

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. Regular Meeting Minutes of June 11, 2019.

b. Pre-Council Meeting Minutes of June 24, 2019

2. Approval of the Accounts Payable Register of June 25, 2019 as presented.

3. Adopt 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.

4. Approve the Final Preliminary Condominium Subdivision (engineering plans) for Westfield North, 5700 Alten Street.

5. Approve the Final Preliminary Condominium Subdivision (engineering plans) for Phase 1 and the Final/Site Plan for Phase 2 of the Pennridge Trail Planned Development, 1722 and 1800 West Osterhout Avenue.

6. Receive the City of Portage Public Participation Plan - Information Only

7. Minutes of Boards & Commissions:

a. Historic District Commission of May 1, 2019.

8. Materials Transmitted from June 11, 2019.

B. Petitions and Statements of Citizens:

1. Comments from Portage Public Schools Superintendent Mark Bielang and School Board President Randy VanAntwerp.

C. Communications:

1. Calendar of Meetings.

- Public Forum on Lover's Lane construction project, Thursday, June 27, 2019, 5:30 p.m. in City Hall Room #1.
- Local Development Finance Authority, Friday, June 28, 2019, 8:15 a.m. in City Hall Room #1.
- Historic District Commission, Wednesday, July 3, 2019, 8:15 a.m. in City Hall Room #2.
- Zoning Board of Appeals, Monday, July 8, 2019, 7:00 p.m. in Council Chambers.

D. Public Hearings:

1. Subsequent to the public hearing, adopt Ordinance Amendment #18/19-A, Sign Amendments.

E. Regular Business Agenda:

F. Unfinished Business:

1. Approve moving deliberation of the Intergovernmental Agreement with the City of Kalamazoo for crime analysis, crime prevention and strategic operational crime reduction activities at the Kalamazoo Strategic Operations Center to the July 9, 2019 City Council meeting.

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

CITY COUNCIL MEETING MINUTES FROM JUNE 11, 2019

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

At the request of Mayor Pro Tem Pearson, the audience observed a moment of silence to honor all religions and personal beliefs and in recognition of the 75th Anniversary of the D-Day Landings and Battle of Normandy.

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

CONSENT AGENDA: Mayor Pro Tem Pearson shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Knapp asked that Item A.5, Intergovernmental Agreement with Kalamazoo for Public Safety Analytics, be removed from the Consent Agenda. Councilmember Reid asked that items A.8 (Brownfield Redevelopment Incentive Policy) and A.11 (Brownfield Redevelopment Plan Amendment) be removed from the Consent Agenda. Motion by Reid, seconded by Knapp, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the Regular and Special Meeting Minutes of May 21, Special Meeting Minutes of May 22 and Pre-Council Meeting Minutes of June 10, 2019. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 11, 2019: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of June 11, 2019. Upon a roll call vote, motion carried 6 to 0.

REPAIRS TO GARDEN LANE TRAIL & ACCESS ROAD: Motion by Reid, seconded by Knapp, to 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. Upon a roll call vote, motion carried 6 to 0.

PORTAGE PUBLIC SAFETY FOUNDATION: Motion by Reid, seconded by Knapp, to adopt a resolution authorizing the formation of the Portage Public Safety Foundation 501(c)(3). Upon a roll call vote, motion carried 6 to 0.

SUMMER MILL AND FILL: Motion by Reid, seconded by Knapp, to 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. Upon a roll call vote, motion carried 6 to 0.

REZONING APPLICATION 18/19-6: Motion by Reid, seconded by Knapp, to accept Rezoning Application #18/19-6, 129 Boston Avenue for first reading and set a public hearing for July 9, 2019. Upon a roll call vote, motion carried 6 to 0.

PUBLIC FIREWORKS DISPLAY: Motion by Reid, seconded by Knapp, to approve a permit for a fireworks display on July 5, 2019, at Ramona Park sponsored by the Portage Rotary Club. Upon a roll call vote, motion carried 6 to 0.

ANGLING ROAD AND MEREDITH STREET RECONSTRUCTION CONTRACT: Motion by Reid, seconded by Knapp, to 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. Upon a roll call vote, motion carried 6 to 0.

UNPAID WATER AND/OR SEWER CHARGES: Motion by Reid, seconded by Knapp, to 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. Upon a roll call vote, motion carried 6 to 0.

CROSSING GUARD CONTRACT: Motion by Reid, seconded by Knapp, to 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. Upon a roll call vote, motion carried 6 to 0.

FIREWORKS ORDINANCE UPDATE: Motion by Reid, seconded by Knapp, to accept for first reading the amendment to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection and set a second reading with final adoption for June 25, 2019. Upon a roll call vote, motion carried 6 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Knapp, to receive the minutes of the Youth Advisory Committee of May 14, 2019. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Mr. Robert Ricci, 3115 Innisbrook Drive, spoke regarding yellow delineator poles that are placed at various intersections in the city. He questioned the value and purpose of the poles outside of the winter snow plowing season and stated that he has been given different explanations as to their purpose by city staff. He commented that the poles are unsightly and he would like City Council to look for them as they drive around town. Mayor Pro Tem Pearson asked City Manager Shaffer to reach out to Mr. Ricci to discuss the matter further and try to find a resolution.

Mr. John Stears, 5786 E. UV Avenue, Vicksburg, spoke regarding possible expansion of the sewer line that services Vicksburg and runs through the City of Portage on its way to the Kalamazoo Wastewater Treatment Facility. He expressed frustration at the lack of information provided by officials with the City of Vicksburg, Brady Township and the South County Sewer and Water Authority. He shared that at a public meeting of the South County Sewer and Water Authority an official stated that the Village of Vicksburg is moving forward with construction of a sewer line going north into the City of Portage. Mr. Stears asked that information related to any such plans be made public. In response, Mayor Pro Tem Pearson commented that the Portage City Council has not received information about this topic nor discussed the sewer issue with Vicksburg and the South County Sewer and Water Authority in many years. City Manager Shaffer shared that the Village of Vicksburg only recently reached out to the City of Portage to inquire about possible expansion of sewer flow into and through the City of Portage as part of redevelopment efforts associated with an

old paper mill. Mr. Shaffer stated that, at this point, nothing formal has been proposed and the City of Portage will need to learn significantly more about the project before agreeing to any type of contract or modified relationship with Vicksburg. In response to an inquiry from Councilmember Reid, Mr. Shaffer stated that Vicksburg would need to hire an engineering firm regarding the proposed sewer line, routes would have to be evaluated and potential impacts studied. Mr. Shaffer stated that the most likely route will be via Sprinkle Road but that taxes, cost, liability, etc. will all have to be evaluated and addressed before an agreement can be reached. Mr. Shaffer assured City Council that he would keep them informed as the process moves along. Councilmember Ford commented that the Utility Rate Committee commented briefly on the paper mill project and potential sewer needs but was more concerned with the sewer rates paid by Portage residents.

COMMUNICATIONS:

CALENDAR OF MEETINGS: Motion by Reid, seconded by Knapp, to receive the Calendar of Meetings. Upon a roll call vote, motion carried 6 to 0.

PRESENTATION BY THE ENVIRONMENTAL BOARD: Mr. Roger Lonoza, Environmental Board Chairperson, provided City Council with their annual update on goals and objectives. He commented that there has been significant turnover on the board and it is now working to rebuild the board and better define its goals and objectives. He stated that one area of emphasis is an increasing presence and participation at community events and increased community education. Mr. Lonoza then shared successes of the Environmental Board over the past year. Mayor Pro Tem Pearson inquired as to the high turnover of the board and Mr. Lonoza explained that long-serving members had moved on and the turnover has occurred naturally. Councilmember Reid inquired about rain garden applications given the recent high levels of precipitation. Mr. Lonoza commented that the board has not received any applications. Ms. Reid asked that an article about rain gardens be included in the Portager. Motion by Reid, seconded by Ford, to receive the presentation from the Environmental Board. Upon a voice vote, motion carried 6 to 0.

REGULAR BUSINESS:

INTERGOVERNMENTAL AGREEMENT WITH KALAMAZOO FOR PUBLIC SAFETY

ANALYTICS: Mayor Pro Tem Pearson deferred to City Manager who asked that this item be postponed until the June 25th Regular City Council Meeting. He stated that there are still some unanswered questions and he would like additional time to review and gather information. Motion by Knapp, seconded by Reid, to table this item until the June 25th Regular City Council Meeting. Upon a voice vote, motion carried 6 to 0.

BROWNFIELD REDEVELOPMENT INCENTIVE POLICY: Mayor Pro Tem Pearson deferred to Councilmember Reid who asked that this item be discussed. She inquired as to how the public would be involved in the review and approval process of brownfield redevelopment plans should the new policy be adopted. Community Development Director Vicki Georgeau shared that City Council will still hold a public hearing and the meetings of the Brownfield Redevelopment Authority are open to the public. Ms. Georgeau explained that the policy change will speed up the review and approval process and allow for more complete project information to be available when the item is presented to City Council and the Brownfield Redevelopment Authority. She concluded by stating that public input was not being eliminated and that the public and impacted taxing entities would be notified of any public hearing. In response, Councilmember Reid expressed concern that the public is not being

informed of the project until the plan is finalized and citizens may have ideas and suggestions that could improve the redevelopment plan. Councilmember Reid inquired as to how citizens would be notified and Ms. Georgeau stated that the amount of input opportunities under the new policy would be the same as other development plans. Ms. Georgeau stated that brownfield plans are the only ones that come to City Council first. She concluded her response that public notice would be similar to that of other plans.

Councilmember Ford commented that brownfield redevelopment is important to the economic and environmental health and well-being of the community. He stated that while the plan review process would change, he believes there is opportunity for the public to be engaged and the results will make the community an environmentally safer place.

In response to concerns about citizen participation, City Manager Shaffer stated that he would work with Ms. Georgeau to create and present to City Council a citizen participation plan. In addition, Mr. Shaffer stated that the City would use the various communication tools at its disposal to maximize public notice. Councilmember Reid and City Manager Shaffer reviewed whether this agenda item could be postponed and Mr. Shaffer asked that action be taken but that he would return at the next meeting with a more defined plan regarding public participation. Ms. Georgeau commented that approval of the policy would result in the creation of a Brownfield Revolving Fund that would help in future redevelopment efforts. Councilmember Reid stated that, providing there is a public participation plan forthcoming, she would support the new policy. Motion by Reid, seconded by Burns, to approve the revisions to the Brownfield Redevelopment Incentive Policy, and authorize the City Manager to approve initial applications for Brownfield Redevelopment Plans. Upon a roll call vote, motion carried 6 to 0.

BROWNFIELD REDEVELOPMENT PLAN AMENDMENT: Mayor Pro Tem Pearson deferred to Councilmember Reid who had asked that this item be removed from the Consent Agenda. Councilmember Reid asked that City Manager Shaffer or Community Development Director Georgeau share some additional information about the plan amendment for the benefit of the public. Director Georgeau shared that the building and property in question is located at 6666 Lovers Lane. She reviewed the current condition of the property and explained that, once redeveloped, the result would be a business involving 25 to 30 jobs. She reviewed the cost of the redevelopment and highlighted some of the contaminants located at the site. Ms. Georgeau also reviewed the inclusion of stormwater filtering that would occur with the redevelopment. Finally, Ms. Georgeau reviewed the potential taxes that would be captured in the new Brownfield Revolving Fund and that captured taxes would be used to reimburse the applicant for eligible expenses. Councilmembers Reid and Mayor Pro Tem Pearson commented that it sounds like a great project.

Motion by Reid, seconded by Ford, to 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. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns shared that he and Mayor Pro Tem Pearson attended a meeting of the Central County Transportation Authority (CCTA). At the meeting, he stated, a new trust fund was established to help address expenses related to "Other Post-Employment Benefits." He also shared that a new pilot "Youth Mobility Program" was being implemented that will assist students enrolled in Kalamazoo Public Schools. Students can use their school ID as a bus pass and as a library card for the Kalamazoo Public Library. A single student ID card can be used as both a bus pass and library card. This program, he stated, was supported by the Kalamazoo Foundation for Excellence. Finally, Councilmember Burns shared that the CCTA is

planning on holding a millage election on March 10, 2020. The amount and duration of the millage are to be determined.

Councilmember Knapp shared that she attended a meeting of the Kalamazoo County Public Arts Commission. At this meeting public art projects were discussed and highlighted such as the community pool in Kalamazoo that was repainted, wrapping of utility boxes with archival images of the city and encouraging public participation in the arts. Next, Councilmember Knapp noted that the Public Art Commission is looking to boost participation in an upcoming exhibition by the Kalamazoo Institute of Arts entitled Black Refractions: Highlights from the Studio Museum in Harlem. She continued by stating that discussions involved how Portage, in particular the library, might play a role in this exhibition.

Motion by Ford, seconded by Reid to receive the Council Committee Report as presented. Upon a voice vote, motion carried 6 to 0.

STATEMENTS OF CITIZENS: Mr. John Stears, 5786 E. UV Avenue, Vicksburg, spoke again regarding participation of the City of Portage in providing expanded sewer service to the Village of Vicksburg. City Attorney Brown shared that Mr. Stears has submitted a FOIA request and this request needs to be processed. City Manager Shaffer stated that the City of Portage has not entered into any engineering contract with regard to sewer service and Vicksburg. He further stated that Portage taxpayers and water/sewer customers would be protected and not subsidize any activity involving Vicksburg. Mr. Shaffer stated that the meter at the 12th Street Lift Station monitors flow and Mr. Urban clarified that the line in question does not involve the 12th Street Lift Station and is currently not metered and is smaller in size. With regard to concerns Mr. Stears expressed about other jurisdictions and the Open Meetings Act, Mr. Urban stated that such government entities must allow the public an opportunity to be heard.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid commented that the annual Ella Sharp Museum Art, Beer and Wine Festival was held this past weekend in Jackson. At the festival there is a tasting contest for beer and wine that includes many local and national beverage makers. The winner this year was The Sangria Shop owned by Fernando Costas which is located in Portage. Ms. Reid congratulated Mr. Costas on the winning the contest.

Councilmember Knapp shared that the recent Memorial Day Parade was very well attended and a great community event. She thanked participants and spectators for coming out and supporting the parade. She concluded by commenting on the service held at the Veteran's Memorial following the parade.

Councilmember Burns shared that he recently attended an event at the library regarding oral histories. He shared information about a program connecting middle school students with residents of Kalamazoo County to form intergenerational bonds and produce oral history interviews. He thinks this program would be good for the City of Portage to explore. Next, he shared that he attended an event at the Douglas Community Association at which the topic was "Pre-Trial Incarceration and Cash Bail Practices."

Councilmember Ford wished his daughter a happy birthday and shared that he would be participating in the Great American Campout event coming up at Ramona Park.

Mayor Pro Tem Pearson spoke and shared that a recent power outage in Portage was caused by a "wayward squirrel." Next, he shared that he, along with City Manager Shaffer, attended a groundbreaking ceremony for Jaqua Realtors on Milham Avenue. He continued by stating that, following the Memorial Day Parade, there was a recognition of veterans of the Vietnam War. He shared that his wife, a Vietnam Veteran, received a pin in recognition of her service. With regard to

the Memorial Day parade Mayor Pro Tem Pearson shared that over twenty Corvettes were involved, City Council passed out lots of candy and the dog treats brought by Councilmember Reid were a hit with the crowd. Finally, Mayor Pro Tem Pearson shared information about proposed changes to the Code of Ordinances involving fireworks and Councilmember Urban clarified that the ordinance has not yet been adopted by City Council and that any changes would not go into effect until after the 4th of July holiday.

ADJOURNMENT: Mayor Pro Tem Pearson adjourned the meeting at 8:03 p.m.

Adam Herringa, City Clerk

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF JUNE 24, 2019**

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

With regard to Item A.3, Fireworks Ordinance, Councilmember Reid inquired if the recently updated state law regarding fireworks superseded any City of Portage ordinance. City Manager Shaffer spoke in the affirmative and continued by stating that the proposed City of Portage ordinance is important to ensure consistency with the state law. Mr. Shaffer shared that he had contacted Jake's Fireworks about the proposed ordinance but has yet to be able to speak with the store manager. Mr. Shaffer stated that he would try again today.

With regard to Item A.4, Westfield North Final Preliminary Condominium Subdivision, Councilmember Reid pointed out that there are multiple condo development projects on the City Council Agenda. She stated that it seems like City Council is recently being asked to approve more condo development plans as opposed to single family residential plans. She asked for a breakdown regarding residential living units within the City of Portage, if there is an ideal distribution between types of residential units and whether current trends will continue for the foreseeable future. City Manager Shaffer commented that the rise in condo developments is in response to market forces and that such condo developments are currently in greater demand than single-family residential. He continued by sharing that there is currently a nationwide trend for higher-density residential living units. Councilmember Reid stated that she would like City Council to get a better sense of what is happening in the residential sector.

Mayor Pro Tem Pearson asked that City Council be provided with a cost range of the condo units that are being proposed under both items A.4 and A.5. Mayor Randall concurred with the inquiries of Councilmember Reid and Mayor Pro Tem Pearson and commented that an aging population is more likely to desire smaller residential living units that do not require significant maintenance.

With regard to Item A.5, Pennridge Trail Planned Development, Councilmember Reid commented on the emergency access road that will service the development. She noted that construction of the road is triggered once there are 30 housing units. She asked for more specifics regarding the trigger such as whether the trigger is approval, construction or occupation of the units. She also asked for clarification and confirmation as to who will pay for and maintain the access road. Mr. Shaffer stated that the responsibility for construction and maintenance of the access road would be on the development. Mr. Shaffer continued by stating that the access road would be gated and only accessible by public safety. Mayor Randall reiterated the question of Councilmember Reid as to what serves as the trigger for construction of the access road.

With regard to Item A.6, Public Participation Plan, Councilmember Reid noted that future changes would be approved by the Planning Commission and not City Council. Councilmember Reid noted that the plan identified options for public participation but not specific requirements. She asked that City Administration identify plan components that go above and beyond standard notice requirements. Mr. Shaffer stated that much of the plan was built on requirements of the Community Development Block Grant program.

With regard to Item B.1, comments from Portage Public Schools Superintendent Mark Bielang and School Board President Randy VanAntwerp, Mayor Randall inquired if they would be present at the meeting. Mr. Shaffer responded in the affirmative. Councilmember Reid asked for more information about the speaker the school officials are bringing to town. Mr. Shaffer stated that the speaker, Quint Studer, has written books focused on community revitalization. Mayor Randall asked if a joint School Board/City Council meeting was planned and, if so, for the date, time, location and format. City Manager Shaffer stated that he would provide City Council with more information about the speaker and his books and reach out to Superintendent Bielang to get more information about a potential meeting date, time and format.

With regard to Item C.1, Calendar of Meetings, Councilmember Burns asked that the public forum on the Lovers Lane Construction Project be added. Mayor Randall indicated that a couple of residents had reached out to her directly about the project and asked if they had been contacted about the open house. Mr. Shaffer responded in the affirmative.

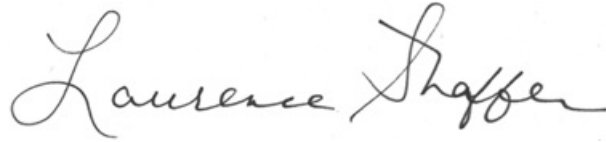
With regard to Item F.1, Intergovernmental Agreement with Kalamazoo, Mayor Pro Tem Pearson stated that his interpretation is the City of Portage will be funding a crime analyst position in the City of Kalamazoo as opposed to paying a fixed annual amount for the service. Mr. Shaffer noted that he is asking that the item be moved to the July 9th Regular Meeting in order to get clarification as to an annual cap on cost, gather more information regarding an operational agreement, and because the City of Kalamazoo Public Safety Chief, Karianne Thomas, could be present at the meeting. Mr. Shaffer informed City Council that, with regard to an annual cap, he is looking at approximately \$90,000. Councilmember Reid asked if the information being sought by Mr. Shaffer would be ready and available by July 9th and Mr. Shaffer responded in the affirmative. Mayor Randall shared that she learned about this proposal by reading an MLive article while in China. She expressed frustration with learning about this topic via the media as opposed to from the City Manager. Mr. Shaffer stated that the Mayor and City Council are right to be frustrated and he apologized for the circumstance.

ADJOURNMENT: Following a summary of the meeting, Mayor Randall adjourned the meeting at 8:25 a.m.

Adam Herringa, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approval of Accounts Payable Register of June 25, 2019

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 June 1, 2019 through June 14, 2019 and notes \$677,309.03 in automated clearing house payments, \$1,457,582.75 in paper checks and \$44,228.12 in auto-pay payments for a grand total of \$2,179,119.90.

FUNDING: N/A

Attachments: 1. Accounts Payable Report of 6-25-19

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 1 of 9

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
06/07/2019	11161(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMP STAFFING FOR DEP CLERK	519.59
06/07/2019	11162(A)	ALL CITY MANAGEMENT SERVICES, INC.	SCHOOL CROSSING GUARD 18/19	3,250.80
06/07/2019	11163(A)	ALL-PHASE ELECTRIC SUPPLY CO.	SUPPLIES - PARKS DIVISION	42.46
06/07/2019	11164(A)	APOLLO FIRE EQUIPMENT COMPANY	FIRE HURST TOOLS	12,880.00
06/07/2019	11165(A)	B L HARROUN & SON INC.	ANNUAL SPRINKLER INSPECTION	277.00
06/07/2019	11166(A)	BATTERIES PLUS	MISC BATTERIES	44.85
06/07/2019	11167(A)	CARSTAR PORTAGE	FIRE APPARATUS MAINT	212.87
06/07/2019	11168(A)	COLLIER, MICHAEL	STAFF & COMMAND SCHOOL	115.93
06/07/2019	11169(A)	DMOCH, ADAM	N. AMER ACTIVE ASSAILANT	40.00
06/07/2019	11170(A)	FIRE SERVICE MANAGEMENT	OCFF UNIFORMS	180.00
06/07/2019	11171(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL - GLWTP	132.00
06/07/2019	11172(A)	HOUSER, DANIEL	N. AMER ACTIVE ASSAILANT	81.33
06/07/2019	11173(A)	KUSHNER & COMPANY, INC.	COBRA & FSA - 2018-2019	321.86
06/07/2019	11174(A)	LOWE'S HOME CENTER	FIRE FACILITY MAINT.	143.26
06/07/2019	11175(A)	MATERIALS RESOURCES	LATEX GLOVES & MISC	187.92
06/07/2019	11176(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRES AND SERVICES	2,830.19
06/07/2019	11177(A)	MENARDS, INC	CELERY FLATS PROJECT	493.29
06/07/2019	11178(A)	MUNICIPAL CODE CORPORATION	ANNUAL CODE ON INTERNET FEE	950.00
06/07/2019	11179(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICE	6,534.06
06/07/2019	11180(A)	PAVER PET SUPPLY	MISC. K-9 SUPPLIES	62.00
06/07/2019	11181(A)	PCM SALES, INC.	MONTHLY IT OUTSOURCING	40,960.00
06/07/2019	11182(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MANAGEMENT	230.00
06/07/2019	11183(A)	R W LAPINE INC.	HVAC MAINTENANCE SERVICES	3,451.25
06/07/2019	11184(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	67.83
06/07/2019	11185(A)	SAFETY SERVICES, INC.	SAFETY SUPPLIES	1,045.68
06/07/2019	11186(A)	STANDARD & POOR'S	ANALYTICAL FOR CIP BONDS	13,000.00
06/07/2019	11187(A)	W W GRAINGER INC	EQUIPMENT MAINTENANCE	186.38
06/07/2019	11188(A)	WORLDPOINT ECC	FIRE TRAINING SUPPLIES	78.06
06/14/2019	11189(A)	A NEW LEAF	SIX MONTHS OF PLANT CARE	85.00
06/14/2019	11190(A)	ABONMARCHE CONSULTANTS, INC	ELIASON RESERVE DEVELOPMENT	10,405.50
06/14/2019	11191(A)	AMERICAN SAFETY & FIRST AID	SAFETY AND FIRST AID	742.17

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 2 of 9

Check Date	Check	Vendor Name	Description	Amount
06/14/2019	11192(A)	ANALYTICAL TESTING & CONSULTIN	CDBG SALEMKA 6328 PEACHTR	550.00
06/14/2019	11193(A)	APOLLO FIRE EQUIPMENT COMPANY	FIRE OPS SUPPLIES	3,248.67
06/14/2019	11194(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 2019	300.00
06/14/2019	11195(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 2019	350.00
06/14/2019	11196(A)	BELL EQUIPMENT COMPANY	SWEEPER RADIATOR	2,128.28
06/14/2019	11197(A)	BEST WAY DISPOSAL, INC.	18/19 CURBSIDE RECYCLING	54,352.66
06/14/2019	11198(A)	BLUESTONE PSYCH	POST CONDITIONAL PSYCH EVAL	3,900.00
06/14/2019	11199(A)	C T S TELECOM, INC.	MONTHLY FIBER SERVICES - TS	3,763.23
06/14/2019	11200(A)	CLINGENPEEL, DAVID	UMPIRE PAYROLL 2019	105.00
06/14/2019	11201(A)	COLLIER, MICHAEL	STAFF & COMMAND SCHOOL	282.30
06/14/2019	11202(A)	DEER CONTRACTING & LANDSCAPE	CURB REPAIRS	12,767.00
06/14/2019	11203(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	6,129.63
06/14/2019	11204(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM SYSTEM START UP	213.86
06/14/2019	11205(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	WELDING SERVICES	270.00
06/14/2019	11206(A)	ETNA SUPPLY, INC.	WATER HYDRANT	2,970.00
06/14/2019	11207(A)	FISHBECK THOMPSON CARR & HUBER, INC	HISTORICAL MILL	3,900.00
06/14/2019	11208(A)	FORSHEE, MARK	UMPIRE PAYROLL 2019	350.00
06/14/2019	11209(A)	GORDON WATER SYSTEMS	WATER COOLER PARKS OFFICE	321.35
06/14/2019	11210(A)	GRIFFIN PEST SOLUTIONS, INC.	FIRE FACILITY MAINT.	47.00
06/14/2019	11211(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	8,990.67
06/14/2019	11212(A)	HARTMAN, CHARLES	UMPIRE PAYROLL 2019	144.00
06/14/2019	11213(A)	HOFFMAN BROTHERS, INC.	WITHHOLD RETAINAGE PAY #2	243,031.23
06/14/2019	11214(A)	HOJNACKI, DAVID	UMPIRE PAYROLL 2019	138.00
06/14/2019	11215(A)	INDUSCO SUPPLY CO., INC.	DPS JANITORIAL SUPPLIES	439.18
06/14/2019	11216(A)	IRISH AYRES ENTERPRISES, LLC	MOW, TRIM, LANDSCAPE MAINT	17,844.35
06/14/2019	11217(A)	J-AD GRAPHICS, INC	NEWSLETTER PRODUCTION	2,156.00
06/14/2019	11218(A)	KAHN, WILMA	PROGRAM INSTRUCTOR PAYMENT	542.00
06/14/2019	11219(A)	KLOSTERMAN DISTRIBUTING	RAMONA CONCESSIONS	1,044.15
06/14/2019	11220(A)	LOUTHAN, WILLIAM F	UMPIRE PAYROLL 2019	144.00
06/14/2019	11221(A)	MATERIALS RESOURCES	MISC NITRILE GLOVES	179.93
06/14/2019	11222(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 2019	175.00
06/14/2019	11223(A)	MEEKHOF TIRE SALES & SERVICE INC.	FIRE APPARATUS MAINT	159.50

