

(6) *Minor* means an individual who is less than 18 years of age.

(7) *Person* means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

(8) *Property of another person* includes hotel and motel property, apartment property, and condominium property, where an owner, management company, or association has or retains authority and control over the use of the property or common areas.

(9) *Use of consumer fireworks* includes the ignition, discharge and use of consumer fireworks.

Sec. 34-159. - Consumer fireworks prohibited; exceptions.

No person shall ignite, discharge or use consumer fireworks within the City, except on the following days, after 11:00 a.m.:

(1) December 31 until 1 a.m. on January 1.

(2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

(3) June 29 to July 4 until 11:45 p.m. on each of those days.

(4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Sec. 34-160. -Uses of fireworks prohibited.

(1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission.

(2) Consumer and low-impact fireworks shall not be ignited, discharged or used by a person while under the influence of alcoholic liquor or a controlled substance or a combination of both as those terms are defined by the Act.

(3) No person shall recklessly endanger the life, health, safety, or well-being of any person by the ignition, discharge, or use of consumer fireworks.

(4) A minor shall not possess consumer fireworks. Age verification shall be made by checking a driver’s license or another form of acceptable identification, permitted by the Act.

Sec. 34-161. - Penalties.

(1) A person violating the provisions of this article shall be responsible for a municipal civil infraction punishable by a civil fine of not more than $1,000.00 for each violation and no other fine or sanction. In accordance with the Act, $500.00 of this fine shall be remitted to the City of Portage Police Department for enforcement of this article.

(2) A police officer, fire marshal or other person employed by the city department of public safety are authorized city officials pursuant to Section 2-202 of this Code and may issue and serve civil infraction citations for violations of this article.

(3) All fireworks possessed, used, discharged and/or ignited in violation of this article are subject to seizure. A person who is found responsible for violation of this article shall be

required to reimburse the city for the costs of storing, disposing of, or destroying consumer fireworks that were confiscated for a violation of this article.

(4) Following final disposition of a finding of responsibility for violating any provision of this article or of the Act, the city may dispose of or destroy any consumer fireworks retained as evidence in that prosecution or may use such consumer fireworks for training purposes as provided by the Act.

(5) No provision of this article shall prevent a prosecution or a civil infraction under state law for violation of the provisions of the Act.

Dated: _____, 2019

_____
Patricia Randall, Mayor

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

CERTIFICATION

I, Adam Herringa, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2019.

_____
Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:
Date_____

_____
City Attorney

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Minutes of Boards & Commissions

Youth Advisory Committee Meeting Minutes

May 14, 2019, 6:00 p.m.

I. Call to order

II. Introductions and Attendance

III. Approval of the April 15th Meeting Minutes

IV. Report from Liaisons
   a. Celebrating new senior center

V. Green-a-Thon 2019
   a. Thank You Letters
   b. Cold Weather logo wear (hats?)
      i. Baseball caps – create a design with YAC logo on the front

VI. YAC Recruitment
   a. We are good!
      i. Advertisements at high schools worked well
   b. <u>Non-Interview Interview – Tuesday, May 21 at 5:15 p.m.</u>

VII. Park Board Event – Saturday, June 22 at 5:00 p.m.
   a. "Great American Campout at Ramona Park"
   b. Partnering with YAC
   c. Games, entertainment, pig roast, bonfire, movie, (Parent Trap) and scavenger hunt.
   d. YAC to be in charge of games and movie trivia
      i. Ideas for games – pool noodle baseball, face painting, water balloon toss, sidewalk chalk, small tie-dying (socks/bandanas)
         1. May be too many games for the amount of volunteers there
         2. Send out a Sign Up Genius for volunteers, amount of games depends on how many sign up to volunteer
      ii. Trivia – Disney questions (10 Q and A); prizes – silly string, glow sticks, flamingoes
         1. Simona and Natalie volunteered to create trivia questions

VIII. 4th of July Fireworks Event on July 5th
   a. Assisting with games and activities
      i. Approved
   b. Sponsored by Portage Rotary Club
   c. Moving the fireworks to Ramona Park

IX. Historic District Commission – May 18th Preservation Month Celebration event
   a. 12 noon – 4pm
      i. YAC volunteers will help greet, set up, clean up, etc.
   b. Wetherbee Farm on Portage Road
   c. Withdraw from Event?
      i. Need more volunteers

X. YAC Summer Movie Event
   a. Friday, August 2, 2019
      i. Cop car karaoke?
      ii. More carnival like games, with small prizes or award points to redeem prizes
   b. Spider Man: Into the Spider Verse
      i. Trivia before the movies – prizes could include temporary marvel tattoos or stickers

XI. Catalyst University – SW Michigan First
   a. June 19th at Miller Auditorium
      i. 1 – 5:30pm, tickets are $75
      ii. Send an email to Adam if planning to attend, city may pay for the $75
   b. Open to rising Juniors, Seniors and outgoing Seniors

XII. The Sujay – Awarded to most dedicated member of the YAC
   a. Will be awarded either tonight or in June
      i. In the beginning of the meeting in June

XIII. Substance Abuse Task Force – Spring Sticker Shock (replacement campaign)
   a. Skylar is in contact with the Substance Abuse Task Force
   b. Police department is looking for youth volunteers to attempt to purchase tobacco from retail establishments in order to see which establishments will sell tobacco to individuals underage
      i. YAC is willing to help with that

XIV. Next Meeting: Tuesday, June 4, 2019 – 6 to 7 p.m. (new members will be present)
   a. Approved

CITY OF PORTAGE

Environmental Board

7900 South Westnedge Avenue, Portage, MI 49002

May 30, 2019

The Honorable Mayor and City Council

City of Portage

City Hall

7900 S. Westnedge Ave.

Portage, MI 49002

RE: Environmental Board Goal/Project Updates

Dear Mayor and Council:

Consistent with a results-oriented focus and a collaborative partnership with City Administration, the members of the Portage Environmental Board have prioritized the following key projects for the remainder of the calendar year 2019:

- **Community Education and Outreach**
- **Refine Environmental Board Presence at City Events**

Details concerning the above-mentioned projects are as follows:

- **Community Education and Outreach:** In collaboration with the Environmental Board liaison (Jamie Harmon), the Board intends on developing content for citizen perusal on the City website. This content is intended to include articles, podcasts, and volunteer information for City residents. The Board will independently create content and seek approval prior to submission to the City website.
- **Refine Environmental Board Presence at City Events:** The Board intends on crafting and refining the materials and format regarding participation in City events. These events include the Green-A-Thon, volunteer recruitment, community invasive species pulls, and other events as organized by the City that could benefit from the Board's presence. In addition, the Board will begin planning and presenting opportunities for events hosted by the Board, such as lectures, film viewings, etc.

While the preponderance of the Board's current efforts will be placed into the above projects, these leave enough white space to comfortably accommodate any requests or projects presented by the City without disrupting current efforts. The goal for the immediate future is to refresh and revise the Board's standards and level of effort when it comes to primary community contribution concepts. As the revision becomes effective, there will be opportunities to potentially engage in one of numerous other ideas the board has discussed that will benefit the residents of the City.

Respectfully,

Roger Lonoza

Roger A. Lonoza, Chair

Environmental Board