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 3 of 9

Check Date	Check	Vendor Name	Description	Amount
06/14/2019	11224(A)	MEJEUR ELECTRIC LLC	5 NEW FLAT TOP LED LIGHTS	4,096.00
06/14/2019	11225(A)	MICROSYSTEMS, INC.	PAPERVISION ENTERPRISE RENEW	1,197.00
06/14/2019	11226(A)	MIRACLE RECREATION EQUIPMENT CO.	PLAYGROUND EQPT PARTS	102.00
06/14/2019	11227(A)	MYERS, JAMES	MACP 2019 SUMMER PRO DEV	135.00
06/14/2019	11228(A)	NORMAN CAMERA CO.	CAMERA REPAIR	290.00
06/14/2019	11229(A)	NUYEN, ERIC	UMPIRE PAYROLL 2019	138.00
06/14/2019	11230(A)	NYE UNIFORMS	MISC UNIFORMS	60.00
06/14/2019	11231(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICE	11,219.82
06/14/2019	11232(A)	PCM SALES, INC.	VMWARE VSPHERE ESSENTIALS	63.00
06/14/2019	11233(A)	PECKELS, CHRISTINE	PROGRAM INSTRUCTOR PAYMENT	180.00
06/14/2019	11234(A)	PEOPLEFACTS, LLC	EMPLOYEE BACKGROUND CHECKS	40.40
06/14/2019	11235(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MANAGEMENT	507.38
06/14/2019	11236(A)	PRINTING SERVICES INC	SCORE CARDS 2019	1,359.27
06/14/2019	11237(A)	R W LAPINE INC.	PLUMBING SERVICES	3,000.00
06/14/2019	11238(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES	764.91
06/14/2019	11239(A)	RHODES, KEVIN	UMPIRE PAYROLL 2019	264.00
06/14/2019	11240(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT	1,528.05
06/14/2019	11241(A)	RIETH-RILEY CONSTRUCTION CO., INC	WITHHOLD RETAINAGE - 2018	169,540.77
06/14/2019	11242(A)	RYAN, JOHNATHAN	UMPIRE PAYROLL 2019	188.00
06/14/2019	11243(A)	SIMPLIFILE LLC	RECORDING OF DOCUMENTS	136.30
06/14/2019	11244(A)	SUEZ WATER ENVIRONMENTAL SERVICES	HYDRANT REPAIR	4,334.52
06/14/2019	11245(A)	USA SOFTBALL OF MICHIGAN	HOLMES UMPIRE REGISTRATION	6,694.95
06/14/2019	11246(A)	VANDENBRINK, BRIAN	MACP 2019 SUMMER PRO DEV	180.00
06/14/2019	11247(A)	WENTWORTH, JORDAN	ADVANCED VEHICLE CONTRABAND	90.00
06/14/2019	11248(A)	WOLVERINE POWER SYSTEMS	FIRE FACILITY MAINT.	711.39
Total ACH Transactions:				677,309.03

Check Type: Paper Check

06/07/2019	309933	2ND CIRCUIT COURT	OUT OF COUNTY BOND	100.00
06/07/2019	309934	ACE PARKING LOT STRIPING, INC.	RAMONA PK LINE STRIPING	1,500.00
06/07/2019	309935	ALLEGRA PRINT & IMAGING	PRINTING - CAPITAL IMPROVE	173.00
06/07/2019	309936	AMERICAN RAMP COMPANY, INC. DBA PBR	BIKE RAMP 2018	51,712.87
06/07/2019	309937	APEX SOFTWARE	2019-2020 APEX SOFTWARE RENEW	1,385.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 4 of 9

Check Date	Check	Vendor Name	Description	Amount
06/07/2019	309938	ARIF, MUHAMMAD	REIMBURSEMENT FOR CONF	100.00
06/07/2019	309939	AUTOBODY USA - SOUTHSIDE	REPAIR VEHICLE	644.50
06/07/2019	309940	BEL-AIRE HEATING & AIR CONDITI	CABLE ACCESS CONTROL ROOM	4,010.00
06/07/2019	309941	BRUCE'S TRUCK & AUTO ACCESSORIES	RHINO LINING SERVICES	175.00
06/07/2019	309942	CHAPIN SERVICES, LLC	TREE REMOVAL SERVICES	1,200.00
06/07/2019	309943	CINTAS CORP.	UNIFORM RENTAL SERVICES	201.83
06/07/2019	309944	COCHRAN GLASS AND DOOR, LLC	DOOR REPAIR - HAYLOFT	638.17
06/07/2019	309945	CONSTANTINE TURF FARM, INC	SOD FOR CFVC	5,870.00
06/07/2019	309946	CONSUMERS ENERGY	NW BIKEWAY LAND RENTAL	1,000.00
06/07/2019	309947	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	511.46
06/07/2019	309948	FLETCHER ENTERPRISES	PAINTING SERVICES	3,155.00
06/07/2019	309949	GARDEN SPOT GREENHOUSE, LLC	PLANTS, SOIL, PLANTING SERVICES	680.00
06/07/2019	309950	H & H PROPERTY MAINTENANCE, LLC	CELERY FLATS LANDSCAPING	16,445.00
06/07/2019	309951	HALT FIRE, INC.	FIRE APPARATUS MAINT	391.34
06/07/2019	309952	HOME DEPOT	FIRE CLEANING SUPPLIES	372.29
06/07/2019	309953	KALAMAZOO AREA TRANSPORTATION STUDY	TRAFFIC COUNTING SERVICES	1,360.00
06/07/2019	309954	KALAMAZOO COUNTY HEALTH & COMMUNITY	2019 HHW PROGRAM	3,091.13
06/07/2019	309955	KALAMAZOO LANDSCAPE SUPPLIES	PROJECT SUPPLIES	1,176.00
06/07/2019	309956	KERSTEN, MIKE	REIMBURSEMENT- BEST BUY PURCH	1,149.99
06/07/2019	309957	KNOWBE4, INC.	KNOWBE4 PHISHER SUBSCRIPT	2,025.00
06/07/2019	309958	MCGUIRE, INGRID	EMPLOYEE REIMBURSEMENT	208.11
06/07/2019	309959	MI ASSOC. OF CHIEFS OF POLICE	ACCREDITATION CONTINUATION	700.00
06/07/2019	309960	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR/MAINT	308.14
06/07/2019	309961	MICHIGAN TECHNOLOGICAL UNIVERSITY	INTRO TO ROADSOFT TRAINING	50.00
06/07/2019	309962	NATIONAL BUSINESS FURNITURE LLC	NEW FRONT OFFICE CHAIR	287.02
06/07/2019	309963	OFFICE DEPOT, INC.	ADDITIONAL ELECTIONS BARCODE	461.54
06/07/2019	309964	VOID		0.00
06/07/2019	309965	PENCHURA, LLC	CELERY FLATS TABLES, CHAIRS, UMB	21,617.00
06/07/2019	309966	PETERMAN CONCRETE CO.	CONCRETE U-CART	2,386.23
06/07/2019	309967	PETTY CASH-BARBARA GARLOW	REIMBURSEMENT CHECK	519.22
06/07/2019	309968	PORTAGE GLASS & MIRROR	WINDOW MAINTENANCE	1,000.00
06/07/2019	309969	PORTAGE ROTARY	ROTARY INVOICE FOR MISSED	12.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 5 of 9

Check Date	Check	Vendor Name	Description	Amount
06/07/2019	309970	SCHMITT, TRACY	REIMBURSEMENT - MILEAGE	60.78
06/07/2019	309971	SITEONE LANDSCAPE SUPPLY LLC	IRRIGATION REPAIR SUPPLIES	130.87
06/07/2019	309972	THE BATTERY STATION LLC	BATTERIES	393.57
06/07/2019	309973	TODD ARBANAS ENTERPRISES INC.	TREE REMOVAL SERVICES	2,400.00
06/07/2019	309974	TRUGREEN PROCESSING	LANDSCAPE SERVICES	562.40
06/07/2019	309975	TT&C BEACHES, LLC	RAMONA BEACH EXPAN PHASE 1	37,600.00
06/07/2019	309976	U S POSTMASTER	JULY/AUGUST PORTAGER POSTAGE	8,000.00
06/07/2019	309977	VARIDESK LLC	FIRE TRAINING SUPPLIES	670.50
06/07/2019	309978	VERICOM LLC	ACCELEROMETER	3,135.00
06/07/2019	309979	VERIZON WIRELESS SERVICES, LLC	CELL PHONES	3,569.98
06/07/2019	309980	WASTE MANAGEMENT	DISPOSAL SERVICES	494.47
06/11/2019	309981	KERSTEN, MIKE	MIC LOOP FOR PD	236.75
06/14/2019	309982	A T & T	ELECTRONIC COMMUNICATIONS	11,141.39
06/14/2019	309983	ABSOLUTE VIDEO PRODUCTIONS	FIRE PREVENTION SUPPLIES	70.00
06/14/2019	309984	ACCESS EMPLOYER STAFFING SERVICES	TEMP STAFFING FOR DEP CLERK	383.24
06/14/2019	309985	ALLEGRA PRINT & IMAGING	PRINT JOBS 18-19	592.00
06/14/2019	309986	AMERICAN PUBLIC WORKS ASSOCIATION	2019 MEMBERSHIP APWA SW MI	100.00
06/14/2019	309987	AMERICAN SCREEN PRINTING	FIRE UNIFORMS	721.00
06/14/2019	309988	ANNE SULLIVAN	RAMONA PARK REFUND	110.00
06/14/2019	309989	ARIF, MUHAMMAD	REIMB FOR MI STATE POLICE	135.00
06/14/2019	309990	ARTWEAR APPAREL GRAPHICS, INC.	STAFF/INTERN SHIRTS	1,403.00
06/14/2019	309991	ASPHALT SOLUTIONS PLUS LLC	RETURN OF BID BOND	3,438.00
06/14/2019	309992	BINDER PARK ZOOLOGICAL SOCIETY, INC	JUNE BINDER PARK PROGRAM	200.00
06/14/2019	309993	BLUE CROSS/BLUE SHIELD OF MICH	BCBSM JULY 2019 INSURANCE	65,791.29
06/14/2019	309994	BRINK'S YARD WORKS, LLC	IRRIGATION REPAIR	82.00
06/14/2019	309995	BRISTOL, MARGARET	TRIP REFUND 190529	90.00
06/14/2019	309996	CASINO TOURS AND CHARTERS, INC.	PROGRAM VENDOR PAYMENT	129.00
06/14/2019	309997	CINTAS CORP.	UNIFORM RENTAL FOR INSPECTORS	247.58
06/14/2019	309998	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	207,060.92
06/14/2019	309999	COCHRAN GLASS AND DOOR, LLC	DOOR REPLACEMENT - MPIR	3,743.85
06/14/2019	310000	COMMERCIAL DOOR SERVICES	FIRE FACILITY MAINT	285.00
06/14/2019	310001	CONSUMERS ENERGY - CEM	ELECTRIC RELOCATION	7,489.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 6 of 9

Check Date	Check	Vendor Name	Description	Amount
06/14/2019	310002	COSTAR REALTY INFORMATION, INC.	COSTAR REALTY BLANKET	351.42
06/14/2019	310003	CRITTER CONTROL	FIRE FACILITY MAINT	499.00
06/14/2019	310004	CURRY, JANICE	TRIP REFUND 190619	95.00
06/14/2019	310005	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGE	121.58
06/14/2019	310006	DAVE GERHARD	STUART MANOR DEPOSIT REFUND	150.00
06/14/2019	310007	DAVE POLUS	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310008	DAVE'S CONCRETE PRODUCTS, INC.	LEXINGTON PROJECT	826.00
06/14/2019	310009	DEANNA HINDENACH	SCHOOLHOUSE DEPOSIT REFUND	50.00
06/14/2019	310010	DENOoyer OPERATING, LLC	VEHICLE MAINTENANCE	270.32
06/14/2019	310011	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	2,535.82
06/14/2019	310012	FAWLEY OVERHEAD DOOR, INC.	OVERHEAD DOOR REPAIRS	807.00
06/14/2019	310013	FIRELINE TRAINING & CONSULTING	FIRE TRAINING	5,277.29
06/14/2019	310014	FLETCHER ENTERPRISES	PAINTING SERVICES	4,500.00
06/14/2019	310015	GARCIA, LYDIA	TRIP REFUND 190605	145.00
06/14/2019	310016	GARVEY, JOHN	REIMBURSEMENT FOR SOIL BORING	4,300.00
06/14/2019	310017	GILCHRIST, PAMELA	TRIP REFUND 19JN25	157.00
06/14/2019	310018	GORDON FOOD SERVICE	RAMONA CONCESSIONS	273.29
06/14/2019	310019	GRAYBAR ELECTRIC CO.	MAINTENANCE SUPPLIES	13.92
06/14/2019	310020	HALT FIRE, INC.	FIRE APPARATUS MAINT	2,089.43
06/14/2019	310021	HOBART SALES AND SERVICE	DISH WASHER LXIGH GLASS	3,384.00
06/14/2019	310022	HOME DEPOT	MAINTENANCE SUPPLIES	2,463.15
06/14/2019	310023	VOID		0.00
06/14/2019	310024	JESSICA EMMONS	GRAIN ELEVATOR DEPOSIT REFUND	150.00
06/14/2019	310025	JUDI SCHIPPERS	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310026	KALAMAZOO LANDSCAPE SUPPLIES	LANDSCAPE SUPPLIES	1,133.51
06/14/2019	310027	KALAMAZOO OIL COMPANY	FUEL FOR SMALL EQUIPMENT	188.16
06/14/2019	310028	KAMMINGA & ROODVOETS, INC.	IDAHO AVE RECONSTRUCTION	325,222.36
06/14/2019	310029	KEAN, MARGARET	TRIP REFUND 190606	65.00
06/14/2019	310030	KIESER & ASSOCIATES, LLC	ENGINEERING EST AT RAMONA	5,295.00
06/14/2019	310031	KIESLER POLICE SUPPLY	AMMO	6,839.31
06/14/2019	310032	KIM CRITZ	CAMPOUT POSTER 2019	40.00
06/14/2019	310033	KINGDOM INDOOR CENTER	WESTFIELD SOCCER DEPOSIT	100.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 7 of 9

Check Date	Check	Vendor Name	Description	Amount
06/14/2019	310034	KZOO TIRE COMPANY	TIRE TUBES	851.00
06/14/2019	310035	LAURA SCHNEIDER	GRAIN ELEVATOR DEPOSIT REFUND	150.00
06/14/2019	310036	LKF MARKETING	PORT 9000 MISC ART	175.00
06/14/2019	310037	LOCEY SWIM POOL CO.	FOUNTAIN SUPPLIES FOR C.H.	124.31
06/14/2019	310038	MACALLISTER MACHINERY CO., INC.	DOZER RENTAL	3,834.09
06/14/2019	310039	MALSCH, MARY	TRIP REFUND 190717	100.00
06/14/2019	310040	MARIANNE VOETBERG	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310041	MARY HENDRICKS	SCHOOLHOUSE DEPOSIT REFUND	50.00
06/14/2019	310042	MEGAN MCQUEEN	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310043	MELISSA BAKER	GRAIN ELEVATOR DEPOSIT REFUND	150.00
06/14/2019	310044	MI ASSOC. OF CHIEFS OF POLICE	2019 MACP MEMBERSHIP - CHIEF	115.00
06/14/2019	310045	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR/MAINT	1,541.74
06/14/2019	310046	MICHELLE BLACKBURN	GRAIN ELEVATOR DEPOSIT REFUND	150.00
06/14/2019	310047	MICHIGAN GARDEN CLUBS INC	PROGRAM VENDOR PAYMENT	42.00
06/14/2019	310048	MILLER ROAD TRANSFER STATION	DISPOSAL SERVICES	620.00
06/14/2019	310049	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERV	1,362.50
06/14/2019	310050	MLIVE MEDIA GROUP	MAY LEGAL NOTICES	3,060.39
06/14/2019	310051	MOORE, LARRY	TUITION ASSISTANCE, MOORE	405.00
06/14/2019	310052	NATIONAL MINORITY UPDATE	ONLINE PUBLIC SAFETY JOB	295.00
06/14/2019	310053	NICOLE DEMING	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310054	OFFICE DEPOT, INC.	OFFICE DEPOT BLANKET PO	1,922.27
06/14/2019	310055	VOID		0.00
06/14/2019	310056	VOID		0.00
06/14/2019	310057	PETERS CONSTRUCTION CO.	S WESTNEDGE RELIEF STORM SEWER	380,356.27
06/14/2019	310058	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	381.49
06/14/2019	310059	POLDERMAN'S FLOWER SHOP	FLOWERS	198.85
06/14/2019	310060	RATHCO SAFETY SUPPLY, INC.	BARRICADES	1,477.80
06/14/2019	310061	RICHELLE LEMAY	PICKLEBALL REFUND	15.00
06/14/2019	310062	ROAD COMMISSION OF KALAMAZOO COUNTY	EMULSION FOR DURAPATCHING	1,311.85
06/14/2019	310063	ROMENCE GARDENS, INC	IRRIGATION REPAIRS	63.25
06/14/2019	310064	SAFEBUILT MICHIGAN, LLC	FILL IN INSPECTIONS FOR BLDG SERV	6,570.00
06/14/2019	310065	SCHUG, NELSON	TRIP REFUND 190717	110.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 8 of 9

Check Date	Check	Vendor Name	Description	Amount
06/14/2019	310066	SLAVIN MANAGEMENT CONSULTANTS	SLAVIN MANAGEMENT CONSULT	6,745.10
06/14/2019	310067	SPC SPECIALTY PRODUCTS, LLC	AQUAPATCH	3,440.00
06/14/2019	310068	STATE OF MICHIGAN	SOR REG FEES PAYABLE	210.00
06/14/2019	310069	STEENSMA LAWN & POWER EQUIPMENT	EXMARK MAINTENANCE	13,076.30
06/14/2019	310070	VOID		0.00
06/14/2019	310071	SUITS U TAILOR SHOP INC	FIRE UNIFORMS	20.00
06/14/2019	310072	SUSIE MELL	STUART MANOR DEPOSIT REFUND	150.00
06/14/2019	310073	SUZANNE GERNAAT	PROGRAM INSTRUCTOR PAYMENT	260.00
06/14/2019	310074	SWEARINGEN, MARIAN	TRIP REFUND 190529	95.00
06/14/2019	310075	T-SHIRT PRINTING PLUS, INC.	SOCCER GOAL	187.00
06/14/2019	310076	THAYER, GLENNA	TRIP REFUND 190529	90.00
06/14/2019	310077	THOMAS FLEMING	GRAIN ELEVATOR DEPOSIT REFUND	150.00
06/14/2019	310078	TODD ARBANAS ENTERPRISES INC.	TREE TRIMMING SERVICES	3,350.00
06/14/2019	310079	TRICIA DECKER	SCHRIER PARK DEPOSIT REFUND	150.00
06/14/2019	310080	TRIERWEILER, VINCENT	PROGRAM VENDOR PAYMENT	600.00
06/14/2019	310081	UNITED PARCEL SERVICE	UPS MAY 2019 CHARGES	24.51
06/14/2019	310082	USA TODAY	SUBSCRIPTION FOR LOBBY	29.00
06/14/2019	310083	WASHCO, LLC	POWER WASHING SERVICES	1,575.00
06/14/2019	310084	WHITE KNIGHT LIMOUSINE	TRIP VENDOR PAYMENT	275.12
06/14/2019	310085	WICHT, RUDY & DOROTHY	TRIP REFUND 190722	100.00
06/14/2019	310086	WILLIAMS & WORKS	ENGINEER SERVICES - E CENTRE	33,584.92
06/14/2019	310087	WYOMING ASPHALT PAVING CO. INC	PARKING LOT PAVING - RAMONA	132,862.00
Total Paper Checks:				1,457,582.75

Check Type: Auto-Pay Payment

06/05/2019	CONSUMERS ENERGY	GAS-ELECTRIC	52.88
06/06/2019	CONSUMERS ENERGY	GAS-ELECTRIC	5,512.11
06/10/2019	CONSUMERS ENERGY	GAS-ELECTRIC	10,949.44
06/12/2019	CONSUMERS ENERGY	GAS-ELECTRIC	957.10
06/13/2019	CONSUMERS ENERGY	GAS-ELECTRIC	6,036.38
06/14/2019	CONSUMERS ENERGY	GAS-ELECTRIC	20,720.21
Total Auto-Pay Payments:			44,228.12

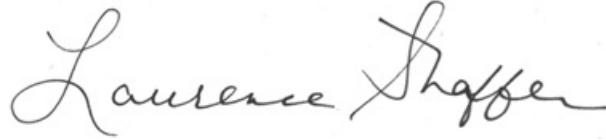
ACCOUNTS PAYABLE REGISTER
Check Dates From: 6/1/2019 To: 6/14/2019

Page 9 of 9

Check Date	Check	Vendor Name	Description	Amount
Grand Total:				2,179,119.90

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Code of Ordinance Amendment - Fireworks

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

ACTION RECOMMENDED: Adopt 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.

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 Adopt 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. If approved, the ordinance would take effect on July 11, 2019.

At the time of preparation of this document, the City Manager was waiting for a return call from Jake's Fireworks to determine it's position on this ordinance.

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
thay, 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 Bothkamp
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

[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 ~~e~~C~~onsumer~~ ~~p~~P~~roduct~~ ~~s~~S~~afety~~ ~~e~~C~~ommission~~ 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~~

~~(78)~~ *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.

~~(89)~~ *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.

~~(940)~~ *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.

- ~~(1a)~~ 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 \$51,000.00 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.
- ~~(2b)~~ 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.~~
- ~~(3d)~~ 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.

(5e) 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

**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.

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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

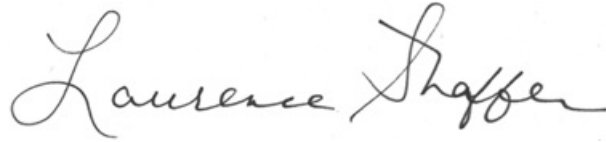
PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:
Date _____

City Attorney

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Final Preliminary Condominium Subdivision (engineering plans) for Westfield North, 5700 Alten Street

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Approve the Final Preliminary Condominium Subdivision (engineering plans) for Westfield North, 5700 Alten Street.

On March 19, 2019, City Council approved the Preliminary Condominium Subdivision of Westfield North, 5700 Alten Street. Westview Capital, LLC, is now requesting that City Council approve the Final Preliminary Condominium Subdivision (engineering plans) for the 12-lot subdivision that involves the following public improvements:

- Extensions and interconnection of two existing public streets, Alten Street (to the north) and Burr Ridge Road (to the west).
- Four-foot-wide concrete sidewalks will be installed along both sides of the new public streets.
- The sanitary sewer system will consist of 8-inch diameter sewer mains and individual laterals to serve each lot in accordance with City of Portage requirements. The proposed system will connect to the existing sanitary sewer main located within Briar Hill Court.
- The water system will consist of 8-inch diameter ductile iron mains and 1 ¼ - inch services to each individual lot. The proposed system will connect to the existing water mains located within Cedarcrest Avenue and Burr Ridge Court.
- Storm water will be collected and conveyed to the existing public storm water basin located along the south side of Briar Hill Court. This basin and associated piping within Briar Hill Court will be modified to accommodate the additional storm water from the Westfield North subdivision.

The departments of Community Development, Transportation and Utilities and the Fire Division of Public Safety have reviewed the construction drawings and have determined that the plans are in conformance with city requirements. Based on the administrative review, it is recommended that City Council approve the final preliminary site condominium plans. This action will allow the developer to proceed with the construction of the infrastructure improvements. When construction is complete, the developer will request final approval from City Council and acceptance of the public improvements (street, water and sanitary sewer mains, storm water facilities).

FUNDING: N/A

Attachments: 1. Westfield North Final Preliminary Condominium Subdivision (engineering

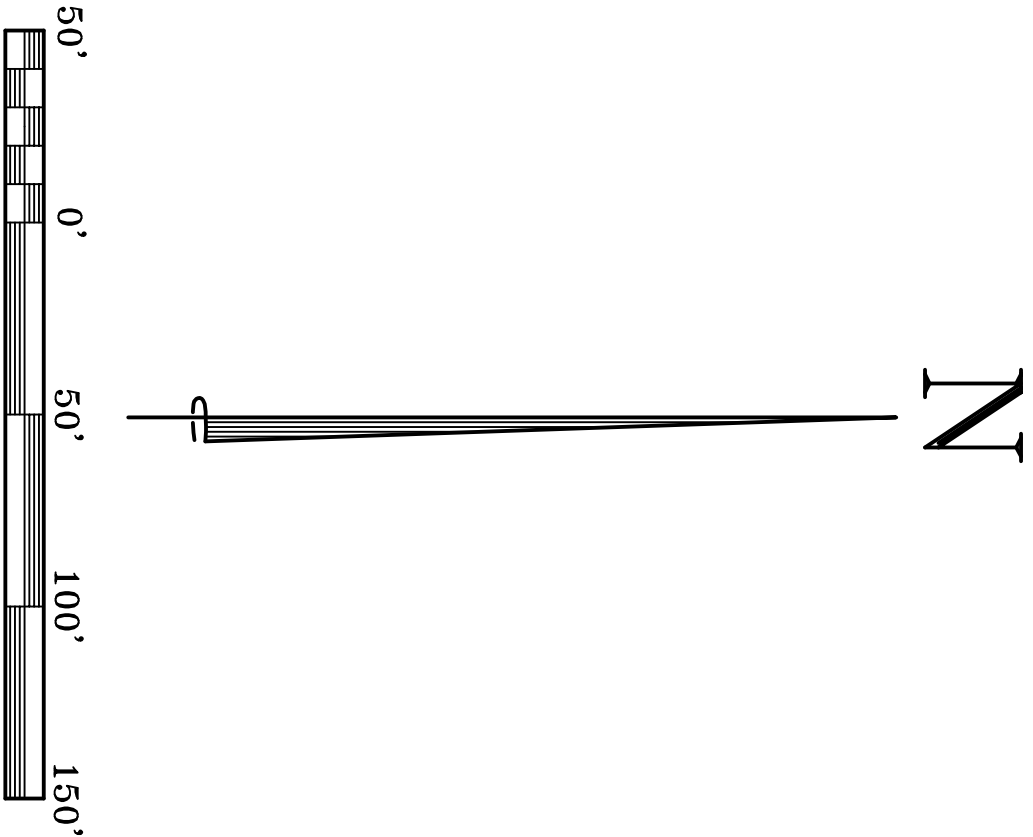
plans)

PARCEL DESCRIPTION (FURNISHED BY OTHERS):
LAND SITUED IN THE CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN DESCRIBED AS FOLLOWS:
SECTION 10, TOWNSHIP 36 NORTH, RANGE 10 WEST, COUNTY OF KALAMAZOO, MICHIGAN. THE CORNERS ARE RECORDED IN LIBER 26 OF PLATS, PAGE 144, KALAMAZOO COUNTY RECORDS; THENCE NORTH 84°58'23" EAST 359.71 FEET TO THE NORTHEAST CORNER OF LOT 144, WESTFIELD NO. 3; THENCE NORTH 84°58'23" EAST 359.71 FEET TO THE PLAT THEREOF AS RECORDED IN LIBER 27 OF PLATS, PAGE 4, KALAMAZOO COUNTY RECORDS; THENCE WEST 426.00 FEET ALONG THE NORTH LINE OF WESTFIELD NO. 3 AND WESTFIELD NO. 5 TO THE PLACE OF BEGINNING. SUBJECT TO EASEMENTS, CONDITIONS, AND RESTRICTIONS OF RECORD.

NOTE: WITHIN THE U.S.D.A.'S SOIL SURVEY OF KALAMAZOO COUNTY, SOILS WITHIN THIS SITE ARE SHOWN AS KdB (KALAMAZOO LOAM).

NOTE: SOIL EROSION CONTROL PERMIT SHALL BE OBTAINED FROM THE CITY OF PORTAGE. TWO COPIES OF THESE PLANS, AN APPLICATION FORM, AND FEES SHALL BE SUBMITTED AS REQUIRED. PERMIT SHALL BE OBTAINED PRIOR TO ANY EARTHMOVING OPERATIONS.

NOTE: ALL STORM SEWER INLETS/DRAINS SHALL HAVE GRATE WRAPPED IN FILTER FABRIC. FABRIC SHALL REMAIN IN PLACE UNTIL DISTURBED GROUND IS SUITABLY STABILIZED.



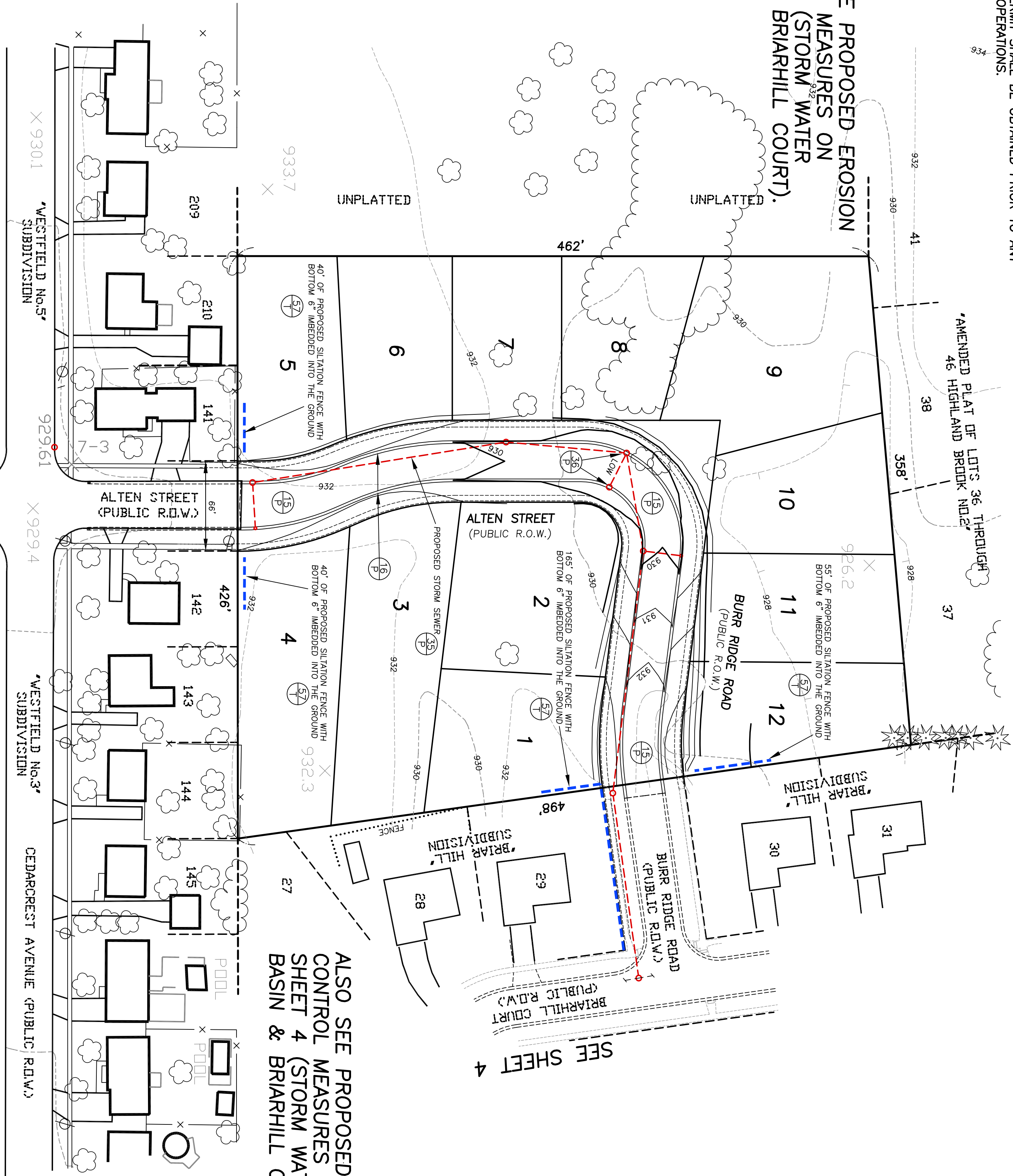
LEGEND	
	EXISTING ELEVATION CONTOUR
	900
	PROPOSED ELEVATION CONTOUR

ESTIMATED CONSTRUCTION SCHEDULE:					
	07/19	08/19	09/19	10/19	11/19
CLEARING	---	---	---	---	---
DEMOLITION	---	---	---	---	---
SANITARY SEWER	---	---	---	---	---
STORM SEWER	---	---	---	---	---
WATER MAIN	---	---	---	---	---
CURBING & PAVING	---	---	---	---	---
PRIVATE UTILITIES	---	---	---	---	---
RESTORATION	---	---	---	---	---

NOTE: CONSTRUCTION SCHEDULE SUBJECT TO CHANGE, BASED ON MARKET CONDITIONS, WEATHER, AND OTHER FACTORS.

MICHIGAN UNIFIED KEYING SYSTEM	
	SEEDING (ALL DISTURBED AREAS)
	RIP RAP
	PAVING
	CURB & GUTTER
	STORM SEWER
	CATCH BASIN
	GEOTEXTILE SILT FENCE
	M.U.K.S. DESIGNATION
	TEMPORARY/PERMANENT

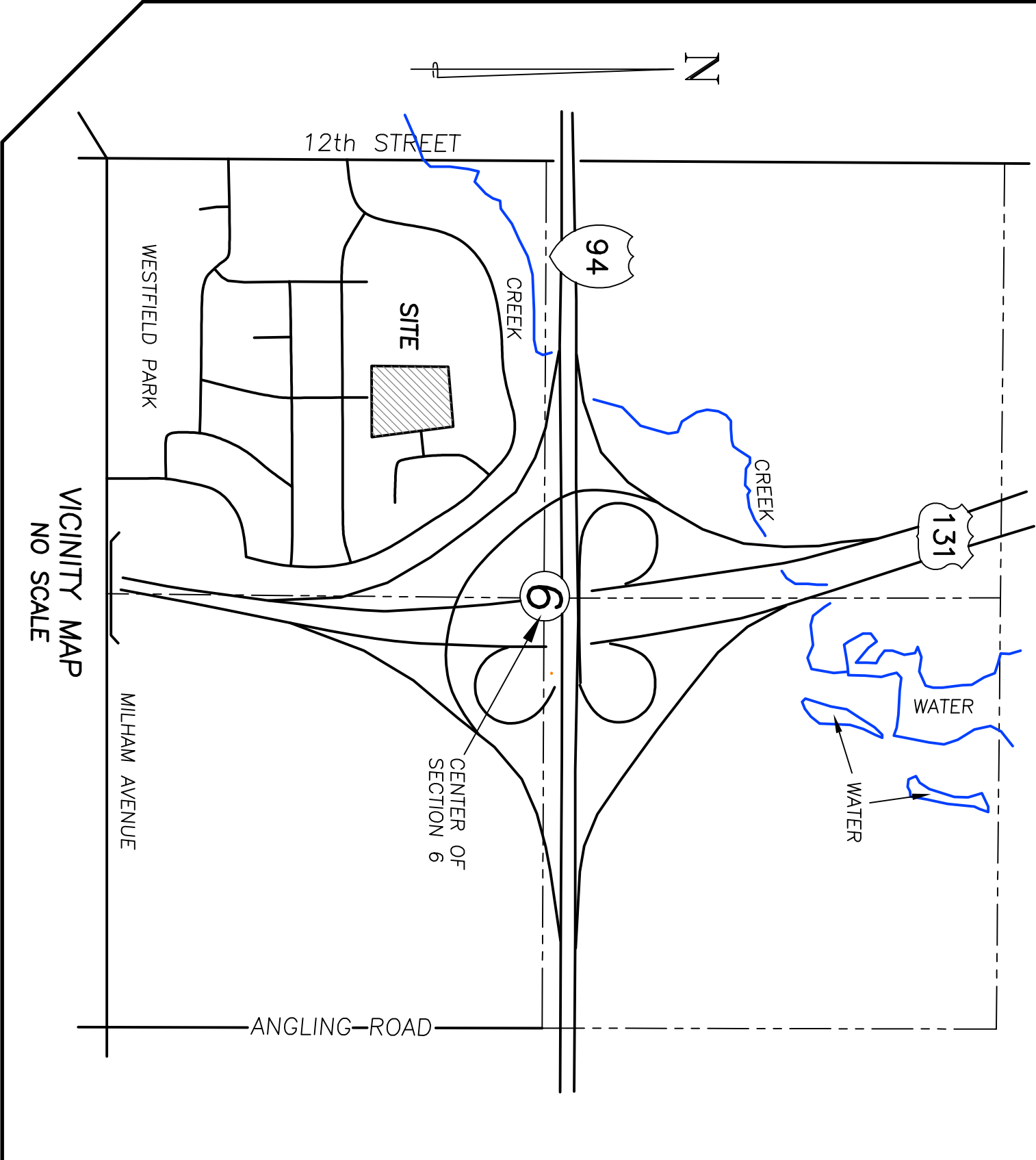
ALSO SEE PROPOSED EROSION CONTROL MEASURES ON SHEET 4 (STORM WATER BASIN & BRIARHILL COURT).



ALSO SEE PROPOSED EROSION CONTROL MEASURES ON SHEET 4 (STORM WATER BASIN & BRIARHILL COURT).

- EROSION CONTROL NOTES:**
- 1) ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (P.A. 451 OF 1994, AS AMENDED) AS ADMINISTERED BY THE CITY OF PORTAGE.
 - 2) EARTHMOVING OR CUTTING OF EARTH OR SPREADING OF MATERIALS OR CONSTRUCTION OF ANY TYPE OF EROSION CONTROL MEASURES SHALL BE DONE IN STAGES SO THAT AN AREA CAN BE STRIPPED, SHAPED, TOPSOILED, AND SEEDED IN A MINIMAL AMOUNT OF TIME. THE AMOUNT OF DISTURBED GROUND SHALL BE KEPT TO A MINIMUM DURING THE CONSTRUCTION PROJECT. DISTURBED AREAS SHALL BE RESTORED BY THE CONTRACTOR AS SOON AS CONVENIENTLY POSSIBLE.
 - 3) OWNER SHALL OBTAIN SOIL EROSION CONTROL PERMIT FROM THE CITY OF PORTAGE.
 - 4) ALL STORM SEWER INLETS/DRAINS SHALL HAVE GRATE WRAPPED IN FILTER FABRIC. FABRIC SHALL REMAIN UNTIL RIGHT-OF-WAY IS SUITABLY STABILIZED.

NOTE: GRADING AND EARTH MOVING IN AREAS OUTSIDE OF PROPOSED ROADWAY AREAS SHALL BE DONE IN STAGES SO THAT AN AREA CAN BE STRIPPED, SHAPED, TOPSOILED, AND SEEDED IN A MINIMAL AMOUNT OF TIME. THE AMOUNT OF DISTURBED GROUND SHALL BE KEPT TO A MINIMUM DURING THE CONSTRUCTION PROJECT. DISTURBED AREAS SHALL BE RESTORED BY THE CONTRACTOR AS SOON AS CONVENIENTLY POSSIBLE.



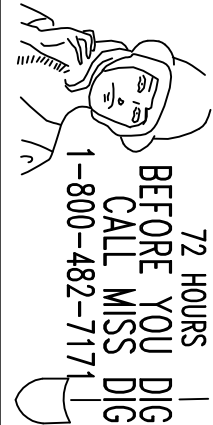
NOTE: THE WEST FORK OF PORTAGE CREEK IS LOCATED ± 500' NORTH OF THE "WESTFIELD NORTH" (NEAREST WATER BODY).

GRADING NOTE: DURING HOUSE CONSTRUCTION, FINAL GRADING NEAR HOUSE (& WITHIN LOT) SHALL BE COMPLETED SUCH THAT RUN-OFF WATER WILL NOT BE DIRECTED TOWARDS ANY HOUSE AND WILL NOT BE DIRECTED ONTO ADJOINING PROPERTIES.

NOTE: PROPOSED SILT FENCE LOCATIONS SUBJECT TO CITY OF PORTAGE REVIEW. ADDITIONAL SILT FENCE MAY BE REQUIRED ON-SITE.

APPLICANT:
WESTVIEW CAPITAL, LLC
2186 EAST CENTRE STREET
PORTAGE, MI 49002
(269) 321-2610

EROSION CONTROL PLAN & ON-SITE GRADING	
PROPERTY IN SEC. 6, T. 3 S., R. 11 W., CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN	DATE: 4/24/2019
WESTFIELD NORTH	REVISION: 6/11/2019
Ingersoll, Watson & McMachen, Inc.	SHEET: 3
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS	JOB NO.: 36734
1208 East Milham Road • Portage, Michigan 49002 • Phone 269 344-0705 • Fax 269 344-0555	



ALSO SEE SHEET 3 FOR ADDITIONAL
EROSION CONTROL INFORMATION.

EXISTING BASIN VOLUME (919 -927) = ±31,900 CUBIC FEET

919:	3 SF	1539 CF
921:	1536 SF	5178 CF
923:	3642 SF	9704 CF
925:	6062 SF	15494 CF
927:	9432 SF	
SUM	= 31,915 CF	(919-927)

PROPOSED BASIN VOLUME (917 -927) = ±52,600 CUBIC FEET

917:	481 SF	2094 CF
919:	1613 SF	5020 CF
921:	3407 SF	9417 CF
923:	8864 SF	14874 CF
926:	10600 SF	9732 CF
927:	12338 SF	11469 CF
SUM	= 52606 CF	(917-927)

INCREASE IN VOLUME = 52,600 - 31,900 = 20,700 CUBIC FEET
% INCREASE IN VOLUME = 52,600 / 31,900 = 165%

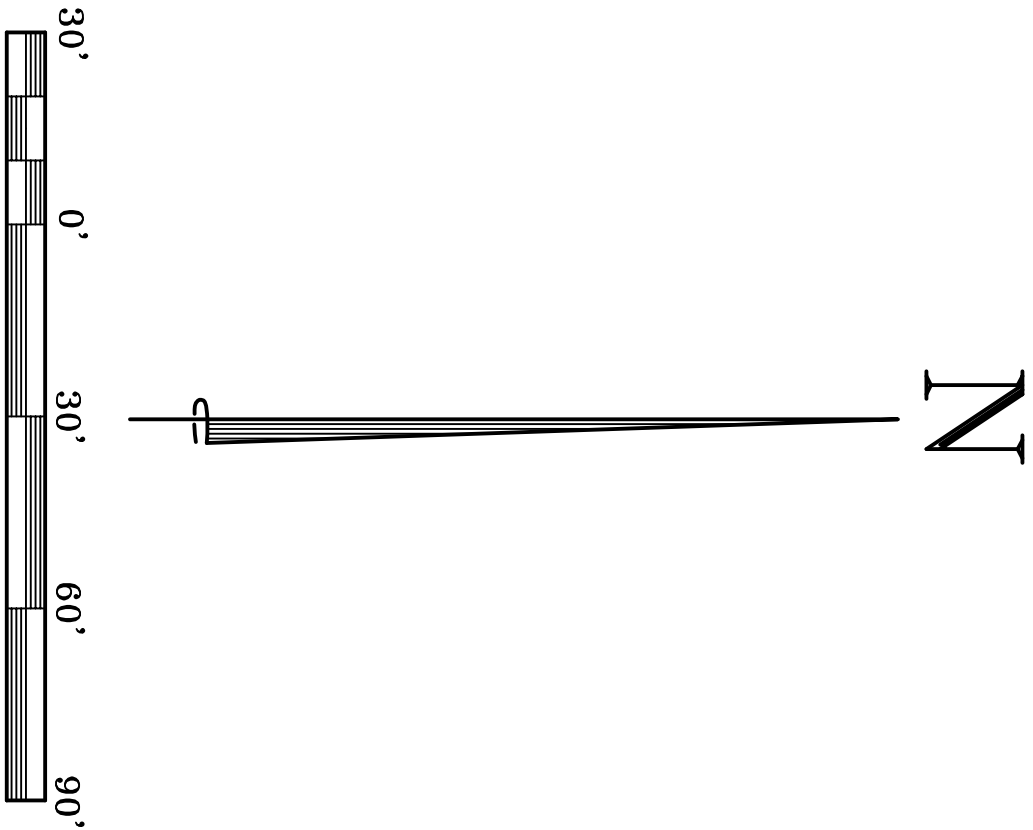
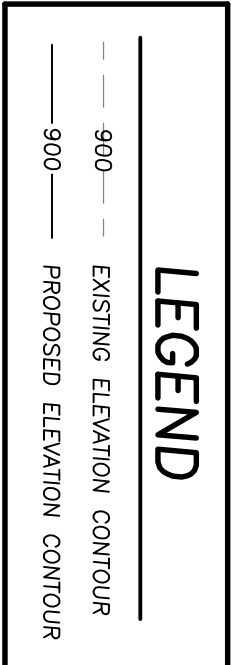
NOTE: EXISTING CITY OF PORTAGE
STORM WATER BASIN SHALL BE
ENLARGED AS SHOWN AS PART OF
THE "WESTFIELD NORTH" PROJECT.

PROPOSED SILT FENCE (110 FEET) WITH BOTTOM 6
INCHES OF FENCE PROPERLY IMBEDDED 6 INCHES
INTO THE GROUND. PROPOSED SILT FENCE IS AT
ELEVATION 917.0 (AT EDGE OF PROPOSED BOTTOM).

PROPOSED RIP RAP PAD SHALL EXTEND TO BOTTOM
OF STORM BASIN AS SHOWN. AREA = 50 SQUARE
FEET. USE 6" TO 10" DIAMETER STONES (12"-14" THICK)
W/ 6" BENCH UNDERNEATH SO AS TO PREVENT EROSION.
BROKEN CONCRETE SHALL NOT BE USED.

NOTE: SOUTHERLY BANK
OF EXISTING BASIN IS
SHALL REMAIN AS IS.

NOTE: BASIN BOTTOM SHALL REMAIN AS SAND (NO
TOPSOIL) BUT SHALL RECEIVE MDOT SEEDING
(TSM 24+) AT AN APPLICATION RATE OF 5 POUNDS
OF SEED PER 1000 SQUARE FEET. BOTTOM OF
BASIN SHALL ALSO RECEIVE STARTER FERTILIZER.
NOTE: BASIN SIDE SLOPES SHALL BE RESTORED
WITH 3 INCHES OF TOPSOIL, GRASS SEED, STARTER
FERTILIZER, AND EROSION CONTROL BLANKETS.

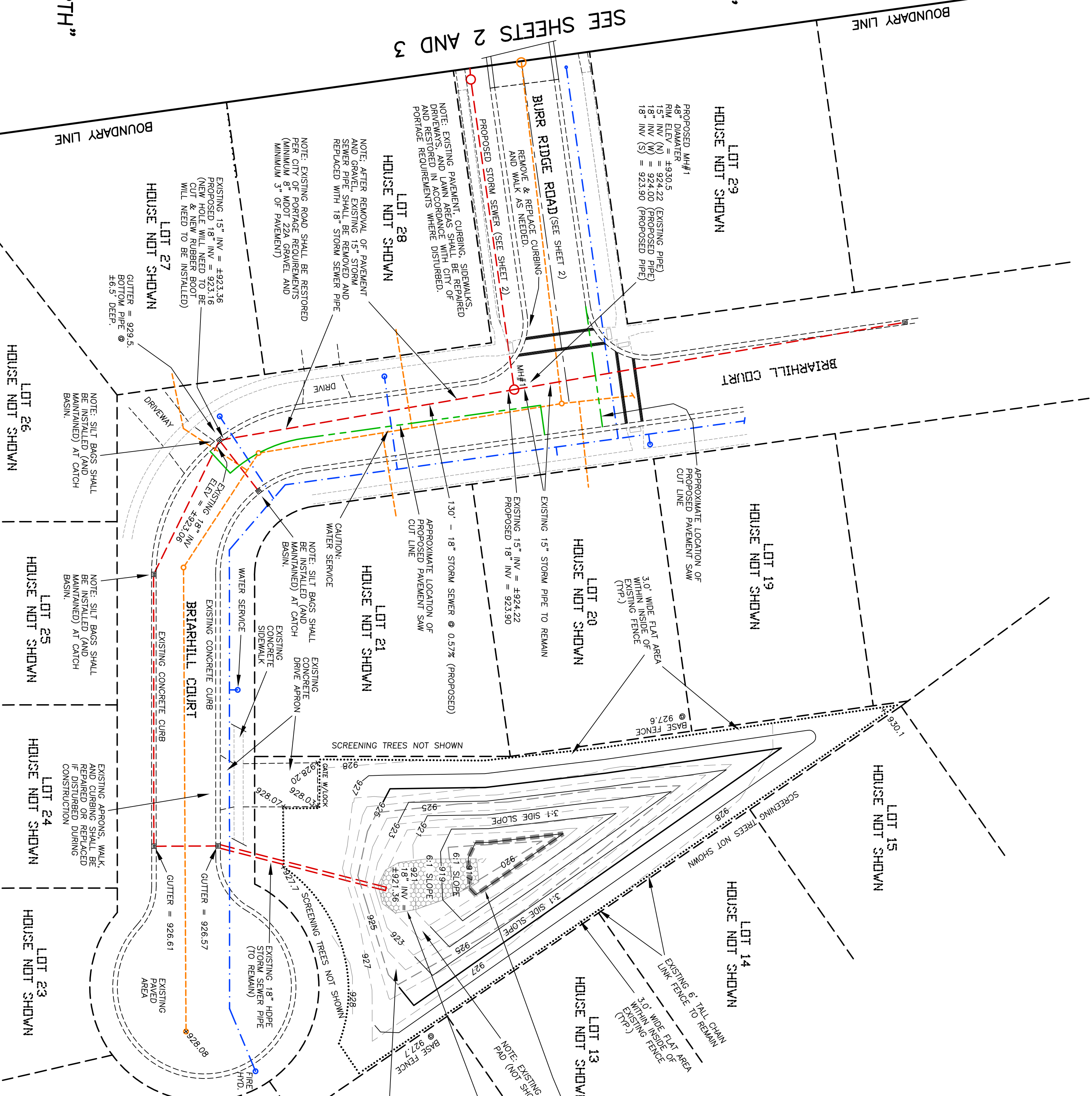


PROPOSED
"WESTFIELD NORTH"

NOTE: PROPOSED PAVEMENT RESTORATION
IN EXISTING BURR RIDGE ROAD AND
EXISTING BRIARHILL COURT SHALL (AT A
MINIMUM) MATCH EXISTING PAVEMENT
CROSS SECTION, SHALL INCLUDE AT LEAST
8" OF COMPACTED GRAVEL AND 3" OF
COMPACTED PAVEMENT, AND SHALL (AT A
MINIMUM) COMPLY WITH CITY OF PORTAGE
STANDARD DETAIL SD-165.

NOTE: PAVEMENT AND GRAVEL
SHALL BE REMOVED AS NECESSARY
WITHIN EXISTING BURR RIDGE ROAD
AND BRIARHILL COURT TO PERMIT
INSTALLATION OF NEW SANITARY SEWER
AND STORM SEWER. ALL PAVEMENT
EDGES SHALL BE SAWCUT PRIOR TO
NEW PAVING OPERATIONS.

PROPOSED
"WESTFIELD NORTH"



ALSO SEE SHEET 3 FOR ADDITIONAL
EROSION CONTROL INFORMATION.



72 HOURS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171

EROSION CONTROL PLAN, STORM SEWER IN BRIARHILL COURT, & STORM WATER BASIN WESTFIELD NORTH	
Ingersoll, Watson & McMachen, Inc.	
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS	
1200 East William Road • Portage, Michigan 49002 • Phone 269 344-0705 • Fax 269 344-0555	
SHEET: 4	DATE: 4/24/2019
DWG No.: 36734	

REVISED: 6/14/2019
REMOVED: 6/11/2019

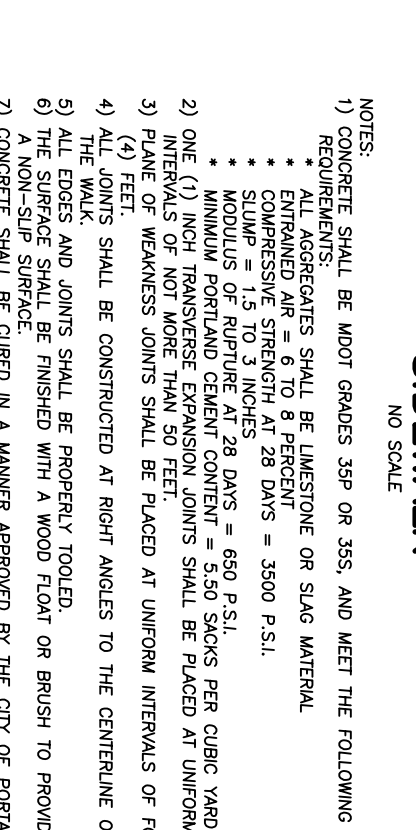
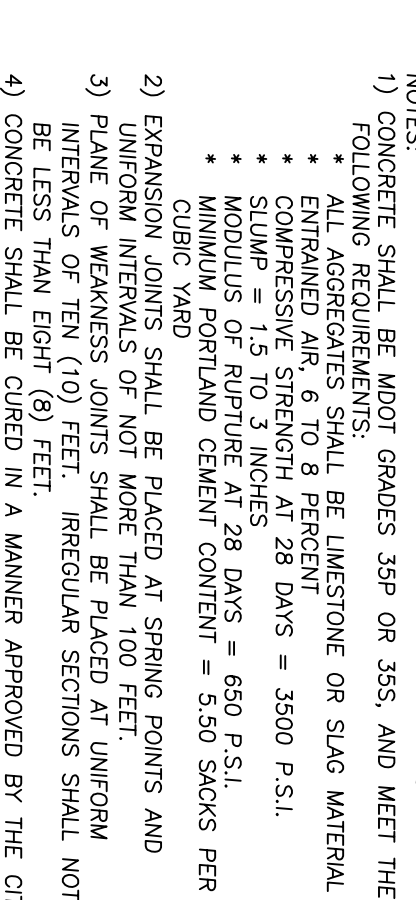
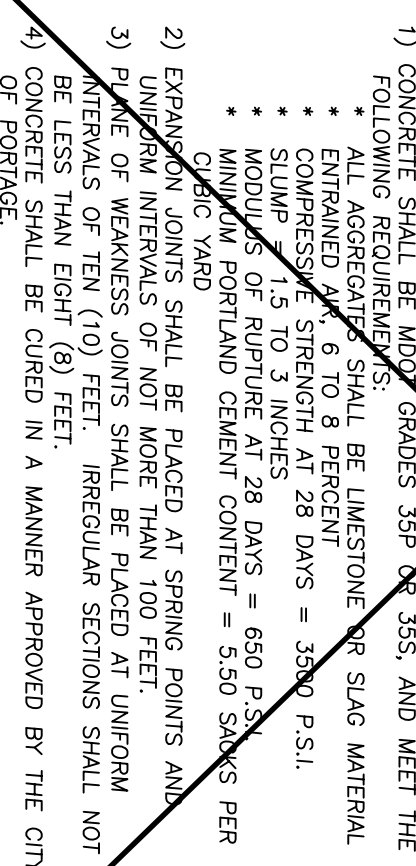
- 1) CONTRACTOR SHALL NOTIFY MISS GIG AT 1-800-482-7171, 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
- 2) UNDEGRADED UTILITIES SHOWN ON THESE PLANS ARE APPROPRIATE. ADDITIONAL UNDEGRADED UTILITIES MAY EXIST ON THIS SITE WHICH ARE NOT SHOWN ON THESE PLANS. CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE AND PROTECT ALL UTILITIES ON SITE, WHETHER SHOWN ON THESE PLANS OR NOT.
- 3) CONTRACTOR SHALL PROVIDE ALL SIGNS, FENCING, LIGHTS, BARRICADES, ETC. NECESSARY TO PROVIDE PROTECTION FOR CONSTRUCTION STAKING SHALL BE DIRECTED TO THE ENGINEER A MINIMUM OF 48 HOURS PRIOR TO THEIR ACTUAL NEED.
- 4) IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH ALL UTILITY COMPANIES FOR THE PROTECTION AND/OR RELOCATION OF EXISTING UTILITIES.
- 6) ALL MATERIALS STAGED DURING CONSTRUCTION SHALL BE IN NEW CONDITION, SHALL BE FREE FROM OIL, GREASE, FUEL, OR OTHER CONTAMINANTS, AND SHALL BE PROPERLY STORAGED AND COVERED.
- 7) ALL CONSTRUCTION SHALL BE SUBJECT TO CONSTRUCTION INSPECTION BY OWNER, OWNER'S REPRESENTATIVE, AND THE CITY OF PORTAGE.
- 8) ELEVATIONS SHOWN ON THESE PLANS ARE BASED ON USGS DATUM AS FROLOGATED WITHIN THE CITY OF PORTAGE.
- 9) ALL PORTAGE SHALL BE IN ACCORDANCE WITH THE CITY OF PORTAGE CONTRACT CONDITIONS AND SPECIFICATIONS.
- 10) A SOIL EROSION CONTROL PLAN NEEDS TO BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY GRADING ACTIVITIES.

- 1) ALL PIPE LENGTH DISTANCES ARE FROM CENTER TO CENTER OF STRUCTURE.
- 2) ALL TRENCHING AND BACKFILLING FOR UTILITIES SHALL COMPLY WITH REQUIREMENTS OF THE CITY OF PORTAGE STANDARD SPECIFICATIONS AND THE REQUIREMENTS INDICATED ON THE CONSTRUCTION DRAWINGS.
- 3) ALL CONSTRUCTION SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL LAWS, REQUIREMENTS, AND

- 1) ALL 8" OR LARGER WATER MAIN SHALL BE MWMA CLASS 52 DUCTILE IRON PIPE, ALL 12" AND LARGER SHALL BE ANKA E-100 CLASS 50 DUCTILE IRON PIPE. THE PIPE SHALL HAVE CASTEN DUNING END FITTINGS.
- 2) ALL PORTAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH PORTAGE STANDARD SPECIFICATIONS (MNDOT) AT CITY OF PORTAGE WEBSITE: www.portageinfo.org/
- 3) ALL WATER MAIN CONSTRUCTION SHALL BE SUBJECT TO INSPECTION BY A CITY OF PORTAGE APPROVEE
- 4) MINIMUM 5.0' AND MAXIMUM 6.0' OF COVER OVER NEW WATER MAIN PIPE IS REQUIRED ONCE FINAL SITE GRADING IS COMPLETE
- 5) WATER SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL
- 6) HYDRAULIC SERVICE LINE AND METERS SHALL INSTALLATIONS FOLLOWING PERMIT REQUIREMENTS
- 7) WASTEWATER ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL SD-144, AUXILIARY WATER LOCATION
- 8) WASTEWATER ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL SD-145, STANDARD HYDRAULIC SIGN

- 1) ALL SANITARY STEEP PIPE SHALL BE SDR36 PVC AND SHALL CONVEY WITH ASTM D 3033 OR ASTM D 3034. PIPE SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
- 2) ALL SANITARY SEWER CONSTRUCTION, INCLUDING MAINLINES, LATERALS, MANHOLES, AND APPURTEANCES, SHALL CONFORM WITH THE CITY OF PORTAGE REQUIREMENTS AND SPECIFICATIONS AND SHALL BE SUBJECT TO THEIR INSPECTION.

1) UNDERGROUND ELECTRIC, NATURAL GAS, TELEPHONE, AND CABLE TV PRIVATE UTILITIES SHALL BE SIZED AND INSTALLED BY UTILITY OWNERS.



NOTE: ALL STORM SEWER PIPE THAT IS LARGER THAN 24" DIAMETER SHALL BE REINFORCED CONCRETE PIPE PER CITY OF PORTAGE REQUIREMENTS.

- 1) STORM SEWER PIPE SHALL BE EITHER CORRUGATED POLYETHYLENE (C/P E), REINFORCED CONCRETE (R/C), OR HIGH DENSITY POLYETHYLENE (HDPE) OF MINIMUM 24" DIAMETER.
- 2) CONCRETE (R/C) SHALL BE TYPE 3 OR TYPE 4 CONCRETE OF MINIMUM 4,250 P.S.I. AND 28 DAY COMPRESSIVE STRENGTH OF AT LEAST 2,900 P.S.I. (MINIMUM 10% AIR ENTRAINMENT).
- 3) TYPE 3 (DUAL WALL, SMOOTH INSIDE, CORRUGATED OUTSIDE, NO PERFORATIONS), THE JOINTS SHALL BE WATERPROOF AND COMPLY WITH ASTM D 3212. (UNIONOR H-H-O, AOS N-12, OR EQUIVALENT)
- 4) TYPE 4 (SINGLE WALL, SMOOTH INSIDE, CORRUGATED OUTSIDE, NO PERFORATIONS), THE JOINTS SHALL BE WATERPROOF AND COMPLY WITH ASTM C 443.
- 5) ~~THE JOINTS SHALL BE CONCRETE OR R/C AND SHALL MEET THE REQUIREMENTS OF ASTM C 644~~
- 6) PERMANENT WATERPROOF JOINTS (RUBBER OR SIP SEAL) ARE REQUIRED AT EACH STORM SEWER PIPE CONNECTION IN ACCORDANCE WITH CITY OF PORTAGE REQUIREMENTS.
- 7) PIPE CONNECTIONS AT ALL SOIL WALLED STRUCTURES SHALL BE MADE WITH A WATERPROOF RESISTANT JOINT.
- 8) PIPE CONNECTIONS AT ALL TIGHT WALLED STRUCTURES SHALL BE MADE WITH A WATERPROOF RESISTANT JOINT.
- 9) C/P E SHALL BE USED FOR ALL ROOF WITH STAINLESS STEEL DRAWS, OR OTHER TYPE AS APPROVED BY THE CITY OF PORTAGE.
- 10) STORM SEWER PIPE SHALL HAVE A MINIMUM OF 24" INCHES OF COVER.
- 11) STORM SEWER PIPE SHALL BE INSULATED WITH 2" POLYURETHANE INSULATION.
- 12) ALL STORM SEWER PIPE, JOINTS, AND GASKETS SHALL BE INSPECTED.
- 13) SHALL NOT BE INSTALLED AND SHALL BE REMOVED FROM THE SITE.
- 14) DEFLECTION TESTS SHALL BE PERFORMED ON ALL FLEXIBLE PIPE.
- 15) AFTER THE BACKFILL HAS BEEN PLACED AND PRIOR TO INSTALLING ANY ASPHALT OR CONCRETE SURFACE, THE INSIDE OF THE PIPE SHALL BE INSPECTED FOR DEFLECTION.
- 16) SHAKING AND PULSING SHALL EXCEED A DEFLECTION OF 1/4" INCHES OF THE INSIDE OF THE INSIDE QUARTER OF THE PIPE. DEFLECTION SHALL BE CONDUCTED AFTER FINAL BACKFILL HAS BEEN PLACED.
- 17) ALL PUBLIC STORM SEWER PIPE SHALL BE TELEVIEWED WITH SECTION 208.2.6 (TELEVISION) OF THE CITY'S SPECIFICATIONS.

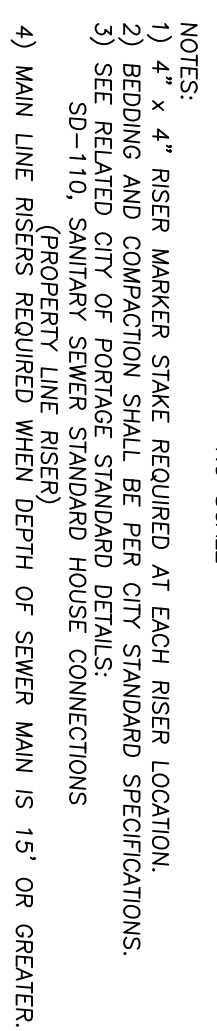
1) ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENT CONTROL ACT, CHAPTER 126, AS AMENDED) AS ADMINISTERED BY THE CITY OF PORTAGE

- 2) EARTHWORK CONTRACTORS SHALL BE RESPONSIBLE FOR THE FOLLOWING:
- A) BERMING OR FILTERING OF RUNOFF AT PROPERTY LINES WHERE EROSION COULD OCCUR.
 - B) PROTECTION OF ALL EXISTING AND NEWLY CONSTRUCTED STORM SEWER STRUCTURES, WHETHER ADJACENT TO THE SITE OR ON THE SITE.
 - C) MINIMIZATION OF TRACKING OF MATERIAL OFF-SITE.
 - D) SWEEPING AND CLEANING OF ADJACENT STREETS AS NECESSARY.

- 1) ALL DISTURBED AREAS SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL AND GRASS SEED, OR OTHER RESTORED LANDSCAPING.
- 2) EXISTING STREETS AND YARDS SHALL BE RESTORED TO A CONDITION AT LEAST EQUAL TO THAT WHICH EXISTED PRIOR TO CONSTRUCTION.

- 1) DECORATIVE TREES AT PLANTING SHALL HAVE A MINIMUM CALIPER OF 1.5" AT 6' ABOVE THE ROOT BALL; A CLEAR STEM OF 4' FEET; AND A BURGLAR BELL SIZE OF AT LEAST 10 TIMES THE CALIPER. DECORATIVE TREES SHALL INCLUDE: AMERICAN OAK, GOLDENROD TREE, KENTUCKY BLUEBLOOD, PLUMED TREES, PINELAND PINE, REDBUD, SWEET GUM, WHITE OAK, WHITE PINE, YEW, AND YUCCA. MORE SILK JAPONICA TREE, LILAC, & ORNAMENTAL PEARS (CLEVELAND AND REDSPRING CALIFERY PEAR).
- 2) STREET LIGHTS SHALL BE 8600 LUMEN, HIGH PRESSURE SODIUM VAPOR. DECORATIVE LIGHT POLES SHALL HAVE A HEIGHT OF 19 FEET. ALL LIGHT STANDARDS AND UTILITY POLES SHALL BE LOCATED AT LEAST 5 FEET OFF PROPOSED FACE OF CURB.

SHALL BE INSTALLED ON 3 POUND GALVANIZED U-CHANNEL POSTS AND SHALL HAVE A MINIMUM POST BURY OF 36 INCHES. DISTANCE FROM BOTTOM OF SIGN TO GROUND SHALL BE 7 FEET. ANYTHING NOT SPECIFIED IN THESE PLANS SHALL BE IN ACCORDANCE WITH THE M.M.U.I.C.D. STREET NAME 5 SHALL BE 9 INCHES TALL (VERTICAL DIMENSION OF ACTUAL SIGN).



WITHIN PUBLIC ROADS, USE EJIW #7010



- NOTES:
- 1) HEIGHT OF STRUCTURES WILL VARY BUT SHALL NOT EXCEED FIVE (5.0) FEET
 - 2) STRUCTURES SHALL BE PRECAST CONCRETE AND CONFORM TO ASTM C-478
 - 3) SEE RELATED CITY OF PORTAGE STANDARD DETAILS:
 - SD-102, 24" CATCH BASIN
 - SD-103, STANDARD CURB INLET CASTING
 - SD-104, STANDARD DROP CURB INLET CASTING

NOTE: STORM SEWER MANHOLE LIDS SHALL HAVE A STANDARD CITY OF PORTAGE LOGO ON LID AND MANHOLES DO NOT HAVE A SUMP.

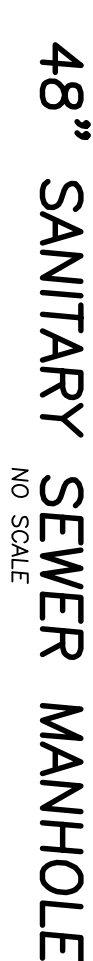


48" STORM SEWER STRUCTURE W/FLAT TOP
NO SCALE

- 1) **MULTI-STEP STRUCTURES SHALL NOT HAVE A SLUMP AND SHALL REQUIRE ELM #1000A CASTING WITH CITY OF PORTAGE LOAD PER CITY STANDARDS.**
- 2) **HEIGHT OF STRUCTURES WILL VARY.**
- 3) **SOUND STRUCTURES MAY HAVE TO BE ENLARGED TO ACCOMMODATE PILES AND RESULTING CONNECTIONS. STRUCTURAL DIMENSIONS FOR LARGER DIAMETER STRUCTURES SHALL CONFORM TO ASTM C-88.**
- 4) **CONCRETE TO ASTM C-88, ELM #8010 OR EQUIVALENT.**
- 5) **INSTALL STEPS AFTER STRUCTURE IS IN PLACE TO ASCEND STEPS ARE LOCATED UNDER OPENING. STOP STEP SHALL BE NO MORE THAN 24 INCHES FROM TOP OF CASTING.**
- 6) **SEE RELATED CITY OF PORTAGE STANDARD DETAILS.**
- 7) **SP-101, STANDARD 48" GRAPNEL STRUCTURE.**
- 8) **SP-104, STANDARD CORE NILE CASTING.**
- 9) **SP-105, STANDARD CORE NILE CASTING.**
- 10) **SP-106, STANDARD NIMBLE STEP.**
- 11) **SP-108, STANDARD NIMBLE STEP.**



NOTE: SANITARY SEWER MANHOLE LIDS SHALL HAVE A STANDARD CITY OF PORTAGE LOGO ON LID.



- 1) HEIGHT OF STRUCTURES WILL VARY.
- 2) STRUCTURES SHALL BE PRECAST CONCRETE AND CONFORM TO ASTM C-478 WITH 0.01 IN. MAXIMUM DEFLECTION.
- 3) INSTALLED STEPS AFTER STRUCTURE IS IN PLACE, IF NECESSARY, TO INSURE STEPS ARE LEVEL UNDER OPENING. TOP STEP SHALL BE NO MORE THAN 24 INCHES FROM TOP OF STRUCTURE. BOTTOM STEP SHALL BE NO LESS THAN 24 INCHES FROM BOTTOM.
- 4) SEE RELATED CITY OF PORTLAND STANDARD DETAILS:
 - SD-105, STANDARD MANHOLE
 - SD-106, STANDARD MANHOLE WITH CASTING
 - SD-107, SANITARY SEWER PRESSURE-TIGHT MANHOLE CASTING
 - SD-108, STANDARD MANHOLE STEP



UTILITY TRENCH DETAIL

- 1) LARGE ROCKS, Boulders, and stones over one (1) inch (1") in diameter shall be removed to provide a clearance of six (6) inches (6") from any part of the pipe.
- 2) ALL GROUND AND BACKFILL MATERIALS SHALL BE FREE FROM FROZEN BARRI, ICE, AND OTHER MATERIALS WHICH, IN THE OPINION OF THE ENGINEER, ARE UNSUITABLE.
- 3) EMBEDEDMENT MATERIAL SHALL BE GRANULAR MATERIAL WITH MAXIMUM PARTICLE SIZE OF 1.0" COMPACTED TO 95% OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR
- 4) BACKFILL MATERIAL UNDER PAVEMENT AREAS AND AREAS WITH TRENCH INFLUENCE OF CURB OR EDGE OF PAVEMENT SHALL BE GRANULAR MATERIAL COMPACTED TO 95% OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR METHOD.
- 5) BACKFILL MATERIAL FOR THE NON-PAVEMENT AREAS AND AREAS OUTSIDE OF THE TRENCH SHALL BE NON-FLAMMABLE MATERIAL, IN THE OPINION OF THE ENGINEER, IS ACCEPTABLE MATERIAL, AND IS ADEQUATELY COMPACTED TO PREVENT SETTLEMENT.
- 6) BACKFILL MATERIAL MAY BE PLACED, SPREAD, AND COMPACTED WITH EQUIPMENT OPERATED LONGITUDINALLY ALONG THE PIPE LINE. FINISHING MATERIAL INTO THE TRENCH FROM THE SIDE SHALL BE PROHIBITED.
- 7) SEAL RELATED CITY OF PORTAGE STANDARD DETAIL: 50-1122, STANDARD TRENCH DETAIL.

CONSTRUCTION DETAILS & NOTES
"WESTFIELD NORTH"

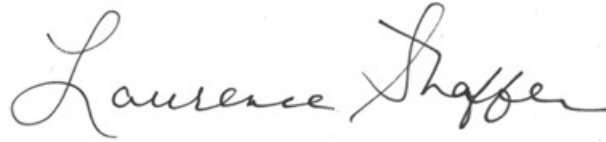
Ingersoll, Watson & McMachen, Inc.

1209 East William Road • Portage, Michigan 49002 • Phone 269 344-6165 • Fax 269 344-0556

00/00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Final Preliminary Condominium Subdivision Phase I and Final Site Plan Phase II for Pennridge Trail

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Approve the Final Preliminary Condominium Subdivision (engineering plans) for Phase I and the Final Site Plan for Phase II of the Pennridge Trail Planned Development, 1722 and 1800 West Osterhout Avenue.

In June 2018, City Council approved the Planned Development (PD) rezoning and tentative plan/narrative for the Pennridge Trail Planned Development project that included a total of 137 single-family residential homes (63 single-family detached homes and 74 attached duplex units) in multiple phases on the 46.54-acre tract of land. Approximately 16 acres (34%) is devoted to open space areas. In September 2018, City Council approved the Preliminary Condominium Subdivision for Phase I of the Pennridge Trail Subdivision which proposes 22 single-family residential lots/units on 6.57 acres and construction of a new public street to be named Pennridge Drive, from West Osterhout Avenue.

Westview Capital, LLC has submitted a combined plan set for approval that includes the Final Preliminary Condominium Subdivision (engineering plans) for Phase I and the Final Site Plan for Phase II. The combined plan set for Phase I and II of the Pennridge Trail Planned Development has been designed in substantial compliance with the approved tentative plan/narrative.

The Phase I Final Preliminary Condominium Subdivision, proposes 22 single-family residential lots/units on 6.57 acres, and includes the following public improvements:

- Construction of a new public street, Pennridge Drive, from West Osterhout Avenue, along the eastern portion of the property.
- Four-foot-wide concrete sidewalks will be installed along both sides of the new public street.
- The sanitary sewer system will consist of 8-inch diameter sewer mains and individual laterals to serve each lot in accordance with City of Portage requirements. The proposed system will connect to the existing sanitary sewer main located within West Osterhout Avenue.

The water system will consist of 8-inch diameter ductile iron mains and 1 1/4 –inch services to each individual lot. The proposed system will connect to the existing water main located within West Osterhout Avenue.

Storm water will be collected and conveyed through a series of underground storm pipes with a

discharge to a private treatment cell and infiltration basin located in the northeast portion of the overall property. Storm water piping located within Phase I of the public streets, will be owned and maintained by the city.

The Phase II Final Site Plan proposes 11 duplex dwellings (22 units total) and construction of a private street extension of Pennridge Drive. Storm water within the private streets will be collected and conveyed through a series of underground storm pipes with a discharge to a private treatment cell and infiltration basin located in the northeast portion of the property which will be owned and maintained by the condominium association. A four-foot-wide concrete sidewalk will be installed along one side of the private street. Condominium dwellings will range between 1,040–2,800 square feet of living area, excluding any basement area, and will maintain a minimum 40-foot setback from the outer perimeter of property; 25-foot setback from interior private streets; and 20-foot separation between duplex buildings.

Consistent with the approved tentative plan and in lieu of a secondary access from West Osterhout Avenue, a permanent emergency vehicle access drive will be constructed by the developer between the Pennridge Trail property and the adjacent property to the north addressed as 9801 Shaver Road. Westview Capital and the owner of 9801 Shaver Road have provided the city the necessary easements and maintenance agreements for this permanent emergency vehicle access drive and the documents have been reviewed and approved by the City Attorney. This permanent emergency access drive will be constructed along the western portion of these properties with Phase II of the Pennridge Trail Planned Development.

The departments of Community Development, Transportation and Utilities and the Fire Division of Public Safety have reviewed the construction drawings and have determined that the plans are in conformance with city requirements. At the June 20, 2019 meeting, the Planning Commission voted unanimously to recommend City Council approve the Final Site Plan for Pennridge Trail Planned Development Phase II, 1800 West Osterhout Avenue.

It is recommended that City Council approve the Final Preliminary Site Condominium plan for Phase I and the Final Site Plan for Phase II of the Pennridge Trail PD. This action will allow the developer to proceed with the construction of the infrastructure improvements. When construction is complete, the developer will request final approval from City Council and acceptance of the public improvements (street, water and sanitary sewer mains, storm water facilities).

FUNDING: Not applicable

Attachments:

1. Planning Commission transmittal dated June 21, 2019
2. Planning Commission Minutes dated June 20, 2019
3. Community Development staff report dated June 14, 2019

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: June 21, 2019

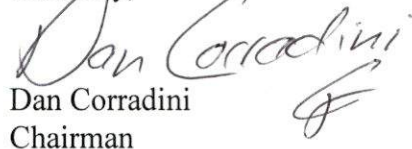
SUBJECT: Final/Site Plan for Pennridge Trail Planned Development (Phase 1 and 2), 1722 and 1800 West Osterhout Avenue

The Planning Commission considered the Final/Site Plan for Pennridge Trail Planned Development (Phase 2), 1800 West Osterhout Avenue during the June 20, 2019 meeting. While the applicant submitted a combined set of plans for Phase 1 and Phase 2 of the Pennridge Trail Planned Development, the Final Preliminary Condominium for Phase 1 (detailed engineering plans) for the project is not subject to Planning Commission review and recommendation. The Planning Commission previously reviewed and recommended approval for Phase 1 in August 2018 and City Council subsequently approved the plans in September 2018.

Mr. Brian Wood of Westview Capital, LLC was present to support the application and explain the development project. No citizens spoke during the meeting.

After a brief discussion, a motion was made by Commissioner Fries, seconded by Commissioner Pezzoli, to recommend to City Council that the Final/Site Plan for Pennridge Trail Planned Development (Phase 2), 1800 West Osterhout Avenue, be approved. The motion was unanimously approved 9-0.

Sincerely,


Dan Corradini
Chairman

PLANNING COMMISSION

June 20, 2019

 **DRAFT**

The City of Portage Planning Commission meeting of June 20, 2019 was called to order by Chairman Corradini at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. One citizen was in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services; and Matthew Quardokus, Assistant City Attorney.

ROLL CALL:

Mr. Forth called the role: Harrell-Page (yes); Fries (yes); Baldwin (yes); Pezzoli (yes); Joshi (yes); Corradini (yes); Schimmel (yes); Patterson (yes); and Myer (yes).

APPROVAL OF MINUTES:

Chairman Corradini referred the Commission to the June 6, 2019 meeting minutes contained in the agenda packet. A motion was made by Commissioner Joshi, seconded by Commissioner Harrell-Page, to approve the minutes as submitted. The motion was unanimously approved 9-0.

SITE/FINAL PLANS:

1. Final/Site Plan: Pennridge Trail Planned Development (Phase 1 and 2), 1800 West Osterhout Avenue. Mr. Forth summarized the June 14, 2019 staff report regarding the final/site plan submitted by Westview Capital, LLC to construct Phase 1 and Phase 2 of the Pennridge Trail Planned Development (PD). Mr. Forth indicated that Phase 1 involves the Final Preliminary Condominium Subdivision (engineering plans) and proposes 22 single family residential lots/units and construction of a new public street (Pennridge Drive) from West Osterhout Avenue. Phase 2 involves the Final/Site Plan and proposes 11 duplex dwellings (22 units total) and construction of a private street extension of Pennridge Trail, north of Phase 1. Mr. Forth indicated an emergency access drive will be installed to the property to the north (9801 Shaver road) as a second means of access. The easement document has been reviewed, approved and recorded with the Kalamazoo County Register of Deeds. Mr. Forth reviewed the history of the PD rezoning and the subsequent approval of the Preliminary Condominium Subdivision for Phase 1 and indicated Planning Commission review and recommendation was just needed for Phase 2 of the development. Chairman Corradini asked when the emergency access drive will be constructed. Mr. Forth stated the International Fire Code limits the number of residential units to 30 if only a single point of ingress/egress is provided. As a result, the emergency access drive must be installed before construction of the 31st unit.

Brian Wood of Westview Capital, LLC were present to support the application and explain the development project. No citizen spoke regarding the planned development. After a brief discussion, a motion was made by Commissioner Fries, seconded by Commissioner Pezzoli, to recommend to City Council that the Final/Site Plan for Pennridge Trail Planned Development (Phase 2), 1800 West Osterhout Avenue, be approved. The motion was unanimously approved 9-0.

 **DRAFT**

PUBLIC HEARING:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

Chairman Corradini noted he was unable to attend the last Commission meeting but wanted to thank the other Commissioner members for having the confidence in him to elect him as Chairman of the Planning Commission.

Chairman Corradini welcomed Gerald Myer to the Commission.

Chairman Corradini asked staff to confirm the July meeting dates. Mr. Forth stated the Commission will be meeting on July 11th and July 25th. Commissioner Baldwin stated she would need to be excused from the July 25th meeting and Harrell-Page indicated she may need to be excused from the August 1st meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 7:20 p.m.

Respectfully submitted,

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

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TO: Planning Commission**DATE:** June 14, 2019**FROM:** Vicki Georgeau,  Director of Community Development**SUBJECT:** Final/Site Plan for Pennridge Trail Planned Development (Phase 1 and 2), 1800 West Osterhout Avenue**I. INTRODUCTION:**

A final plan has been submitted by Westview Capital, LLC to construct Phase 1 and Phase 2 of the Pennridge Trail Planned Development (PD). Phase 1 involves the Final Preliminary Condominium Subdivision (engineering plans) and proposes 22 single family residential lots/units and construction of a new public street (Pennridge Drive) from West Osterhout Avenue. Phase 2 involves the Final/Site Plan and proposes 11 duplex dwellings (22 units total) and construction of a private street extension of Pennridge Trail, north of Phase 1.

The Planning Commission previously reviewed and recommended approval of the Preliminary Condominium Subdivision for Phase 1 and City Council subsequently approved plans in September 2018. While the Subdivision Regulations do not require the Planning Commission to review and make recommendation on a Final Preliminary Condominium Subdivision (engineering plans), the applicant has submitted a combined plan set for both Phases 1 and 2. As such, Planning Commission recommendation to City Council is only required for the Final/Site Plan associated with Phase 2 of the planned development.

II. CONSISTENCY WITH APPROVED TENTATIVE PLAN:

As background information, the PD, planned development rezoning and tentative plan/narrative for the Pennridge Trail Planned Development received City Council approval in June 2018. The overall PD project includes a total of 137 single family detached/attached residential homes (63 single family detached homes in a condominium subdivision project and 74 attached duplex units in a condominium project) in multiple phases on the 46.54 acre tract of land with approximately 16 acres (34%) devoted to open space areas.

As stated above and following review/recommendation from the Planning Commission, City Council in September 2018 approved the Preliminary Condominium Subdivision for Phase 1 of the Pennridge Trail Planned Development which included the 22 single family residential lot subdivision on 6.57 acres. The Final/Site Plan for Phase 2 of the Pennridge Trail Planned Development, which includes 11 attached duplex dwellings (22 units total) on 5.45 acres, has been designed in substantial conformance with the approved tentative plan (see attached).

III. FINAL PLAN

Access to the Pennridge Trail Planned Development project will be provided through a new public street (Pennridge Trail) constructed from West Osterhout Avenue, along the eastern portion of the property. The single family detached portions of the development (site condominium subdivision)

will be provided with public streets, while the single family attached/duplex portions of the development (condominium) will be provided with private streets. Consistent with the approved tentative plan and in lieu of a secondary access from West Osterhout Avenue, a permanent emergency vehicle access drive will be constructed by the developer between the Pennridge Trail property and the adjacent property to the north addressed as 9801 Shaver Road. Westview Capital and the owner of 9801 Shaver Road have provided the city the necessary easements and maintenance agreements for this permanent emergency vehicle access drive and the documents have been reviewed and approved by the City Attorney. This permanent emergency access drive will be constructed along the western portion of these properties with Phase 2 of the Pennridge Trail Planned Development.

Storm water from both Phase 1 and 2 will be collected and conveyed through a series of underground storm pipes with a discharge to a private treatment cell and infiltration basin located in the northeast portion of the overall property. Storm water piping located within the public streets (Phase 1) will be owned and maintained by the city, while the storm water piping located within the private streets (Phase 2) along with the treatment cell/infiltration basin will be owned and maintained by the condominium association with appropriate easements and indemnification provided to the city.

Consistent with the approved tentative plan, four-foot wide concrete sidewalks will be installed along both sides of all public streets and along at least one side of all private streets. In a future phase, a 6-8 foot wide asphalt path will also be constructed within open space areas along the northeastern portion of the development, providing a connection to the Eliason Nature Preserve located immediately to the east. Individual condominium dwellings located within Phase 2 will range between 1,040–2,800 square feet of living area (excluding any basement area) and will maintain the following minimum setbacks and separations: 40-foot setback from outer perimeter of property; 25-foot setback from interior private streets; and 20-foot separation between duplex buildings. Finally, municipal water and sanitary sewer will serve the proposed development.

IV. RECOMMENDATION:

The final/site plan has been reviewed by the City Administrative departments. Staff advises that the Planning Commission recommend to City Council that the Final/Site Plan for Pennridge Trail Condominiums (Phase 2), 1800 West Osterhout Avenue, be approved. Subsequent to the Planning Commission review, City Council will collectively consider the Final/Site Plan for Phase 2 and the Final Preliminary Condominium Subdivision (engineering plans) for Phase 1 at an upcoming meeting.

Attachments: Final/Site Plan Sheets
June 2018 Approved Tentative Plan

UNIT AREA / COMMON AREA: (FOR DUPLEX AREA)

- CONDOMINIUM UNIT AREA = INTERIOR OF DWELLINGS
- GENERAL COMMON AREA = ROADWAYS, NATURAL AREAS, AND NON YARD AREAS
- LIMITED COMMON AREAS = YARD AREAS AROUND EACH DWELLING

**SETBACKS WITHIN DUPLEX
PORTION OF PROJECT:**

- MINIMUM DISTANCE BETWEEN BUILDINGS: 20.0'
- MINIMUM DISTANCE BETWEEN EDGE OF ROADWAY
AND FRONT OF BUILDING/GARAGE: 25.0'
- MINIMUM PERIMETER REAR YARD SETBACK: 40.0'

TO US 191

OAKLAND DR

VANDERBILT AVE

SHUMAN ROAD

CENTRE AVENUE

SOUTH WESTSIDE AVENUE

PORTAGE ROAD

N

CITY LIMITS

SITE

RAILROAD TRACKS

CITY OF PORTAGE

SCHOOLCRAFT TOWNSHIP

TO US 191

vicinity map
NO SCALE

NOTE: PORTAGE IS MADE UP OF TWO SEPARATE VILLAGES. THE VILLAGE OF PORTAGE IS LOCATED TO THE NORTH OF THE CITY LIMITS AND THE VILLAGE OF SCHOOLCRAFT IS LOCATED TO THE SOUTH. THE SITE IS LOCATED IN THE VILLAGE OF PORTAGE.

**SETBACKS WITHIN SITE CONDO
PORTION OF PROJECT:**

- MINIMUM WIDTH @ FRONT SETBACK = 60'
- REQUIRED FRONT SETBACK = 25' (FROM R.O.W.)
- REQUIRED REAR SETBACK = 20'
- REQUIRED SIDE SETBACK = 5'
- (MINIMUM 15' BETWEEN DWELLINGS)
- MAXIMUM LOT COVERAGE = 30%
- MINIMUM PERIMETER REAR YARD SETBACK: 40.0'
- MINIMUM LOT AREA = 8000 SQUARE FEET

• NOTE: FRONT SETBACK IS 15' ON
LONG SIDE OF CORNER UNITS.

NOTE: SHOWN LAYOUT WITHIN
FUTURE DEVELOPMENT AREA IS
PRELIMINARY AND SUBJECT TO
ADJUSTMENT.

[illegible]

RECEIVED
JUN 13 2019
COMMUNITY DEVELOPMENT

COVER SHEET		DATE
PHASES 1 AND 2 OF "PENNRIDGE TRAIL"		9/18/2018
PART OF THE NE 1/4 OF SEC. 32, T. 3 S., R. 11 W., CITY OF PORTAGE, MICHIGAN		SHEET
Ingersoll, Watson & McMachen, Inc.		1
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS		JOB NO.
3209 East William Road • Portage, Michigan 49007 • Phone 696-364-6185 • Fax 269-344-0555		36676

- 3) COMBUSTIBLE BUILDING CONSTRUCTION SHALL NOT EXCEED FIVE (5) FEET ABOVE THE OPERABLE AND AN ALL WEATHER ROOF SURFACE IS IN PLACE.
- 4) THE FIRST FLOOR FOR EACH BUILDING IS 1000 GPM FLOW FROM THE FIRST FLOOR WITHIN THE BUILDING.
- 5) THE FLOOR AREA OF THE BUILDING IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING THE ROOF AREA.
- 6) IF THE CONSTRUCTION OF A BUILDING EXCEEDS 3600 SQUARE FEET, THE MINIMUM FIRE FLOW WILL BE BASED ON 1500 GPM.
- 7) IF THE BUILDING IS A TWO STORY BUILDING, THE FIRST FLOOR SHALL BE BASED ON 1500 GPM.
- 8) FIRE APPARATUS ACCESS ROADS LESS THAN 26.0' WIDE SHALL BE POSTED ON BOTH SIDES AS A FIRE LANE.
- 9) TWO (2) FIRE SIGNS SHALL BE INSTALLED AS REQUIRED BY THE CITY.
- 10) TEMPORARY STREET SIGNS SHALL BE PROVIDED AS REQUIRED BY THE FIRE DEPARTMENT.
- 11) WIDTH OF IMPROVED STREETS SHALL BE A MINIMUM OF 26.0 FEET (BETWEEN BACK OF CURBS).
- 12) FIRE FIGHTING ACCESS PLAN SHALL BE PROVIDED TO THE FIRE DEPARTMENT (SPEF FORM).

[illegible]

1) COVER SHEET
2) PLAN & PROFILE SHEET PENNRODGE TRAIL (SOUTH 1/2)
3) PLAN & PROFILE SHEET PENNRODGE TRAIL (NORTH 1/2)
4) GRADING PLAN / EROSION CONTROL PLAN
5) CONSTRUCTION DETAILS & NOTES
6) CENTER TURN LANE DETAIL
7) EMERGENCY ACCESS DRIVE
8) INTERSECTION GRADING/SIDEWALK DETAILS

REVISED: 06/11/2019	
REVISED: 05/12/2019	
REVISED: 01/30/2019	
REVISED: 01/15/2019	
REVISED: 12/04/2018	
DATE:	9/18/2018
SHEET:	1
JOB No.:	36676

NOTE: ALL WATER MAINS & THEIR APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PORTAGE SPECIFICATIONS AND A.W.W.A. STANDARD C600.

NOTE: WATER MAIN FLUSHING SHALL PROVIDE A MINIMUM WATER VELOCITY OF 3.0 FEET PER SECOND IN ACCORDANCE WITH A.W.W.A. STANDARD C651.

NOTE: FUTURE WATER MAIN SHALL CONNECT BETWEEN WATER MAIN AT WESTERLY END OF ALDER AVENUE AND WATER MAIN WITHIN OSTERHOUT AVENUE TO THE SOUTH IF REQUIRED.

NOTE: 410' LINE OF SIGHT / SIGHT DISTANCE SHALL BE MAINTAINED AT OSTERHOUT / PENNRIDGE INTERSECTION FOR SAFETY IN ACCORDANCE WITH CITY REQUIREMENTS

LEGEND

PROPOSED FIRE HYDRANT ASSEMBLY (T.E. GATE VALVE, & HYD.)

PROPOSED STOP SIGN/STREET SIGN

PROPOSED TRAFFIC CONTROL SIGN

PROPOSED 4.0' WIDE CONCRETE SIDEWALK

PROPOSED CROSSWALK

SUGGESTED LOCATION OF PROPOSED STREET LIGHT

NOTE: ALL STORM SEWER IS PRIVATE UNLESS LOCATED WITHIN A PUBLIC STREET. ALL STORM SEWER WITHIN A PUBLIC STREET IS PUBLIC.

NOTE: ALL PUBLIC STORM SEWER PIPE SHALL BE TELEVIEWED IN ACCORDANCE WITH SECTION 208.2.6 (TELEVISION) OF THE CITY'S SPECIFICATIONS.

NOTE: ALL STORM SEWER PIPE THAT IS LARGER THAN 24" DIAMETER SHALL BE REINFORCED CONCRETE PIPE PER CITY OF PORTAGE SPEC'S. (ASTM C 76). 24" DIAMETER PIPE AND SMALLER MAY BE H.D.P.E. OR R.C.P. EXCEPT ANY STORM PIPE WITH 3.0' OF COVER OR LESS SHALL BE R.C.P. PIPE (ASTM C 76). SEE BELOW REQUIREMENTS FOR R.C.P. PIPE.

COVER OVER PIPE REQUIRED RCP PIPE

COVER OVER PIPE	REQUIRED RCP PIPE
0' - 3.0'	CLASS III OR IV
3.1' - 9.9'	CLASS II
10' - 15.9'	CLASS IV
16' - 22.9'	CLASS IV
23' - 33'	CLASS IV

NOTE: ANY STORM SEWER PIPE THAT WILL HAVE FINAL COVER OF 16 FEET OR GREATER SHALL BE REINFORCED CONCRETE PIPE (ASTM C-76 CLASS IV OR V).

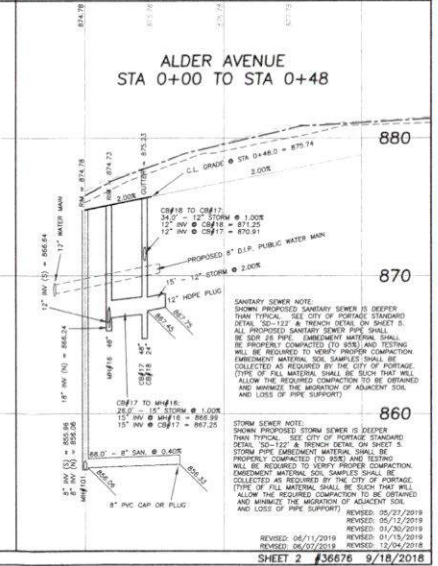
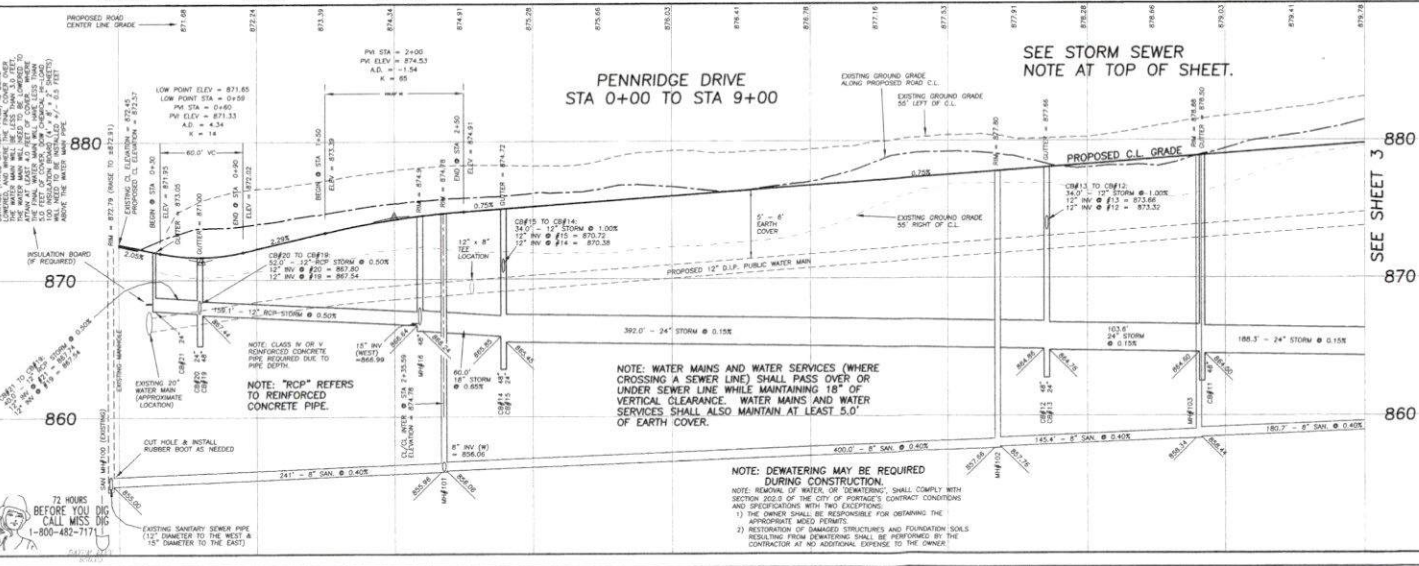
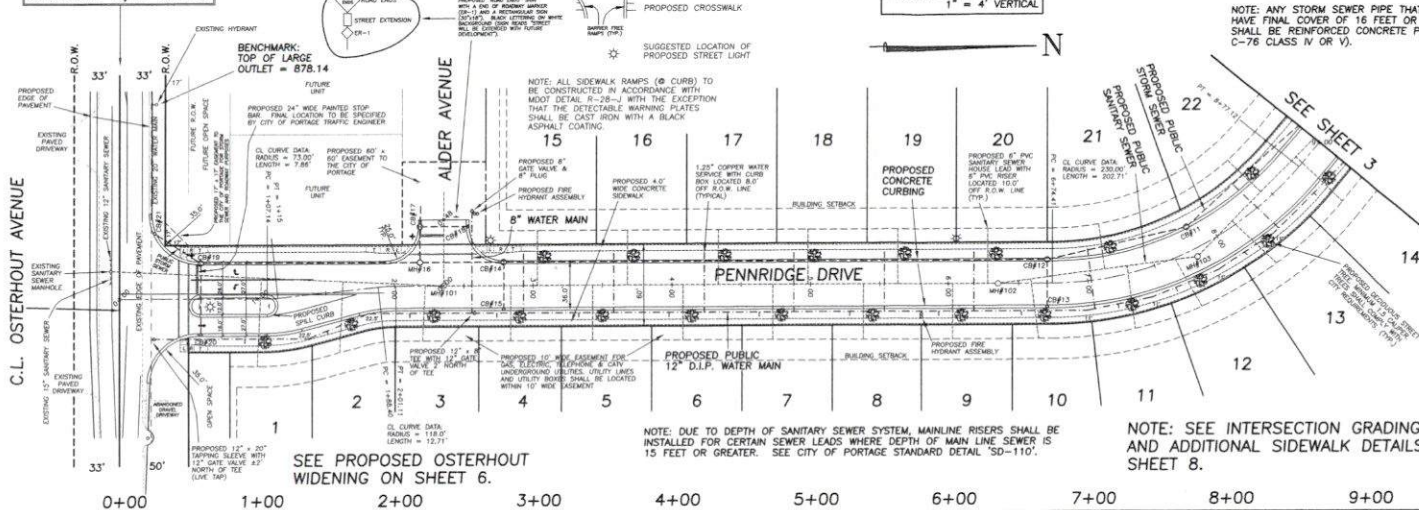
INGERSOLL, WATSON & McMACHEN, INC.
CIVIL ENGINEERS-LAND SURVEYORS
1200 EAST WILSON AVENUE, SUITE B
PORTAGE, MN 56155
PHONE: 763-244-8165
FAX: 763-244-8900

GENERAL NOTES:

- 1) LIGHT POLES AND ANY UTILITY POLE/BOX SHALL BE LOCATED AT LEAST 5.0 FEET OFF BACK OF CURB.
- 2) STREET NAME SIGNS SHALL BE AT LEAST 8" FROM TOP TO BOTTOM OF CURB SIGN (IN PLACE OF CURB SIGN).
- 3) ALL FURNISHING MATERIALS AND ALL UTILITY DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH CITY SPECIFICATIONS.
- 4) U-CHANNEL POSTS REQUIRED FOR ALL SIGNS.
- 5) SIGN DESIGN & DIMENSIONS SHALL BE IN ACCORDANCE WITH CITY SPECIFICATIONS.
- 6) PERMITS SHALL BE OBTAINED FROM THE CITY OF PORTAGE AS REQUIRED.
- 7) ALL C.C. CONSTRUCTION PERMITS REQUIRED FOR BOTH PUBLIC WATER MAIN & PUBLIC SANITARY SEWER PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 8) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 9) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 10) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 11) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 12) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 13) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 14) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 15) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.
- 16) ALL EXISTING UTILITY DEVICES SHALL BE MAINTAINED UNLESS THEY ARE FOUND TO BE DEFECTIVE OR UNUSABLE.

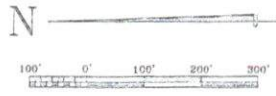
- NOTE: ALL STREET TREES SHALL BE INSTALLED AT LEAST 2.0' FROM WATER MAIN.
- NOTE: IT IS RECOMMENDED THAT HYDRANTS WITH 6" BURY DEPTH BE USED TO REDUCE LIKELIHOOD OF HYDRANT EXTENSIONS BEING REQUIRED.
- NOTE: NATURAL GAS, ELECTRIC, TELEPHONE, AND CABLE TV UNDERGROUND LINES SHALL BE CENTERED APPROXIMATELY 35.0' OFF CENTER LINE OF PROPOSED PUBLIC ROADS.
- NOTE: VEHICLE DRIVER'S SIGHT DISTANCE REQUIREMENTS SHALL BE MAINTAINED AT ALL INTERSECTIONS.
- NOTE: 325' LINE OF SIGHT / SIGHT DISTANCE SHALL BE MAINTAINED AT INTERNAL INTERSECTIONS FOR SAFETY IN ACCORDANCE WITH CITY REQUIREMENTS

CAUTION: U/G UTIL'S



TENTATIVE PLAN for PROPOSED 'PENNRIDGE TRAIL' CONDOMINIUM

NOTE: "PENNRIDGE TRAIL" IS A PROPOSED CONDOMINIUM AND PLANNED DEVELOPMENT.



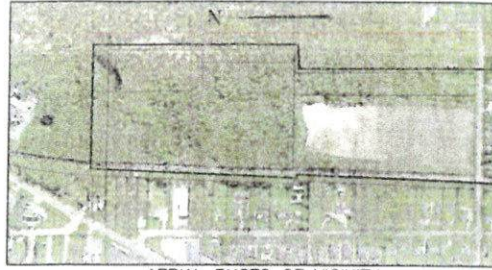
SUBJECT PROPERTY = 46.54 ACRES
ADDRESS = 1800 W. OSTERHOUT AVE.
CURRENT ZONING = I-1
PROPOSED ZONING = PD

UNIT AREA / COMMON AREA: (FOR DUPLEX AREA)

- CONDOMINIUM UNIT AREA = INTERIOR OF DWELLINGS
- GENERAL COMMON AREA = ROADS, YARDS, NATURAL AREAS, AND NON YARD AREAS
- LIMITED COMMON AREAS = YARD AREAS AROUND EACH DWELLING

PROPOSED SETBACKS WITHIN DUPLEX PORTION OF PROJECT:

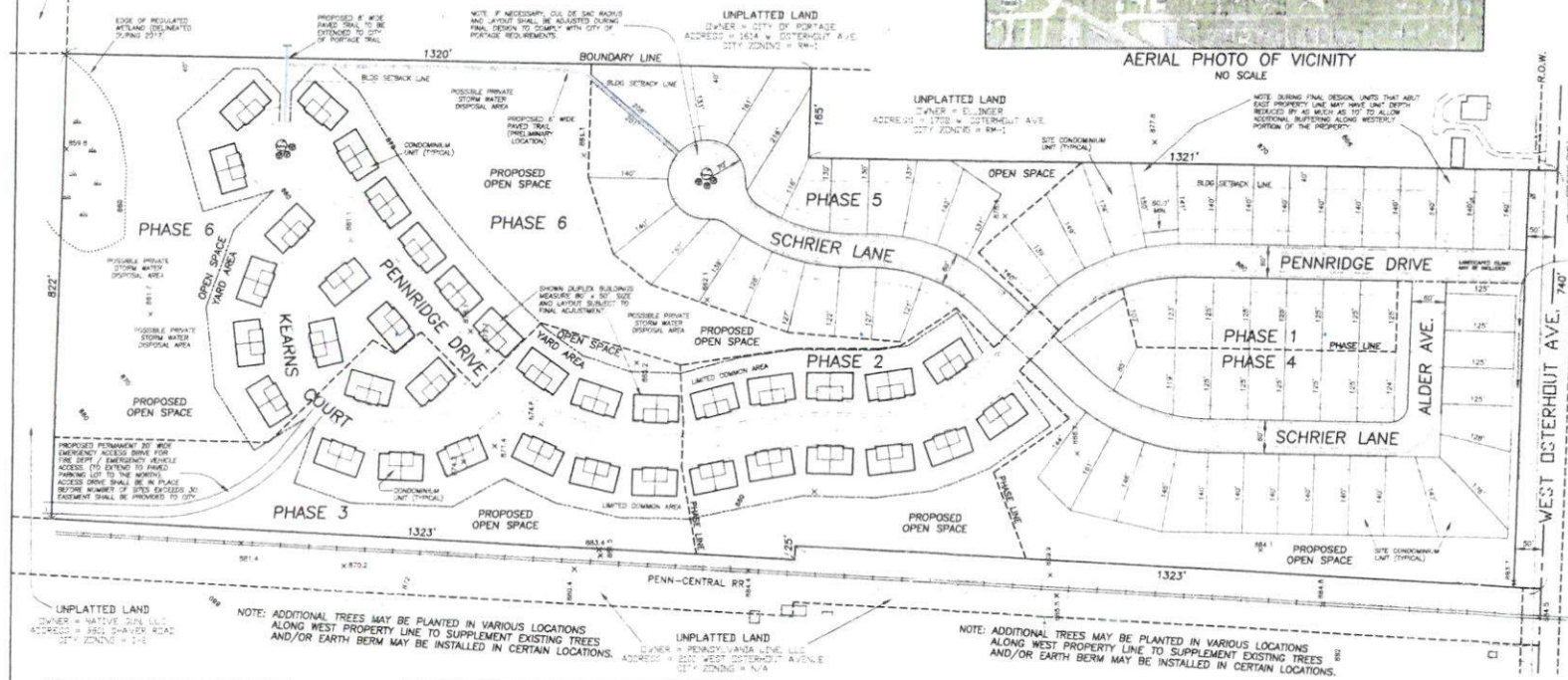
- MINIMUM DISTANCE BETWEEN BUILDINGS: 20'-0"
- MINIMUM DISTANCE BETWEEN EDGE OF HIGHWAY AND FRONT OF BUILDING/SIDE: 25'-0"
- MINIMUM DISTANCE BETWEEN YARD SETBACK: 40'-0"



AERIAL PHOTO OF VICINITY
NO SCALE



RECEIVED
APR 11 2018
PENNRIDGE TRAIL DEVELOPMENT



PROPOSED SETBACKS WITHIN DUPLEX PORTION OF PROJECT:

- MINIMUM DISTANCE BETWEEN BUILDINGS: 20'-0"
- MINIMUM DISTANCE BETWEEN EDGE OF HIGHWAY AND FRONT OF BUILDING/SIDE: 25'-0"
- MINIMUM DISTANCE BETWEEN YARD SETBACK: 40'-0"
- MINIMUM UNIT COVERAGE = 30%
- MINIMUM UNIT AREA = 1,000 SQUARE FEET

NOTE: CENTER TURN LANE SHALL BE PROVIDED WITHIN OSTERHOUT AVENUE.

- GENERAL NOTES:
1. SUBJECT PROPERTY CONTAINS 46.54 ACRES AND IS CURRENTLY ZONED I-1. SHOWN PROPERTY LINE LOCATIONS AND DIMENSIONS TAKEN FROM PREPARED SURVEY MAP BY THIS OFFICE.
 2. SHOWN ELEVATIONS AND TOPOGRAPHIC INFORMATION TAKEN FROM TOPOGRAPHIC MAP PREPARED BY OTHERS.
 3. EXISTING 20' WIDE CONCRETIZED DRIVEWAY AREA IS LOCATED ON THE APPROXIMATE CENTER LINE OF WEST OSTERHOUT AVENUE.
 4. EXISTING 20' WIDE CONCRETIZED DRIVEWAY AREA IS LOCATED ON THE NORTH SIDE OF WEST OSTERHOUT AVENUE.
 5. SITE SHALL BE SERVED BY PROPOSED PUBLIC WATER MAINS AND SANITARY SEWER SYSTEMS (SEE SEPARATE MAPS).
 6. ALL PROPOSED ROADWAYS SHALL HAVE A MINIMUM WIDTH OF 26 FEET BETWEEN OUTER LANE ON EACH SIDE OF ROAD. STREET LIGHTS SHALL BE LOCATED WITHIN DUPLEX PORTION OF THE PROJECT SHOWN HEREIN AND MAINTAINED BY THE PENNRIDGE TRAIL CONDOMINIUM ASSOCIATION.
 7. ALL PROPOSED DRIVEWAYS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH CITY REQUIREMENTS.
 8. A 20' WIDE CONCRETIZED DRIVEWAY SHALL BE PROVIDED ON ONE SIDE OF THE STREET (DUPLEX PORTION) ON BOTH SIDES OF STREET (DUPLEX PORTION). ALL DRIVEWAYS SHALL BE PROPOSED ALONG CONTINUED AVENUE.
 9. SITE IS FINALLY APPROVED.
 10. STREET LIGHTS SHALL BE PROVIDED BY OTHER PUBLIC OR PRIVATE. ALL LIGHTS SHALL BE DESIGNED BY A COMBINATION OF ILLUMINATION AND DISCHARGE WITHIN SITE STREET LIGHTS. STORM WATER DISPOSAL SHALL COMPLY WITH CITY REQUIREMENTS. LOCATIONS OF STORM SEWER PIPES, CATCH BASINS, AND OTHER STORM WATER IMPROVEMENTS HAVE NOT BEEN DETERMINED AND HAVE NOT BEEN SHOWN. FINAL STORM WATER SYSTEM DESIGN SUBJECT TO CITY OF PORTAGE AND WED RECORDS.
 11. SHOWN LAYOUT IS SUBJECT TO FINAL ADJUSTMENT.
 12. SHOWN DUPLEX BUILDINGS ARE 10' WIDE BY 50' DEEP. ACTUAL DIMENSIONS MAY VARY. A DECK OR FOUR-SEASON ROOM MAY BE DEEMED TO BE MORE THAN 50' WIDE. BUILDINGS WILL BE PRIMARILY SINGLE STORY BUILDINGS AND MAY INCLUDE A SECOND STORY. BUILDINGS SHALL HAVE A MINIMUM HEIGHT OF 10'.
 13. DEVELOPMENT SHALL BE CONDUCTED IN SEVERAL PHASES. SHOWN PHASING SUBJECT TO FINAL ADJUSTMENT.
 14. STREET LIGHTS, STREET SIGN, TRAFFIC CONTROL, AND LANDSCAPING SHALL BE PROVIDED.
 15. ALL ON SITE DWELLING CONSTRUCTION SHALL COMPLY WITH CITY OF PORTAGE AND STATE OF MICHIGAN CONSTRUCTION CODES INCLUDING FLOODING DESIGN AND UNDERGROUND IF APPLICABLE.
 16. EXISTING PAVED SURFACE FOR OSTERHOUT AVENUE SHALL NOT BE DISTURBED UNLESS PRIOR APPROVAL, AND BEEN OBTAINED FROM THE CITY OF PORTAGE. EXISTING PAVED SURFACE SHALL BE MAINTAINED UNDER THE EXISTING ROADWAY SURFACE.
 17. THE MAXIMUM NUMBER OF DWELLINGS ON SITE PER FINAL PLAN SHALL BE 140. CITY STREET PARKING SPACES MAY BE INCORPORATED IN CERTAIN AREAS.
 18. SITE SHALL CONTAIN ANY DESIGNATED FLOODING PLAIN AREAS.
 19. TEMPORARY USE OF SITES SHALL BE PROVIDED WHERE REQUIRED.

APPLICANT:
WESTVIEW CAPITAL, LLC
2186 EAST CENTRE STREET
PORTAGE, MI 49002
(269) 321-2610

TENTATIVE PLAN
"PENNRIDGE TRAIL" CONDOMINIUM
INGERSOLL, WATSON & MCMACHEN, INC.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
1879 East Wilson Road - Portage, Michigan 49002 - Phone 269 344-0085 - Fax 269 344-0055

REVISED: 4/11/2018
REVISED: 5/18/2018
DATE: 2/02/2018
SHEET: 1
JOB NO.: 38676

FIRE DEPT. NOTES

CONSTRUCTIBLE BUILDING CONSTRUCTION SHALL NOT COMBUSTIBLE. FIRE HYDRANTS ARE OPERABLE AND AN ALL WEATHER ROAD SURFACE IS IN PLACE.

THE FIRE FLOW FOR EACH BUILDING IS 1,000 GPM FROM ONE HYDRANT WITHIN 100' OF ALL PORTIONS OF THE BUILDING. THIS FLOW IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING INTERIOR FOR A BUILDING OF TYPE I-B CONSTRUCTION. SHOULD A BUILDING EXCEED 300,000 SQUARE FEET, THE MINIMUM FIRE FLOW SHALL BE BASED ON THE SIZE AND TYPE OF CONSTRUCTION FOR THAT BUILDING.

FIRE APPARATUS ACCESS ROADS 20' TO 32 FEET WIDE SHALL BE POSTED ON THE SIDE AS A FIRE LANE.

IT IS INTENDED THAT ALL STREETS WILL BE WIDE ENOUGH TO ALLOW PARKING ON ONE SIDE OF THE STREET PER THE FIRE CODE.

SITE DATA:

SITE AREA = 46.54 ACRES
OF DUPLEX BLDGS = 37 (74 UNITS)
OF SINGLE FAMILY UNITS = 63
TOTAL # UNITS = 74 + 63 = 137
NET DENSITY = 137 UNITS / 46.54 ACRES = 2.94 UNITS PER ACRE

OPEN SPACE:

TOTAL OPEN SPACE = 16 ACRES
% OPEN SPACE = 16 / 46.54 = 34%

PHASE #	SITE CONDO UNITS	DUPLEX UNITS	ANTICIPATED CONSTRUCTION
1	21	0	2018-19
2	0	22	2019-21
3	0	22	2020-23
4	0	24	2021-24
5	18	0	2022-26
6	0	30	2023-28

(PHASING AND SCHEDULE SUBJECT TO CHANGE)

PARCEL DESCRIPTION:

A parcel of land situated in the northeast quarter of Section 32, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan being more particularly described as follows:

Commencing at the East quarter corner of Section 32, Town 3 South, Range 11 West; thence S 90°00'00" W 165.00 feet along the South line of the Northeast quarter of said Section to the Place of Beginning; thence continuing S 90°00'00" W 739.77 feet along said South line to the East right-of-way line of the Pennsylvania Railroad (formerly the New York Central Railroad); thence N 02°18'11" E 1333.26 feet along said East line to the North line of the South half of said Northeast quarter of Section 32; thence N 89°53'07" W 25.02 feet along said Pennsylvania Railroad right-of-way line and said North line of the South half of said Northeast quarter of Section 32; thence N 02°18'11" E 1333.10 feet along said East right-of-way line of the Pennsylvania Railroad to the North line of said Northeast quarter of Section 32; thence S 89°49'14" E 822.39 feet along said North line to the East line of said Northeast quarter of Section 32; thence S 00°01'23" E 1320.49 feet along said East line to said North line of the South half of said Northeast quarter of Section 32; thence N 89°53'07" W 165.00 feet along said North line of the South half, thence S 00°01'23" E 1320.82 feet parallel with said East line of the Northeast quarter of Section 32 to the Place of Beginning, containing 47.39 acres of land. The south 33.0 feet being subject highway Easement. Parcel is subject to easements conditions and restrictions of record.

Pennridge Trail Planned Development
Approved Tentative Plan (June 2018)

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: City of Portage Public Participation Plan - Redevelopment Ready Communities

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Receive the City of Portage Public Participation Plan - Information Only

The City Administration has drafted the attached City of Portage Public Participation Plan to meet a best practice requirement of the Redevelopment Ready Communities (RRC) program certification. The purpose of the Public Participation Plan is to encourage citizen input in community-wide planning efforts and the review and approval process for new development and redevelopment projects. The Public Participation Plan identifies key stakeholders and the various methods to be used to inform the public and obtain feedback based on the type of planning process and/or development review.

It is anticipated that this Public Participation Plan also provides detailed information in response to the City Council discussion at the June 11, 2019 meeting pertaining to revisions to the Brownfield Redevelopment Incentive Policy. While initial applications for project specific redevelopment plans will be reviewed by the City Administration consistent with the process utilized by many other brownfield redevelopment authorities, there will remain three public meetings, including a Public Hearing before City Council, prior to final approval of any proposed Brownfield Redevelopment Plan amendment.

The City Administration will prepare an article for the August 2019 edition of the Portager that will feature the work of the Portage Brownfield Redevelopment Authority, including project specific plans currently in the development review process, as well successful redevelopment projects completed in the past.

It is recommended that City Council receive the City of Portage Public Participation Plan as information only.

FUNDING: Not applicable.

Attachments: 1. City of Portage Public Participation Plan

CITY OF PORTAGE PUBLIC PARTICIPATION PLAN

Objectives

- The City of Portage seeks broad community-wide public participation for matters impacting the future development and redevelopment of the city, such as the Comprehensive Plan update and other community-wide plans and/or sub-area plans.
- The City of Portage evaluates each development or redevelopment project on an individual basis to determine project scope, project limitations, approving body, stakeholders, points of community impact during the decision making process, internal and external resources, and level of appropriate community involvement.
- The City of Portage makes information available in a timely manner to enable interested parties to be involved in decisions at various stages of the review and approval process.
- The City of Portage engages citizens in a transparent manner, making information easy to access for all interested members of the community.
- The City of Portage seeks creative ways to involve a diverse set of community stakeholders in planning, land use, and development decisions.
- The City of Portage uses comments and information received from interested members of the community to make decisions regarding planning, land use, and future development.

Key Stakeholders in the City of Portage

The City of Portage seeks to involve the entire community as “key stakeholders.” Each project is evaluated on an individual basis to ensure inclusion of citizens, business owners, property owners and others that may be impacted by new development and redevelopment within the community. Public participation outreach varies with each project according to the project being reviewed, as well as required public notice in accordance with state statutes and local ordinances.

Key stakeholders include, but are not limited to:

- Local residents
- Neighborhood groups
- Local schools
- Churches
- Health care facilities
- Senior Groups
- Real estate professionals
- City boards and commissions
- Michigan Department of Environment, Great Lakes and Energy
- Other interested citizens, as identified and appropriate
- Office and Commercial business owners
- Industrial business owners
- Utility providers
- Neighboring communities
- Southwest Michigan First
- Kalamazoo County Government
- Michigan Department of Transportation
- Michigan Department of Natural Resources

Public Notice Requirements – Local Ordinances and State Statutes

The following local and state regulations pertain to various planning processes, development and/or redevelopment review projects and must be followed to ensure the required public notice for each respective project is followed, which is also intended to encourage public participation:

- Portage City Charter
- Portage City Code of Ordinances
- Michigan Open Meetings Act (PA 267 of 1976)
- Home Rule City Act (PA 279 of 1909)
- Michigan Planning Enabling Act (PA 33 of 2008)
- Plant Rehabilitation and Industrial Development Districts Act (PA 198 of 1974)
- Brownfield Redevelopment Financing Act (PA 381 of 1996, as amended)
- Downtown Development Authority Act (PA 197 of 1975, as amended)
- Local Development Finance Authority Act (PA 281 of 1986, as amended)
- Other applicable local, state, and federal regulation

Planning and Development Review Entities

- City Council: The Portage City Council is composed of seven members. The Mayor, Mayor Pro-Tem and five Councilmembers. For most planning and development review processes (excluding variances and most site plans), City Council is the final approving body.
- Planning Commission: The Planning Commission is a nine-member body. All members are appointed by the Mayor and confirmed by City Council. Planning Commissioners review and approve long-term plans for the community, such as the Comprehensive Plan, subarea plans, and the Capital Improvement Plan. The Planning Commission is also responsible for review and recommendation of Zoning Ordinance text amendments and map amendments (rezoning). Most of the Planning Commission's work activity involves development and redevelopment review such as special land use permits, site plan approval, active home occupation permits, building height modifications, and accessory building size approvals. The Planning Commission also reviews and makes recommendations to City Council regarding subdivision plats, site condominiums, and discretionary zoning approvals such as Planned Developments, Commercial Planned Developments, Open Space plans, Office, Technology and Research, among other mixed-use development projects. The Planning Commission may also engage in special projects requested by the City Council, or initiated on its own, with approval by City Council.
- Zoning Board of Appeals: The Zoning Board of Appeals (ZBA) has seven full members and two alternate members. Each member is appointed by the Mayor and confirmed by City Council. When a property owner or occupant cannot meet the zoning ordinance requirements, an application for variance is filed with the ZBA. The ZBA is a quasi-judicial board and all decisions of the ZBA are final. Appeals of decisions of the ZBA may be filed with the Circuit Court.

The following boards meet on an annual basis or more often as-needed in response to a development or redevelopment project that involves the use of specific incentives and/or tax increment financing:

- Downtown Development Authority: The Downtown Development Authority (DDA) consists of nine members appointed by the City Manager with approval of City Council. A majority of the members appointed to the DDA must have interest in property located in the district. The DDA district includes business properties generally along South Westnedge Avenue, extending between Kilgore Road and I-94. The principal purpose of the DDA is to promote economic growth and is a financing entity through which public improvements can be planned and constructed.

- Local Development Finance Authority: The Local Development Finance Authority (LDFA) includes eleven members total: seven members appointed by the City Manager; one member appointed by the Kalamazoo County Board of Commissioners; one member appointed by Kalamazoo Valley Community College and two members appointed by Portage Public Schools. The authority creates and implements a Development and Tax Increment Financing Plan to promote the growth of the LDFA district including property in the Portage Road and Sprinkle Road industrial corridors, and take steps necessary to implement the plans to the fullest extent possible to create jobs, and promote economic growth.
- Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority: The Economic Development Corporation / Tax Increment Finance Authority/ Brownfield Redevelopment Authority (EDC/TIFA/BRA) accomplishes economic and community development activities that are specifically authorized by Michigan statutes. The authority is comprised of nine members who are appointed by the Mayor with the advice and consent of the City Council. Three of the members represent Portage Public Schools. The EDC/TIFA/BRA members have also been designated to perform brownfield redevelopment activities as authorized by statute. The authority is a financing entity and, through industrial development bonds and the capture of tax increment revenues, can plan and finance public activities to facilitate business and industrial growth and property redevelopment.

Open Meetings

All meetings of the City Council, boards and commissions shall be open to the public in accordance with the “Open Meetings Act,” PA 267 of 1976 as amended, except closed session meetings as provided for in the Act. Every open meeting must also provide an opportunity for citizen comment. Public notices for open meetings are posted at City Hall as required by the Act. In addition, the dates and times of all City Council, boards and commission meetings are posted to the Portage website at: www.portagemi.gov. The agendas and are available on the city website in advance of all meetings. Meeting minutes are posted to the city website after approved. Finally, City Council, Planning Commission and ZBA meetings can be viewed live on Charter Channel 995 and AT&T channel 99. All meetings can be viewed via live streaming at portagemi.gov/205.

Public Hearings

As noted above, all City Council, board and commission meetings are open meetings. Several planning and development review processes also require a public hearing during the meeting and require public notices prior to the meeting in accordance with the local ordinance and/or state statute relevant to the project. The following processes require a public hearing during the regular meeting that is open to the public.

Planning Commission:

- Zoning map amendments/Rezoning (including discretionary rezoning approvals)¹
- Zoning text amendment¹
- Subdivision plats¹
- Site condominiums¹
- Tentative and conceptual plan amendments for PD, CPD, OTR zoning districts¹
- Comprehensive Plan amendments²
- Special land use permits
- Active home occupations
- Building height modifications

- Accessory buildings in excess of the ground floor living area of the dwelling

ZBA:

- Variance requests
- Text or map interpretations
- Temporary use permits
- Appeals of administrative decisions

DDA, LDFA, EDC/TIFA/BRA:

- Amended Development Plans/Tax Increment Financing Plans¹
- Brownfield Redevelopment Plans¹

¹ These items are recommended to City Council for a public hearing and final action

² Comprehensive Plan amendments do not require a public hearing before Council, but are referred to Council for review. A resolution of approval by City Council is not required by state statute.

Statutes require the above review and approval processes be noticed in a newspaper of general distribution, as well as mailed to neighbors within 300 feet at least 15 days prior to the meeting. In addition to the above, all public hearing notices are posted to the Legal Notices page of the city website. All meetings are held in a facility accessible to persons with disabilities, and the city will provide reasonable accommodations or services to individuals with disabilities.

Methods for Community Participation

The initial evaluation of each project will determine the level of public outreach for the project. The following are methods that may be used to reach appropriate level of public participation when taking action on land use or development applications. For planning and development projects that have a city-wide impact, the City of Portage will always attempt to use more than one tool or method, depending on the specific project and target audience. This list is flexible and can change based on the needs and circumstances of the project.

Inform – Provide Information

- Printed postings: All public meetings and public hearings will have printed notices available for view on the City Hall lobby board.
- City of Portage website (www.portagemi.gov):
 - Lists public meetings, posts agendas and minutes, and broadcasts meetings of City Council, Planning Commission and ZBA.
 - Notices for Public Hearings are also posted to the Legal Notices page of the city website.
 - The “Connect With Us” page of the city website provides links to the city’s Facebook page, provides Notifications via Portage Alert, Notify Me and RSS Feeds.
 - Special website pages are created for community-wide planning projects.
- Cable: Upcoming Council, Board/Commission meetings are also posted to the local cable stations (Charter Channel 995 and AT&T channel 99). City Council, Planning Commission and ZBA meetings are televised on the local cable stations.
- Announcements: All Boards/Commission upcoming meetings are listed on City Council agendas.

- Newspaper: The *Kalamazoo Gazette* is the local newspaper in general circulation. The *Kalamazoo Gazette* is published daily and on-line and delivered on Tuesday, Thursday and Sunday. Public notices for public hearings are published in the Kalamazoo Gazette.
- PORTAGER: Once a month, the city distributes a municipal newsletter containing city news and updates on various planning and development projects. Information on community-wide planning projects will be featured in editions of the PORTAGER throughout the year, as applicable.
- Press releases and Articles: At various times, the city will issue press releases and information for articles to various newspapers and television stations pertaining to community-wide planning projects.

Consult & Involve – Obtain Public Feedback

- Public Meetings and Public Hearings: Public attendance at meetings is strongly supported and allows for an appropriate venue for public input.
- Surveys: Utilizing online and paper surveys allows for the collection of large amounts of data and opinions from the public.
- Community workshops: Issues that require community feedback can benefit from community-wide workshops or focus group meetings.
- Advisory Committees: The city may utilize one or more of its existing advisory committees for specialized aspects of community collaboration between city staff and the public.

Communicating Results

The City of Portage will publicly communicate all results of community input on planning and development issues. The city will utilize one or more of the “Inform” methods to relay results back to the public. The City of Portage understands that the Community Engagement Plan will need to be reviewed and updated on a routine basis. This plan will be updated as needed, at a minimum of every 5 years, in conjunction with the city’s Master Plan. Updates to this plan will be drafted by staff, and reviewed and recommended by Planning Commission.

Minutes of Boards & Commissions

City of Portage
Historic District Commission
Wednesday, May 01, 2019

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

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

Members Excused: Custer, Grunert.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): None

Approval of Minutes: Forrest moved, seconded by Maytnier, to approve the April 10, 2019 meeting minutes. Motion approved 6-0.

Old Business:

- a. Goals & Objectives 2019 – 2020: Mucha presented the revised 2019-2020 Goals & Objectives. Barton moved, seconded by Maytnier, to approve the proposed 2019-2020 Goals & Objectives. Motion passed 6-0.
- b. Ordinance Amendment: Mucha provided a highlight and strike version of the proposed Historic District Ordinance amendments regarding legal descriptions to the Commission. Mucha summarized the proposed changes: parcel identification update; removal of duplicate entry's; proposed removal of 214 Brown Avenue, 309 East Centre Avenue, 1324 West Milham Avenue due to the removal of the historical structures from these parcels. Mucha informed the Commission that a study committee would need to be convened in June 2019 to review the proposed modification/elimination of the aforementioned districts.
- c. Community Outreach – May 2019 Event: Duniphin provided an update regarding the secured sponsors for the event, and the various vendors that have confirmed their attendance at the May 18th event. Further discussion followed regarding the event setup, ticket booklets and proposed layout of the event at the Wetherbee Farm. Duniphin informed the Commission that Mick Lynch (property owner of 10209 Portage Road and event sponsor) has contracted with Latitude 42 to provide food. Mucha inquired if any event funds/Historic District Commission funds are to be used to offset the cost of the food/caterer. Duniphin replied that no HDC funds will be used to pay for the food. Duniphin restated that "Mick" has graciously agreed to sponsor the food for the event.

New Business:

- a. Community Outreach – Historic Home Tours: Duniphin informed the Commission that Portage Parks and Recreation has inquired about conducting a historical home tour. Duniphin stated further information and details will be needed from Parks and Recreation to determine what type of tours they (Parks & Recreation) are looking to conduct. Discussion followed regarding the proposed historical home tour. Duniphin indicated she will keep the Commission apprised of any new developments regarding the possibility of home tours with Parks and Recreation. vanLonkhuyzen, as a historic property owner, indicated there may not be that many property owners willing to open their homes to tours. Discussion followed regarding the possibility of a biking tour, where visitors would be able to view the historic properties from the roadway, and not enter onto the property.

Adjournment: There being no further comments or business, vanLonkhuyzen adjourned the Historic District at 9:26 a.m.

Respectfully submitted,

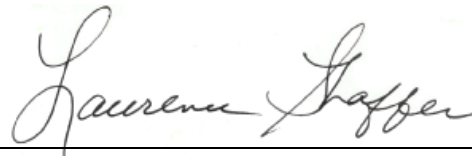
A handwritten signature in cursive script that reads "Kyle Mucha".

Kyle Mucha
Zoning & Codes Administrator

MATERIALS TRANSMITTED

Tuesday, June 11, 2019

1. Communication from Bill Furry, Finance Director, regarding Delinquent Water & Sewer Bills, **Agenda A.12** – Information Only
2. Communication from Bill Furry, Finance Director, regarding the May, 2019 Monthly Financial Report, **Agenda Item A.16** – Information Only

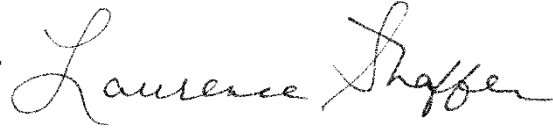


Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Delinquent Water & Sewer Bills

SUPPORTING PERSONNEL: Bill Furry, Finance Director

Attachments: Delinquent Utility Bill to Tax List

Delinquent UB to Tax List

Tuesday, June 11, 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
00015-385-O	827 E CENTRE AVE	ANDERSON, JOYCE	ANDERSON, JOYCE	217.11
03960-016-O	753 W KILGORE RD	ANDERSON, RICHARD	JERECO, LLC	111.45
00490-018-O	7171 VENICE DR	AUCUNAS, ALEX & BRANDY	AUCUNAS, BRANDY & ALEX	120.00
00010-330-O	6922 LOVERS LN	AUSLAND, ANNEMARIE	AUSLAND, ANNEMARIE	7.49
04141-046-O	3805 FLORINDA AVE	BAKHUYZEN, MICHAEL	BAKHUYZEN, MICHAEL H & K F	25.00
00540-004-O	2750 AVALON WOODS DR	BALE, SANDRA	BALE, STEVEN D	58.95
02441-061-O	427 LARKSPUR AVE	BALL, DAVID	BALL, EDWARD M & VICTORIA M	175.46
00034-165-O	406 E OSTERHOUT AVE	BARBER, JOANNE L	BARBER, JOANNE L	54.85
04560-012-O	2307 BYRD DR	BENNETT, JOHN	GREER, TODD	233.74
04682-092-O	8126 LORAC ST	BOWEN, JEREMY	SHEMBERGER, REBECCA	155.61
02561-146-O	2002 INDIAN RD	BREESE, ANN MARIE	BREESE, GABRIEL & ANN MARIE	460.55
01180-037-O	9336 QUARTER LINE DR	BRINNEMAN, DAWN	BRINNEMAN, MICHAEL	59.38
07740-004-O	5037 STONEHENGE DR	BRINNEMAN, MIKE	BRINNEMAN, MICHAEL & DAWN	130.34
07980-017-A	4207 LONG LAKE DR	BROOKS, JONI	VALLEAU, EDWARD & DIXIE	209.52
08820-024-O	1923 PLEASANT DR	BROOKS, JONI	BROOKS, SCOTT & KATHRYN	108.54
09000-011-O	1423 ORCHARD DR	BROWN JR, JOHN W	BROWN, JOHN W JR & CAROLINE	445.85
00940-069-O	5107 MAPLERIDGE DR	BROWN, BRIAN	STEINSDOERFER, GREG & MELIS	94.23
08763-140-O	5724 ALTEN ST	BROWN, VANITRA	BROWN, RELIJAH	261.13
09485-186-O	1720 WOODLAND DR	BUCHER, LINDSAY	BUCHER, LINDSAY A	55.59
06840-022-D	427 CAMEO AVE	BUSHOUSE, KRISTY	RIDENOUR, KRISTY L	50.48
07020-003-O	123 W KILGORE RD	BYERS, LINDA	BYERS SR, MICHAEL & LINDA	351.02
06541-101-O	6734 BUCKHORN ST	CAMPBELL, DARCY	MORSMAN, JOHN C	120.75
05520-061-O	696 SOUTH SHORE DR	CAPSHAW, WYATT	ROOT, KATELYN	36.78
02200-057-O	506 DELLA ST	CAREY, JENNIFER	AYOTTE, BLAINE	266.76
07620-045-O	505 PECAN AVE	CARO JR, ROBERT & JENNIFER	EMRICK, LEIGH ANN	91.35
05521-111-O	404 VELVET AVE	CARR, WILLIAM	JACKSON-CARR, GLORIA	168.48
09056-035-O	5904 DAKOTA AVE	CARROLL, KRISTA	R & J EQUITIES LLC	137.40
09451-030-O	2414 WOODY NOLL DR	CATO, CHRISTOPHER	CATO, CHRISTOPHER R	9.38
08220-043-O	5336 AZALEA ST	CLEVELAND, MARK A & C N	CLEVELAND, MARK A & C N	243.32
00027-205-O	1625 BACON AVE	CONGDON, SCOTT	STEWART, MICHAEL S & SUSAN F	115.90
07740-045-O	1509 W KILGORE RD	CONLON, PATRICIA	CONLON, JOHN J & P B	190.39
02920-022-O	5229 GROSSE POINTE ST	COOPER, KATHY	COOPER, KATHY L	262.86
00940-003-O	5008 OLD COLONY RD	CORONADO, AUDREY	QUICKEN LOANS, INC	19.12
04681-061-O	612 PROSPERITY DR	COVILLE, LAURA	COVILLE, LAURA	56.90
04683-124-O	8146 SOUTHFIELD ST	CRAWFORD, BRADLEY JAMES	CRAWFORD, BRADLEY J & ELIZAI	59.00
00510-005-O	10873 AUTUMN VIEW LN	CRAWFORD, RON	STOCK, TROY A & LORIE L	215.69
04742-070-O	726 KARENDALE AVE	CUNNINGHAM, DANIEL E	CUNNINGHAM, DANIEL & LINDA	397.49

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
00024-025-O	8129 S SPRINKLE RD	CURL, WILLIAM	CURL, WILLIAM	43.57
00016-675-O	806 W CENTRE AVE	DARNER, JANICE	HUNTINGTON NATIONAL BANK	7.78
03700-112-A	5739 MT VERNON AVE	DAVID, JESSE	DAVID, JESSE	256.61
04680-029-O	8143 LAKE WOOD DR	DAY, COLLEEN	NEMETH, PETER & RIGGS, KAITL'	119.38
00026-130-O	2329 STANLEY AVE	DEBAULT, ASHLEY	DEBAULT, ASHLEY	11.59
00027-180-O	1213 BACON AVE	DENAWAY, JACOB	DENAWAY, JACOB	338.57
04501-252-O	4507 PITTSFORD AVE	DENNIS, GERALD	DENNIS, GERALD A & PROCHNO,	197.24
09060-041-O	5806 NEVADA AVE	DERYKE, MARILYN A	DERYKE, MARILYN A	160.47
07200-108-O	505 W CENTRE AVE	DEVROU, KELLY	MAIN STREET PROPERTIES II, LL	56.15
07680-002-O	652 SOUTH SHORE DR	DILLARD, THERON	ENSIGN, LISA & HARRY	409.48
01900-031-O	326 AMOS AVE	DIMAS, TRISHA	DIMAS, SERGIO	395.10
04440-011-O	10419 DEWBERRY ST	DOYLE, JAMES T	DOYLE, JAMES T	1,101.71
03342-026-O	6828 TROTWOOD ST	DUNIFIN - PREB, JUSTIN	DUNIFIN, JUSTIN A	269.44
03960-028-A	1113 W KILGORE RD	ESCH, MATTHEW	ESCH, MATTHEW E	180.91
04501-188-O	5622 TIFFIN ST	ESHKEITI, ALI	GUEYE, MAREME	55.66
08220-018-O	5327 WISTERIA ST	ESTRADA, BRIAN	ESTRADA, BRIAN	325.31
00026-146-O	2472 STANLEY AVE	FARRINGTON, LYNETTE	FARRINGTON, LYNETTE	782.64
07620-016-O	605 SUNBRIGHT AVE	FISHER, ROBERT	MASTERSON, TRACEY A	175.09
07980-104-A	4550 LONG LAKE DR	FLEURY, CHAD	CHICKS PROPERTIES, LLC	124.62
05520-036-O	620 CALICO AVE	FOSTER, MARIE	FOSTER, JASON & MARIE	208.96
09000-031-O	1422 ORCHARD DR	FOWLER, ERIC	LKS RENTALS, LLC	143.18
07020-034-O	5124 MIDFIELD DR	FRAGA, PAIGE	FRAGA, MIGUEL	432.72
00033-078-O	10316 S WESTNEDGE AVE	GARCIA, HECTOR	TALBERT, JAMES H	592.26
08220-066-O	227 ANDY AVE	GARCIA, RAUL	GARCIA, RAUL	59.25
05502-037-O	7233 PRESTWICK LN	GERGER, MARK	GERGER, MARK E & M A	199.40
01241-046-O	8314 TRANQUIL ST	GETTYS, THOMAS	GETTYS, THOMAS & B	260.83
02020-011-O	4402 E CENTRE AVE	GIFFORD, AMY	GIFFORD, AMY R	31.95
02561-164-O	1326 E KILGORE RD	GONZALEZ, JOSE G	GONZALEZ, JOSE G	664.85
03161-021-O	6843 ISABELLE ST	GONZALEZ, RAYMOND & NORMA	GONZALEZ, RAYMOND & NORMA	1,455.83
06360-049-O	916 LAKEVIEW DR	GREENMAN, ANN	GREENMANE, GREG	59.38
04200-221-O	801 DRURY LN	GREENMAN, GREGORY	GREENMAN, GREGORY D	77.40
00890-028-O	5668 BRIARHILL CT	GRETER, RICHARD	GRETER, NICOLE	247.28
02200-014-O	307 DELLA ST	GRIFFIN, PARIS	TRIGUBO, MOIRA B	158.15
09412-031-O	6195 SABLEWOOD CIR	GUPTA, INDUBALA	GUPTA, KUMAR & GUPTA, SAHIL	212.41
02561-091-O	1812 BENDER RD	HANEY, MIRANDA	SWISHER, ADAM & MIRANDA	85.74
08220-062-O	325 ANDY AVE	HANNAHS, JOSHUA	HANNAHS, JOSHUA	167.69
01900-052-O	205 AMOS AVE	HARPOLE, SHARLA	HARPOLE, JASON & SHARLA	258.27
01241-029-O	8301 TRANQUIL ST	HARRIS, VANCE	HARRIS II, VANCE G	445.85
05522-165-O	414 GABARDINE AVE	HASKE, BRIAN	HENGST, JILL M & SCOTT	246.66
04500-008-O	4621 HANOVER AVE	HENDERSON, SHAYNA	THOMAS, KAREEN D	264.31
06840-036-O	526 DORSET ST	HETTINGER, MICHAEL	BISHOP, HEATHER M & NATHAN I	6.06

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
09064-041-O	5812 OHIO AVE	HODKINS, DANIEL	HODGKINS, DANIEL A II	165.53
00940-008-A	1317 W KILGORE RD	HOLCOMB, DAVID E	WIMSATT, WILLIAM	186.44
02740-034-O	6013 SALEM LN	HOPKINS, JOSH	HAYES, JACOB & AVELAR, GIULIA	78.76
03210-022-O	1498 AUBURN WOODS TRL	HOPP, KEVIN & MELINDA	HOPP, KEVIN	19.89
01000-054-A	8113 BROOKWOOD DR	HOSBEIN, HENRY & JILL	HOSBEIN, HENRY A & J M	522.11
08763-100-O	4321 BEECHMOUNT AVE	HOTCHKISS, AMY	TERZANO, CARMEN	92.96
04503-339-O	5840 CRANSTON ST	HOWARD, BRENDA	MARTIN, COLETTE	362.32
00491-113-O	7311 SALERNO CIR	HOYAT, MAIN	HAYAT, MIAN SAQIB	859.87
02320-020-O	1904 WINTERS DR	HRAB, HEATHER	LEIDERMAN, WHITNEY & FOLLOV	96.60
04805-130-O	2751 BRAHMS AVE	HUBBARD, GARY	HUBBARD, GARY D	13.91
09056-045-O	5928 DAKOTA AVE	HUGHSON, SAMUEL	HUGHSON JR, SAMUEL & MARSH	160.47
00880-005-O	1424 WINTERS DR	HUSKEY, LINDSAY	KAKABEEKE, NICHOLAS W	169.34
00010-240-O	6841 S WESTNEDGE AVE	J AND S AUTO & TRUCK SERVICES	HOVINGA, BRUCE & KAREN	415.72
00492-134-O	4720 MARCEL AVE	JANIK, DEBORAH	JANIK, MICHAEL G & DEBORAH M	541.00
08402-118-O	6740 AMBERLY ST	JASEPH, JAMIE	UPTON, KATHY A	287.37
00340-125-O	8418 PORTAGE RD	JONES, LATORIA	JONES, SANDRA	268.42
05460-017-O	5724 ROANOKE ST	JORDAN, AUSTIN	OLSEN, RYAN R	149.07
00018-187-O	7755 S 12TH ST	K & M STRADT ENTERPRISES, LLC	K & M STRADT ENTERPRISES, LL	7.66
00026-220-A	2523 STANLEY AVE	KEECH, ROBERT	KEECH, DILLON R	53.88
01724-222-O	6504 HAMPTON ST	KEHOE, BERNICE	AMENT, BRUCE & STACY	125.26
08763-149-O	4232 CEDARCREST AVE	KEITH, KIM OWEN	KEITH, KIM O	293.94
04560-125-O	1909 ECKENER DR	KELLERMAN, JON	DITTMAR, TASHA & MOKWA, ETH	48.63
03186-124-O	5569 OLD MISSION ST	KELLY, PHILIP	THORNBURG, KATHY	196.49
04741-045-O	10126 TERRY LN	KERNELL, ANTHONY	KERNELL, ANTHONY	292.11
09054-033-O	423 W VAN HOESEN BL	KING, CHRISTOPHER	GROSSER, DAWN M	250.17
07020-009-O	327 W KILGORE RD	KLYOP, GARY	KLYOP, ELSIE J - TRUSTEE	67.04
04680-011-O	8126 LAKE WOOD DR	KRIETZ II, CLARENCE & LISA	KRIETZ II, CLARENCE W & LISA J	58.85
06300-010-O	9408 EAST SHORE DR	KVIETKUS, ROBERT	KVIETKUS MD, RACHELINA TRUS	103.60
07080-002-O	802 ROMENCE RD	LADIK, JIM & AMY	LADIK, JAMES B & HOARD, A E	59.38
04500-067-O	5532 BEDFORD ST	LAGE, JEANETTE	EMENS, DYLAN	72.35
06661-014-O	9408 CHAPEL ST	LAKER, BRENDA	LAKER, BRENDA	217.87
00023-347-O	8811 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	445.85
00023-345-O	8817 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	445.85
09000-017-O	1523 ORCHARD DR	LAND, ASHLEIGH & MATTHEW	LAND, ASHLEIGH M & MATTHEW '	121.36
06840-052-O	324 CAMEO AVE	LANDIS, KRISTINE	SKEES-THURMOND, DORIS	126.71
04920-004-O	10527 S WESTNEDGE AVE	LARSON, KIMBERLY	LARSON, KIMBERLY	148.24
00010-120-C	6207 S WESTNEDGE AVE	LBG REAL ESTATE COMPANIES, LLC	LBG PORTAGE CENTER, LLC	33.74
09540-012-E	8908 BALMORAL ST	LEBIECKI, MEGAN	LEBIECKI, MEGAN M & MORRIS, C	50.96
02500-018-O	8510 OAKSIDE ST	LEGALLEY, MINDY	LEGALLEY, MINDY	445.85
09482-066-O	7410 ROCKFORD ST	LEMNAH, JEFFREY AND AMY	KELLY, JEFFREY	50.00
05160-002-O	2713 WOODBINE AVE	LETO, TIM	LETO, TIMOTHY	23.20

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
00580-025-O	9929 WOODLAWN DR	LEVERETT, BRENT	TELL, JASON	16.41
02606-012-O	5229 SHAGBARK CT	LEWIS-BRAUSSARD, KATHERYN	LEWIS-BROUSSARD, KATHRYN	467.15
00013-095-B	7696 S SPRINKLE RD	LIGHTING & DECOR	BUSINESS ONE USA	279.61
02980-018-A	1528 HAMELINK DR	LUTEYN, DANIELLE	REINHOLT, JAMES & BETH E	88.37
08820-024-O	1923 PLEASANT DR	LUTTRELL, DARIN	BROOKS, SCOTT & KATHRYN	92.30
03700-173-O	5920 MT VERNON AVE	LYND, JESSICA	LONGMAN, AMY R	188.09
04200-316-O	7539 LAKE WOOD DR	MALCOLM, PAUL	BEEBE, P THOMAS & J - TRUSTEE	50.00
01241-049-O	1002 SHUMWAY AVE	MARLETT, HEATHER	BAKER, WESLEY J & RACHEL E	12.15
00490-040-O	7173 PROVENCE DR	MATEUS, ANITA	MATEUS, ANITA	382.98
00010-096-O	6125 S WESTNEDGE AVE	MATTRESS FIRM - PREB	AGREE LIMITED PARTNERSHIP	11.96
08763-142-O	5713 ALTEN ST	MCSELFRESH, LACEY	SNAP III INVESTMENTS, LLC	253.37
04141-038-O	8738 BALMORAL ST	MILLER, CLARENCE E.	MILLER, CLARENCE E	50.46
00016-206-O	7480 S WESTNEDGE AVE	MINI MART LLC	KALAMAZOO INVESTMENT PROP	171.93
00007-190-O	6427 S 12TH ST	MININES, ANNIE MARIE	GATES, ANNIE M	191.91
07020-016-O	622 LANDSDOWNE AVE	MORRIS, JASON	MORRIS, JASON A & GRIGGS, JAC	774.39
02800-021-O	1801 MANDIGO AVE	MUNCY, ALLEN	BUONVICINO, JEAN	58.42
09064-007-O	410 W VAN HOESEN BL	MUSZYNSKI, ROBERT	FETT, KATHLEEN A	165.07
00029-450-O	9801 SHAVER RD	NATIVE SUN, LLC	NATIVE SUN, LLC	398.84
09000-033-A	1402 ORCHARD DR	NEEDHAM, JODI	NEEDHAM, JODI	348.69
09000-029-O	1516 ORCHARD DR	NEMETH, LORI	NEMETH, MICHAEL A & L S	287.56
00035-014-O	10160 WOODLAWN DR	NEWHOUSE, LARRY & PAM	NEWHOUSE, LARRY K & P L	54.16
03040-042-O	216 NEW HAMPSHIRE DR	NEWTON, STEVEN	BYERS, GERALDINE	239.91
02561-098-A	1721 BENDER RD	NICHOLS, JEFFREY	NICHOLS, JEFFREY A	209.18
07160-037-O	7140 BOLINGBROOK DR	NOWICKI, CHRISTOPHER	CALEY, CARL R & JENNIFER L	29.96
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
05380-007-O	6936 ORCHARD MEADOW CT	PALMER-PREB, ERIC	PALMER, ERIC D	323.22
05341-037-O	7329 WRENBURY ST	PAPPAS, CLYDE	LONG BEACH MORTGAGE LOAN	150.58
00023-311-B	2123 FOREST DR	PARIS, GRETCHEN	PARIS, GRETCHEN M	34.00
06780-012-O	8221 OAKSIDE ST	PEARSALL, JON	PEARSALL, JON B	12.37
01930-012-O	7870 WAPITI ST	PENCE, HOLLY	ADAMS, KEATON M	33.39
07621-110-O	6009 PEACHTREE ST	PIERCE, LANCE	PIERCE, LANCE E	59.38
00023-365-O	8927 AUSTIN CT	POINDEXTER, WILLIAM	POINDEXTER, WILLIAM E & B M	174.85
00034-206-O	10839 CORA DR	POWERS, SEAN	WHITE, LAURENCE E	75.34
00940-057-O	5116 BRONSON BL	PRESSLEY, DAVID	PRESSLEY, DAVID	167.07
00025-155-O	4811 NASH AVE	PREUSSEL, JAMES	PREUSSEL, JAMES B	281.99
00027-035-O	1110 SOUTH SHORE DR	RAAB, CAROLYN	RAAB SR, DONALD L & CAROLYN	445.85
02200-091-O	205 RUTH ST	RAIFSNIDER, NICOLE	BENJAMIN, M M	163.59
05400-037-O	8526 NEWHOUSE ST	REAL PROPERTY MANAGEMENT	NEWHOUSE DUPLEX LLC	26.86
22222-222-Z	8094 LAND O LAKES DR	REMUND, KATRINA	REMUND, KATRINA	51.08
09540-002-A	3930 HAYES ST	RICHARDS, RANDY L.	RICHARDS, RANDY L	182.75

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
03700-080-O	5908 MONTICELLO AVE	RICHTER, CHARLES	RICHTER, CHARLES W	145.29
05160-034-O	2024 WOODBINE AVE	RICHTER, TARA	CHICKS HOMES, LLC	100.00
02561-104-O	1913 BENDER RD	RICKSTAD, BRANDON	DOWNS, MORGAN	487.27
08880-055-O	1308 LAKEVIEW DR	RIDENOUR, CHRISTINA	MCCOY, THOMAS M	55.23
03861-024-O	622 CLIFFWOOD AVE	ROBINSON, ANDREW & JENNIFER	COOK, DANIEL & SARAH E	441.94
04501-210-O	5632 CHESHIRE ST	ROBINSON, PAMELA	PACE, NATHANAEAL	186.12
08220-026-O	5336 PLATEAU ST	ROLAN II, SIMON	ROLAN, VICTORIA	278.98
08220-007-O	5348 WISTERIA ST	ROSS, WILLIE J.	TOI ROSS, KANDEISS	7.92
01900-025-O	218 AMOS AVE	ROUSH, RUSSELL	ROUSH, RUSSELL J & J K	347.23
02140-015-O	9240 PORTAGE RD	SALTERS, KURTIS & KANGAS, JUDY	KANGAS, JUDY A	59.84
08220-066-O	227 ANDY AVE	SANDERS, WILLIAM	GARCIA, RAUL	184.00
07740-001-O	5011 STONEHENGE DR	SCHAUER, ROBERT T.	SCHAUER, ROBERT T	181.92
00490-016-O	7199 VENICE DR	SCHILLING, WM	SCHILLING, WILLIAM & KARIN	166.27
08040-045-O	3405 WOODHAMS AVE	SCOTT, STEVEN	SCOTT, STEVEN T	96.50
00009-186-O	6780 S WESTNEDGE AVE	SEARS ROEBUCK & CO-UNIT 1110 - PFTF PORTAGE MI, LLC		3,332.16
01610-005-O	129 BOSTON AVE	SHARMA, JAY	SHARMA, JAYESH C & NEHA J	43.42
01900-034-O	412 AMOS AVE	SHARPE, CAROLYN	MIHELICH, DAVID C	96.96
00016-560-O	323 SCHURING RD	SLAGER, PAUL	SLAGER, PAUL R & DAWN M	16.07
01723-185-O	1509 EDINGTON ST	SMITH, RACHAEL	NEWNUM, TIM J	59.87
02561-145-A	2012 INDIAN RD	SMITH, SCOTT B	SMITH, SCOTT B & A J F	218.76
09064-007-O	410 W VAN HOESEN BL	SMITH, STEVEN	FETT, KATHLEEN A	180.47
07800-023-O	7180 MARFIELD ST	SPANGLER, ZACK	HARRIS, KIMBERLY	48.70
06480-017-O	2118 RAMONA AVE	SPRAU, JAMES	SPRAU, JAMES E JR	445.85
00026-015-O	1671 SOUTH SHORE DR	STAPNOWSKI, JULIE	STAPNOWSKI, JULIE	71.11
00018-084-B	4591 ROMENCE RD	STEENSTRA, MARIJO	STEENSTRA, MARIJO	447.44
04020-050-O	1504 ROMENCE RD	STEVENS, ANDREW	STEVENS, ANDREW	29.02
06540-022-O	1815 GREENVIEW AVE	STEWART, MICHAEL	BLUEGRASS DEVELOPMENT LLC	59.04
04183-051-O	1131 LUDINGTON AVE	STRADT, MARTIN	STRADT, MARTIN & KRISTEN	19.12
00018-570-O	3734 TARTAN CIRCLE	SUN, WENFANG	SUN, WENFANG & HUANG, LEI & J	241.43
07622-124-O	6144 PEACHTREE ST	TAFT, GREGORY	FLAKE, ANDRE	10.94
02920-027-O	5125 GROSSE POINTE ST	TASKEY, ROGER/PAM	GRAY, DARCY M	101.30
01241-038-O	1021 ORCHARD DR	THRASHER, CONNIE	THRASHER, CONNIE J	413.09
00760-002-O	3620 W MILHAM AVE	TILAL, MOHAMMED	TISBY, JIMMIE M & SHARESE L	312.25
09540-006-A	3905 HAYES ST	ULLREY, RANDI	VANLOON, NATHAN D	138.77
07020-001-O	5012 WOODMONT DR	VAN HORN, MICHELLE	BUCHANAN, MICHELLE	508.63
00032-545-O	10542 OAKLAND DR	VANBENNEKOM, GREGORY/MARLA M	VANBENNEKOM, GREG W & M M	38.65
04200-283-O	7626 GARDEN LN	VANDEWOESTYNE, KRISTI	WEBSTER, JOANN H	59.30
09057-043-O	5924 NEVADA AVE	VANFULPEN, THOMAS G & P A	VANFULPEN, THOMAS G & P A	445.85
09057-013-O	5927 UTAH AVE	VERMEULEN, CHRISTIAN	GREER, TODD N	300.97
00010-025-O	6328 LOVERS LN	VLIEK, WYATT	GREENWAI, LLC	217.69
22222-222-Z	5231 E Q AVE	WAGNER, ASHLEY	MORALES, CRISTINA	318.84

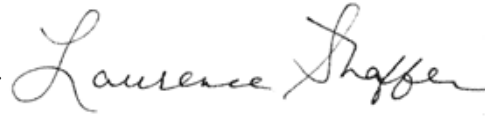
Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
08820-064-O	1725 PROSPERITY DR	WARNER, ANDREA	WARNER, ANDREA E	24.14
09482-053-O	1834 SCHURING RD	WATKINS, SCOTT	MCCOY, JUSTIN M & KATIE L	59.33
05220-001-O	124 SCHURING RD	WATSON,DENISE	DICKERMAN VENTURES, LLC	235.36
03700-108-A	5813 MT VERNON AVE	WEBB, MAUREEN	TRIGUBO, MOIRA	170.14
01241-036-O	8343 TRANQUIL ST	WENTZEL, CINDY	WENTZEL, CINDY K	356.05
01900-040-O	417 AMOS AVE	WILLIAMS, KEN	WILLIAMS, KENNETH A	128.06
06540-070-O	1803 FESCUE ST	WILLMS, KATHERINE	BGP, LLC	298.54
00016-675-O	806 W CENTRE AVE	WILSON, KIMBERLY	HUNTINGTON NATIONAL BANK	159.12
02561-144-O	2020 INDIAN RD	WINEKA, MEGHAN	KHABEIRY, NILE & WINEKA, M ME	79.13
00340-126-O	8414 PORTAGE RD	WOJCIECHOWSKI, DAVID & SUE	RIDER, RYAN	739.16
00700-018-O	4618 DEEP POINT DR	WYMAN, MATTHEW	4618 DEEP POINT DR. LLC	38.27
02920-009-O	5226 GROSSE POINTE ST	ZIPPLE-MORRISON, KARL & DANIELLE	ZIPPLE- MORRISON KARL AND D/	500.84
Total Accounts 214			Total:	\$46,776.10

Report Generated: 6/11/2019 12:01 PM

Report Options: All Accounts

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: William Furry, Finance Director

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

Attachments: 1. May 2019 Financial Report

06/03/2019

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 05/31/2019

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
REVENUES					
	Totals for dept 0000 -	23,254,733	23,254,733	22,400,728	96%
	Totals for dept 1501 - District Court	70,000	70,000	70,000	100%
	Totals for dept 1720 - City Manager	500	500	500	100%
	Totals for dept 2053 - Finance Treasury	1,000	1,000	1,139	114%
	Totals for dept 2110 - Technology Services	0	0	5,000	0%
	Totals for dept 2415 - City Clerk	64,400	64,400	112,327	174%
	Totals for dept 2491 - City Clerk Elections	25,000	25,000	0	0%
	Totals for dept 2865 - Parks Maintenance	1,000	1,000	5,693	569%
	Totals for dept 2876 - Cemeteries	55,000	55,000	49,925	91%
	Totals for dept 2877 - Parks & Rec - Parks	66,000	66,000	34,940	53%
	Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom	0	0	0	0%
	Totals for dept 2882 - Parks & Rec - Team Sports	132,510	132,510	107,879	81%
	Totals for dept 2885 - Parks & Rec - Programs	18,300	18,300	20,785	114%
	Totals for dept 2886 - Parks & Rec - Ramona Park	53,300	53,300	37,158	70%
	Totals for dept 2887 - Parks & Rec - Special Events	61,200	61,200	36,520	60%
	Totals for dept 2888 - Parks & Rec - Millenium Park	49,500	49,500	48,843	99%
	Totals for dept 3005 - Police Administration	155,700	161,195	196,971	122%
	Totals for dept 3010 - Police Patrol	1,000	1,000	5,920	592%
	Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	9,279	103%
	Totals for dept 3030 - Police Public Safety Dispatch/ts	31,000	31,000	50,196	162%
	Totals for dept 3035 - Police 911 Cmrs PSAP	40,000	40,000	57,150	143%
	Totals for dept 3050 - Police Drug Law Enforcement	1,000	1,000	0	0%
	Totals for dept 3310 - Fire Admin	1,250	1,250	14	1%
	Totals for dept 3340 - Fire Prevention	900	900	885	98%
	Totals for dept 3710 - Comm Dev Building Services	750,000	750,000	666,097	89%
	Totals for dept 3720 - Comm Dev Planning & Development	50,050	50,050	61,097	122%
	Totals for dept 3730 - Comm Dev Neighborhood Services	193,000	193,000	190,858	99%
	Totals for dept 6720 - Senior Center	157,700	165,900	127,922	77%
	Totals for dept 6721 - Senior Center Trips	300,000	324,000	323,591	100%
	Totals for dept 6722 - Senior Center Activities	15,000	15,000	9,408	63%
	Totals for dept 6725 - Aging Mastery Program	1,500	1,500	920	61%
TOTAL REVENUES - GENERAL FUND		25,559,543	25,597,238	24,631,745	96%

06/03/2019

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 05/31/2019

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
EXPENDITURES					
	Totals for dept 1001-City Council	117,300	117,300	72,654	62%
	Totals for dept 1085-City Council-Human Services	164,687	164,687	113,103	69%
	Totals for dept 1501-District Court	63,000	63,000	56,098	89%
	Totals for dept 1720-City Manager	673,471	687,893	531,193	77%
	Totals for dept 2001-Finance Accounting	438,790	438,790	356,921	81%
	Totals for dept 2002-Finance & Budget	295,119	295,119	229,816	78%
	Totals for dept 2053-Finance Treasury	146,176	146,176	118,291	81%
	Totals for dept 2110-MIS	847,043	857,038	794,592	93%
	Totals for dept 2133-MIS Public Information	54,212	54,212	49,734	92%
	Totals for dept 2209-Assessor	467,381	467,381	340,788	73%
	Totals for dept 2247-Assessor Board Of Review	35,135	35,135	23,529	67%
	Totals for dept 2310-Attorney	226,728	226,728	207,614	92%
	Totals for dept 2415-City Clerk	168,291	162,791	126,388	78%
	Totals for dept 2416-City Clerk Records Management	67,302	67,302	54,612	81%
	Totals for dept 2491-City Clerk Elections	192,819	198,319	173,236	87%
	Totals for dept 2610-Human Resources	459,857	459,857	345,270	75%
	Totals for dept 2733-Purchasing	82,523	82,523	70,383	85%
	Totals for dept 2734-Purchasing Risk Management	28,243	28,243	16,600	59%
	Totals for dept 2865-Parks Maintenance	1,246,521	1,255,521	984,917	78%
	Totals for dept 2876-Cemeteries	65,819	65,819	52,588	80%
	Totals for dept 2877-Parks & Rec - Parks	645,690	638,650	517,300	81%
	Totals for dept 2878-Parks & Rec - Kalamazoo In Bloom	8,000	8,000	8,000	100%
	Totals for dept 2880-Parks & Rec Rec - Admin	184,711	187,641	155,942	83%
	Totals for dept 2882-Parks & Rec Rec - Team Sports	57,500	57,000	36,774	65%
	Totals for dept 2885-Parks & Rec - Programs	18,850	25,440	23,319	92%
	Totals for dept 2886-Parks & Rec Rec - Ramona Park	97,062	94,462	59,641	63%
	Totals for dept 2887-Parks & Rec Rec - Special Events	102,200	107,250	90,183	84%
	Totals for dept 2888-Parks & Rec - Ice Rink	93,302	88,872	87,493	98%
	Totals for dept 3005-Police Administration	856,415	861,910	722,375	84%
	Totals for dept 3006-Police Youth Services	494,984	494,984	418,211	84%
	Totals for dept 3007-Police Investigation	692,955	692,955	558,353	81%
	Totals for dept 3010-Police Patrol	5,312,798	5,226,798	4,403,608	84%
	Totals for dept 3020-Police Training	196,900	209,900	187,409	89%
	Totals for dept 3021-Police Training-Grant Funded	9,000	9,000	9,000	100%
	Totals for dept 3030-Police Public Safety Dispatch/ts	960,377	960,377	675,565	70%
	Totals for dept 3031-Police Emergency Sirens	18,676	18,676	0	0%
	Totals for dept 3035-Police 911 Cmrs PSAP	205,188	205,188	72,702	35%

06/03/2019

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 05/31/2019

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
	Totals for dept 3040-Police Records & PST	473,237	546,237	480,188	88%
	Totals for dept 3050-Police Drug Law Enforcement	315,214	315,214	293,228	93%
	Totals for dept 3065-Police Facility Management	114,800	114,800	75,717	66%
	Totals for dept 3090-Police KCCDA support	756,793	756,793	756,793	100%
	Totals for dept 3310-Fire Admin	669,034	669,034	540,157	81%
	Totals for dept 3320-Fire Operations	4,099,141	4,099,141	3,426,163	84%
	Totals for dept 3330-Fire On Call Firefighters	95,850	95,850	61,594	64%
	Totals for dept 3331-Fire Emergency Operations	4,700	4,700	1,746	37%
	Totals for dept 3340-Fire Prevention	139,383	139,383	109,453	79%
	Totals for dept 3350-Fire Training	189,413	189,413	130,534	69%
	Totals for dept 3365-Fire Facility Management	95,150	95,150	40,537	43%
	Totals for dept 3710-Comm Dev Building Services	532,215	532,215	475,395	89%
	Totals for dept 3720-Comm Dev Planning & Development	314,151	314,151	254,906	81%
	Totals for dept 3730-Comm Dev Neighborhood Services	228,481	228,481	185,867	81%
	Totals for dept 3765-Comm Dev Building Maintenance	218,611	221,531	182,930	83%
	Totals for dept 4210-General Public Services	477,492	477,492	485,136	102%
	Totals for dept 6720-Senior Center	346,415	355,099	283,379	80%
	Totals for dept 6721-Senior Center Trips	310,874	334,874	321,911	96%
	Totals for dept 6725-Aging Mastery Program	1,500	1,500	185	0%
	Totals for dept 6740-Fundraising	0	75,000	78,225	0%
	Totals for dept 9610-Transfers Out	1,286,338	1,286,338	1,286,338	100%
	TOTAL EXPENDITURES - GENERAL FUND	26,463,817	26,613,333	22,214,584	83%
202	Major Street Fund - Revenues	4,169,800	4,825,778	3,850,261	80%
	Major Street Fund - Expenditures	4,223,030	4,999,535	3,331,644	67%
203	Local Streets Fund - Revenues	1,486,120	1,486,120	1,186,480	80%
	Local Streets Fund - Expenditures	1,480,456	1,480,456	1,069,065	72%
204	Municipal Streets Fund - Revenues	1,484,610	1,547,730	1,539,957	99%
	Municipal Streets Fund - Expenditures	1,640,000	1,703,120	1,515,000	89%
223	Curbside Recycling - Revenues	680,100	680,100	707,383	104%
	Curbside Recycling - Expenditures	688,081	688,081	542,290	79%
226	Leaf Pickup/Spring Cleanup - Revenues	744,000	744,000	774,200	104%
	Leaf Pickup/Spring Cleanup - Expenditures	837,813	837,813	564,879	67%

06/03/2019

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 05/31/2019

FUND	DESCRIPTION	ORIGINAL BUDGET	2018-19 AMENDED BUDGET	2018-19 ACTIVITY	Percent of Amended Collected/Used
230	CDBG Program Income Fund - Revenues	125,000	125,000	113,421	91%
	CDBG Program Income Fund - Expenditures	125,000	125,000	61,824	49%
252	West Lake Weed Mgmt - Revenues	32,120	32,120	19,697	61%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	6,250	19%
296	Community Development Block Grant - Rev	210,000	214,000	71,129	33%
	Community Development Block Grant - Exp	210,000	214,000	177,369	83%
298	Cable Television Fund - Revenues	836,000	836,000	605,655	72%
	Cable Television Fund - Expenditures	867,709	867,709	642,276	74%
400	Capital Improvement General - Revenues*	18,578,000	26,734,620	13,519,313	51%
	Capital Improvement General - Expenditures*	18,578,000	31,975,963	10,662,914	33%
490	Capital Improvement Sewer - Revenues*	1,020,000	4,881,837	851,837	17%
	Capital Improvement Sewer - Expenditures*	1,020,000	2,687,531	105,635	4%
491	Capital Improvement Water - Revenues*	1,325,000	6,213,775	0	0%
	Capital Improvement Water - Expenditures*	1,325,000	7,310,808	666,440	9%
590	Sewer Fund - Revenues	9,012,000	9,262,000	9,112,155	98%
	Sewer Fund - Expenditures	7,149,273	7,399,273	6,498,513	88%
591	Water Fund - Revenues	6,719,300	6,719,300	6,915,772	103%
	Water Fund - Expenditures	5,588,159	5,588,159	4,977,823	89%
TOTAL REVENUES - ALL FUNDS **		71,981,593	89,899,618	63,899,005	71%
TOTAL EXPENDITURE - ALL FUNDS **		70,228,458	92,522,901	53,036,506	57%

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

** Debt Service and Internal Service Funds not included.

Mark T. Bielang
Superintendent
8107 Mustang Drive,
Portage, MI 49002
Phone: 269.323.5147
Fax: 269.323.5149
mbielang@portageps.org

June 18, 2019

Mr. Laurence Shaffer
Portage City Manager
7900 S. Westnedge Avenue
Portage, MI 49024

Re: June 25, 2019 City Council Meeting

Dear Larry:

Larry, Randy Van Antwerp and I would like a few minutes on the June 25th City Council agenda to invite you and council members to an informal event with school board members to hear from Quint Studer. Quint is the author of several publications including *Building A Vibrant Community*, which we would like to present to council members.

Quint will be our keynote speaker for our opening day activities on Tuesday, August 27, 2019. He has graciously offered to meet with board and council members on the evening of Monday, August 26 to talk about his work around building vibrant communities. We are also thinking about including a few other local individuals who might be interested in this topic. In any case, the list will be fairly small to allow for an intimate environment.

Details will be forthcoming but Randy and I would ask that you save the date for this wonderful opportunity.

Sincerely,


Mark T. Bielang
Superintendent

cc: Randy Van Antwerp, PPS Board President

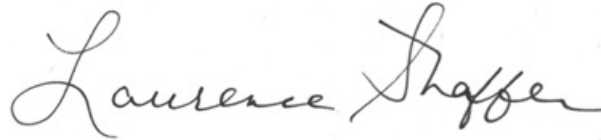
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JUN 21 2019

CITY MANAGER'S OFFICE
PORTAGE, MI

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



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

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, adopt Ordinance Amendment #18/19-A, Sign Amendments.

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

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

- The Intent, Purpose and Definitions sections were updated. Content-based sign definitions primarily relating to the following temporary signs were removed: construction sign, development sign, household goods sign, identification sign, election campaign sign, public event sign and real estate sign. In addition, three new definitions were added: flag, government sign, and property owner.
- Consistent with the revisions to sign definitions, the section related to temporary signs has been deleted and a new, expanded section has been added. The following summarizes the new language:
 - Single-family residential uses are allowed a total of six (6) square feet of sign area at any time with no permit required.
 - Non-single family residential uses are allowed one temporary sign up to 40 square feet in area for up to four display periods, but not to exceed a total of 30 days in any calendar year. Note: this regulation is consistent with temporary signs permitted concurrent with Business Special Events.
 - All zoning lots, regardless of use, are permitted up to 40 square feet of temporary signage, 30 days before and 5 days after an election with no permit required. The ordinance related to election signs limited the size to no more than six (6) square

feet and did not specify a time period before the election date. The prior ordinance section required removal 10 days after the election.

- During the sale or lease of property, zoning lots occupied by a single-family residential use are permitted one six-square-foot sign. For a non-residential use, one 40-square-foot sign is permitted. Signs must be removed within 15 days following the date of sale. No permit is required.
- A new section related to flags has been added and permits one non-governmental flag on either a freestanding pole or on a building in all zoning districts, whereas the current ordinance permits only a "corporate flag" in an industrial zoning district. In addition, the ordinance now differentiates between official governmental flags (which are not regulated) and the other flags noted above.
- Ordinance language related to sign content in various zoning districts has been deleted.

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

- Interior signs must comply with illumination and movement requirements in an effort to minimize glare and prevent distractions to vehicles. This revision is primarily in response to requests for electronic message displays on the interior of a window with full movement and video displays.
- The definition to *Obsolete or abandoned sign* has been revised to include signs that are deteriorated or hazardous.
- The section regarding signs identifying single-family residential developments (Section 42-545.D) has been modified so the size and height of signs is consistent with other signs permitted in the district.

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

It is therefore recommended that City Council accept public comment and subsequent to the public hearing, adopt Ordinance Amendment #18/19-A, Sign Amendments.

FUNDING: Not applicable

Attachments:

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

3. Department of Community Development staff report dated April 26, 2019
(including Ordinance Amendment - highlight-strike and clean versions)
4. Current Zoning Ordinance Sign Regulations
5. Notice of Adoption - Sign Ordinance

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: May 9, 2019
SUBJECT: Ordinance Amendment #18/19-A, Sign Regulations

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

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

Sincerely,



Wayne Stoffer
Chairman

T:\COMMDEV\2018-2019 Department Files\Memos\City Council\2019 05 09 MCC Ord Amend #18-19-A, Sign regs (PC).docx



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

7:35 p.m. - The Commission took a short recess.

7:49 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 1

NEW BUSINESS:

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

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

ADJOURNMENT:

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

Respectfully submitted,

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

PLANNING COMMISSION

April 18, 2019

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

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

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

APPROVAL OF MINUTES:

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

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

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

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

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

PLANNING COMMISSION

May 2, 2019

 **DRAFT**

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

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

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

APPROVAL OF MINUTES:

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

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

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

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

 **DRAFT**

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

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

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

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

TO: Planning Commission**DATE:** April 26, 2019**FROM:** Vicki Georgeau, ^{jk}Director of Community Development**SUBJECT:** Final Report, Ordinance Amendment 18/19-A, Sign Amendments

I. INTRODUCTION

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

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

The proposed amendments are summarized below.

II. PROPOSED AMENDMENTS

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

- Section 42-540.A-E: Intent and Purpose. Sections A through E were rewritten combining the existing provisions into one section that is more succinct and consistent with the *Reed v Town of Gilbert* decision.
- Section 42-541 - Definitions

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

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

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

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

- Section 42-542 – Signs not permitted

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

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

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

- Section 42-543. – Signs permitted

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

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

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

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

D. The prior section related to temporary signs has been deleted and a new/expanded section added. The following summarizes the new language.

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

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

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

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

- Section 42-546. – RM-1 and RM-2 districts.

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

- Section 42-547. – MHC district.

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

- Section 42-548. – PD, planned development district.
 - G. The phrase “...indicating the name of the occupant.” has been deleted since it refers to content.
 - H. This section was revised to remove reference to content and correct a typographical error.
- Section 42-549. – P-1, parking district.
 - A. The phrase “...designating conditions of use.” has been deleted since it refers to content.
 - B. Entrance and exit has been deleted and replaced with directional.
- Section 42-553. – I-1, light industrial and I-2, heavy industrial districts.
 - A.1. The phrase “...to identify the park and facilities therein...” has been deleted since it refers to content.
 - D. The section permitting corporate flags has been deleted. Corporate flags are proposed to permitted on any zoning lot per section 42-543.C.
- Section 42-554. – CCA, city centre area - mixed use floating district.
 - A. The phrase “...to identify the CCA development project” has been deleted since it refers to content.
 - C.1. The phrase “...the name of facility and...” and “...to advise current or future events” has been deleted since these two phrases refer to content.

III. RECOMMENDATION

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

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

HIGHLIGHT AND STRIKE VERSION

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

THE CIT OF PORTAGE ORDAINS:

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

Sec. 42-540. - Intent and purpose.

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

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

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

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

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

- ~~1. Signs should be able to reasonably convey their message;~~
- ~~2. Users of property should have reasonable freedom to determine the placement, construction, size, and design of signs as well as the location of buildings; and~~
- ~~3. Sign needs may vary based on particular circumstances.~~

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

- ~~1. Prevent or limit traffic or pedestrian accidents, injuries, deaths, and property damages resulting from obstructed vision, distraction or confusion to the public or to emergency safety personnel;~~
- ~~2. Minimize the risk of damage and injuries from signs that are dilapidated, wind blown, electric shock hazards, etc.;~~
- ~~3. Achieve some uniformity in the size, number and placement of signs;~~
- ~~4. Enhance the aesthetics of the community;~~
- ~~5. Prevent blight;~~
- ~~6. Encourage equality among business and property, and;~~
- ~~7. Otherwise protect the public health, safety, peace and general welfare.~~

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

Sec. 42-541. - Definitions.

A. Sign .

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

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

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

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

1-2 No change

3. ~~Banner: A sign made of cloth or a similar flexible material bearing a name, design, motto or other form of advertisement, identification or information that is secured to the support structure on all corners and/or sides. A flag, pennant or standard may be considered a "banner" provided it meets the definition of banner. Any cloth, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on all corners and/or sides. Banners do not include flags.~~
4. ~~Construction sign: A temporary sign naming the builder/contractor during active construction.~~
5. ~~Development sign: A temporary sign naming a developer, contractor or subcontractor, engineer, architect, broker or financial institution involved in development of property or a building.~~
64. Directional sign: A sign that serves only to designate the location or direction of directs vehicular and pedestrian traffic to any place, area, or activity.
5. Flag: Any sign printed or painted on cloth, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff affixed to the ground or a building and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.
76. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.
7. Government Sign. A temporary or permanent sign erected by or on the order of the public official or quasi-public entity at the federal, state or local level in the performance of any duty including but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government action, proposed changes of land use, any proposed rezoning, or any other government speech.
8. ~~Household goods sign: A temporary sign for the advertising of household goods or produce.~~

- ~~9. Identification sign: A sign that identifies the business, owner or resident.~~
- ~~10-8.~~ Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.
- ~~11-9.~~ Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.
- ~~12-10.~~ Obsolete sign ~~and or~~ abandoned sign: A sign that no longer advertises a bona fide business, owner, product, person or activity. A sign on a zoning lot with an unoccupied building; a wall sign on a vacant unoccupied building; or, a deteriorated or hazardous sign; or sign that is not adequately maintained, repaired, or removed within the specified time as ordered by this article.
- ~~11.~~ Property owner: The record owner of a zoning lot as well as the lessee of that part of a zoning lot the lessee holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessees of a zoning lot, then each lessee is a property owner as to the zoning lot the lessee leases and has the sole right to occupy.
- ~~13.~~ Election campaign sign: A sign related to a candidate for political office or an issue to be determined at an official federal, state, county, school or municipal election.
- ~~14-12.~~ Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.
- ~~15.~~ Public event sign: A temporary sign advertising or identifying a noncommercial public service event of community wide interest.
- ~~16.~~ Real estate sign: A sign pertaining to the sale, lease or rental of land or a building.
- ~~17-13.~~ Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure.
- ~~18-14.~~ Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awning and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.
- ~~19-15.~~ Electronic message display-. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):
- a. Frame-. A complete, static display screen on an electronic message display.
 - b. Frame effect-. A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.
 - c. Transition-. A visual effect used on an electronic message display to change from one message to another.

Sec. 42-542. - General requirements.

A – C No Change

D. Signs not permitted.

1 – 2. No change

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

4 – 5. No change.

E – H. No Change.

I. Electronic or mechanical sign elements.

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

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

b – g. No change

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

a. No change.

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

c - f. No change

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

- h. Notwithstanding subsection 42-542.1.2.g., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.L-G, said sign shall be considered a conforming sign.

J. No Change.

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

A. *Directional signs.*

- ~~1. Directional signs required for the purpose of orientation, when established by the city, county, state or federal government, are permitted in all districts.~~
- ~~2. Directional or orientation signs, or signs otherwise required by state law or local ordinances, are permitted in conjunction with all developments, provided, however, that each permitted sign shall not exceed four square feet in area per side.~~

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

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

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

- ~~1. One real estate sign is permitted per premises or building, when located on the same premises or building, while such real estate is actually on the market for sale, rent or lease and for 30 days after such sale, rent or lease.~~
- ~~2. In one-family residential districts, a real estate sign shall not exceed six square feet in area per side. However, a sign advertising real estate in a subdivision for sale, rent or lease shall not exceed 64 square feet in area per side and shall be permitted for a period of not more than two years. 3. For all other zoning districts, one real estate sign is permitted per premises or building, not to exceed 64 square feet in area per side.~~
- ~~4. Real estate signs shall not require a permit.~~

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

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

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

~~F.—Public event signs.~~

- ~~1.—One temporary public event sign is permitted per zoning lot for the advertising of a noncommercial public service event.~~
- ~~2.—Such temporary sign shall not be erected more than seven days before the public service event takes place and shall be removed not more than two days after the public service event is completed.~~
- ~~3.—For a zoning lot with frontage on more than one street, one temporary sign is permitted for each street frontage.~~
- ~~4.—For each zoning lot that exceeds two acres in area, an additional temporary sign is permitted for each full two acres.~~
- ~~5.—The total square footage for a single sign shall not exceed 64 square feet in area per side.~~
- ~~6.—Public event signs shall be setback ten feet from the property line.~~
- ~~7.—An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I.~~
- ~~8.—A permit is not required for public event signs six square feet in area or less.~~

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

- ~~1.—The banner shall be not larger than 20 square feet in area per side.~~
- ~~2.—The banner shall be not higher than 24 feet or lower than 16 feet.~~
- ~~3.—The banner is permitted for a maximum of 60 days in any calendar year.~~
- ~~4.—The parks and recreation department approve the banner.~~
- ~~5.—Applicable city banner fees prescribed by the council are paid.~~

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

- ~~1.—One temporary sign shall be permitted per use.~~
- ~~2.—The temporary sign shall not exceed 40 square feet in area per side.~~
- ~~3.—The sign must be at least ten feet from any property line.~~
- ~~4.—Flashing and/or animated signs are not permitted, except that EMD sign displays may be utilized provided such signs comply with the provisions of section 42-542I. When exposed bulbs are used, such bulbs shall be frosted or screened and not exceed 40 watts.~~
- ~~5.—Flags, strings of flags, streamers, banners, pennants, balloons or other gas-filled figures may be used in lieu of, or in conjunction with, the sign so long as the maximum permitted square footage for the sign has not been exceeded.~~
- ~~6.—The height of the sign shall not exceed the height requirement for freestanding accessory signs in the district in which it is located.~~

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

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

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

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

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

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

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

c. No permit is required for this signage.

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

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

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

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

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

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

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

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

Sec. 42-544. - Nonconforming signs.

A. No change

B. No nonconforming sign shall:

1. No change

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

3 – 5. No change.

C – E. No change

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

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

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

B – C. No change.

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

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

2. No change.

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

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

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

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

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

B. No change.

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

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

D - E. No change

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

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

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

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

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

In the PD planned development district:

A. - F. No change

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

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

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

In a P-1 vehicular parking district:

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

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

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

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

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

A. Industrial parks.

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

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

2 - 3. No change

B - C. No change

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

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

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

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

1. Does not exceed 32 square feet in area per side;
2. Is at least five feet from any property line; and
3. Does not exceed 15 feet in height.

B. No change

C. Marquee signs.

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

2. No change

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

THE CITY OF PORTAGE ORDAINS:

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

Subdivision 2. - Signs

Sec. 42-540. - Intent and purpose.

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

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

Sec. 42-541. - Definitions.

A. *Sign.*

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

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

- 1 – 2. No change
3. Banner: Any cloth, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on all corners and/or sides. Banners do not include flags.
4. Directional sign: A sign that directs vehicular and pedestrian traffic to any place, area, or activity.
5. Flag: Any sign printed or painted on cloth, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff affixed to the ground or a building and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.
6. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.
7. Government Sign. A temporary or permanent sign erected by or on the order of the public official or quasi-public entity at the federal, state or local level in the performance of any duty including but not limited to, noncommercial signs

identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government action, proposed changes of land use, any proposed rezoning, or any other government speech.

8. Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.
9. Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.
10. Obsolete sign or abandoned sign: A sign on a zoning lot with an unoccupied building; a wall sign on a vacant unoccupied building; or, a deteriorated or hazardous sign; or sign that is not adequately maintained, repaired, or removed within the specified time as ordered by this article.
11. Property owner: The record owner of a zoning lot as well as the lessee of that part of a zoning lot the lessee holds a right to use exclusive of others (or the sole right to occupy). If there are multiple lessees of a zoning lot, then each lessee is a property owner as to the zoning lot the lessee leases and has the sole right to occupy.
12. Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.
13. Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure.
14. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awning and/or canopy signs are considered wall signs for the purposes of calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.
15. *Electronic message display*. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):
 - a. *Frame*. A complete, static display screen on an electronic message display.
 - b. *Frame effect*. A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.
 - c. *Transition*. A visual effect used on an electronic message display to change from one message to another.

Sec. 42-542. - General requirements.

A – C No change

D. Signs not permitted.

1 – 2. No change

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

4 – 5. No change.

E – H. No Change.

I. Electronic or mechanical sign elements.

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

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

b - g. No change

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

a. No change.

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

second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.

c – f. No change

- g. When a zoning lot or use other than a dwelling unit incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in subsection 42-542I.1., a "copy board" as set forth in subsection 42-543(I) shall not be permitted on the sign that incorporates an EMD.
- h. Notwithstanding subsection 42-542I.2.G., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.I., said sign shall be considered a conforming sign.

J. No change.

Sec. 42-543. - Signs permitted.

- A. *Directional signs.* Directional signs are permitted in conjunction with all nonresidential and multifamily uses, provided that the location of the sign does not cause a traffic vision obstruction, and that the face of each permitted sign shall not exceed six square feet in area per side. No permit is required for a directional sign.
- B. *Government signs.* Signs erected, maintained or posted by the State, federal or local government are allowed in every zoning district.
- C. *Flags.* Flags may be displayed without a permit as follows:
 - 1. A flag of the United States, a state, a foreign nation, or a local government that is adopted or sanctioned by law as the official flag of that governmental body may be displayed on all zoning lots.
 - 2. Either one flag not exceeding 24 square feet in area attached to a pole affixed to the ground, or one flag not exceeding 15 square feet in area attached to a pole affixed to a building, but not both, may be displayed on all zoning lots. For a zoning lot with frontage on more than one street, one additional flag is permitted for the other street frontage.
 - 3. No flag on any zoning lot shall be located in the right of way of any street.
- D. *Temporary signs:* The following temporary signs may be displayed:
 - 1. Zoning lots with a principal single-family residential use are allowed temporary signs that total not more than six (6) square feet in area, provided the signs are maintained in good condition. No permit is required for this signage.
 - 2. Zoning lots with a principal use other than single-family residential are allowed one temporary sign with a sign face no larger 40 square feet for up to four display

periods not to exceed a total of 30 days in any calendar year. The sign shall be: (a) setback ten feet from the property line; and (b) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I. A permit is required for this signage for each display period.

3. On all zoning lots temporary signage with no more than 40 square feet of total sign area are allowed for a period of thirty (30) days prior to, and 5 days after, an election involving candidates for a federal, state or local office, or involving an issue on the ballot of an election. No permit is required for this signage.
 4. One temporary sign with a sign face no larger than six square feet for zoning lots with a principal single-family residential use, and one temporary sign with a sign area of no larger 40 square feet for zoning lots with a principal use other than single family residential, is permitted for a period ending 15 days following the date on which a contract of sale or a lease has been executed by a person purchasing or leasing a zoning lot, and when the following conditions are met:
 - a. the owner consents and that property is being offered for sale or lease through a licensed real estate agent;
 - b. if not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising of general circulation.
 - c. No permit is required for this signage.
 5. Decorations or other displays customarily and commonly associated with a national or religious holiday are permitted on all zoning lots. No permit is required.
- E. *Pedestrian oriented signs.* In addition to the temporary signs permitted above, each non-residential use is permitted one pedestrian oriented temporary sign not more than six square feet in area. Such sign shall be located within ten feet of the main customer entry for the business it serves, and may be displayed only when the use is open for business. In addition, the sign shall be located in a manner that does not obstruct or create a hazard for vehicular and pedestrian circulation on the property. No permit is required for temporary pedestrian oriented signs.
- F. *Banner Sign.* For each zoning lot, there is permitted one banner. For a zoning lot with frontage on more than one street, one banner is permitted for each street frontage. For each zoning lot that exceeds two acres in area, an additional banner is permitted for each two acres. All banners shall be subject to the following conditions:
1. The banner shall not: (a) project or extend into the public right-of-way; or (b) extend over a public sidewalk.
 2. The banner shall not exceed 25 feet in height.
 3. The banner shall not be less than eight feet from the surface of the ground.

4. The banner shall not exceed 20 square feet in area per side.
5. The banner shall not be attached to the surface of any building, to any existing freestanding sign or to any vehicle, or be stretched between poles or trees.
6. The banner shall be kept clean, free from fading, decay and tears. The support structure and brackets shall be maintained in a structurally sound condition.
7. A permit is required for the initial installation of the banner and support structure and/or anchoring device. Banners may be subsequently changed without a permit provided there are no changes to the support structure and/or anchoring device, and all conditions of this section remain satisfied.

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

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

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

Sec. 42-544. - Nonconforming signs.

A. No change

B. No nonconforming sign shall:

1. No change

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

3 – 5. No change.

C – E. No change.

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

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

B – C. No change.

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

1. The size and height of the sign, shall be consistent with freestanding signs otherwise permitted in single-family zoning districts.
2. No change.
3. A provision which indemnifies the city from liability as a result of any personal damage or personal injury resulting from the sign.

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

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

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

B. No change.

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

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

D – E. No change

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

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

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

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

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

In the PD planned development district:

A – F. No change

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

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

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

In a P-1 vehicular parking district:

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

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

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

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

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

A. Industrial parks.

1. One freestanding or wall sign may be erected at each vehicular industrial park entrance, provided that such sign:
 - a. Does not exceed 32 square feet in area per side;
 - b. Is ten feet from any property line; and
 - c. Does not exceed 15 feet in height.

2 – 3. No change

B – C. No change

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

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

- A. One freestanding accessory sign per zoning lot may be erected at each vehicular entrance that provides access to an accessory off-street parking lot located in the side or rear yard, provided that such sign:
1. Does not exceed 32 square feet in area per side;
 2. Is at least five feet from any property line; and
 3. Does not exceed 15 feet in height.
- B. No change
- C. Marquee signs.
1. A marquee sign is only permitted in conjunction with a theater, cinema or performing arts facility and may include changeable copy or electronic message display.
 2. No change

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 6/13/2019

City Attorney

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Subdivision 2. - Signs

Sec. 42-540. - Intent and purpose.

- A. This section is intended to regulate the use, construction, reconstruction, placement and design of signs in order to protect the public health, safety, peace and general welfare. Specifically, this section seeks to establish reasonable regulations regarding the size, type of construction and manner of anchoring signs and to regulate the time, place and manner of their display.
- B. The regulations contained in this section involve a recognition that the individual user's right to convey a message must be balanced against the public's right to be free of signs which unreasonably compete, distract drivers and pedestrians, and produce confusion. In balancing the individual user's desire to attract attention with the citizens' right to be free of unreasonable distractions, it is recognized that sign regulations provide business with equal opportunity to attract the public. However, oversized, projecting or crowded signs can lead to pedestrian and driver confusion and distraction, and endanger the public health, safety and welfare.
- C. It is further recognized that:
 - 1. Signs should be able to reasonably convey their message;
 - 2. Users of property should have reasonable freedom to determine the placement, construction, size, and design of signs as well as the location of buildings; and
 - 3. Sign needs may vary based on particular circumstances.
- D. It is further recognized that regulations for signs, especially number, size and placement, are desirable in order to:
 - 1. Prevent or limit traffic or pedestrian accidents, injuries, deaths, and property damages resulting from obstructed vision, distraction or confusion to the public or to emergency safety personnel;
 - 2. Minimize the risk of damage and injuries from signs that are dilapidated, wind blown, electric shock hazards, etc.;
 - 3. Achieve some uniformity in the size, number and placement of signs;
 - 4. Enhance the aesthetics of the community;
 - 5. Prevent blight;
 - 6. Encourage equality among business and property, and;
 - 7. Otherwise protect the public health, safety, peace and general welfare.
- E. Further, it is recognized that special circumstances or events may create a need for temporary signs for a limited and reasonable period of time.

(Ord. No. 03-01 (Exh. A, § 42-620), 2-18-2003)

Sec. 42-541. - Definitions.

- A. *Sign* .
 - 1. A "sign" is defined as a name, identification, description, illustration or device, illuminated or nonilluminated, which is visible from any public place or is located on private property and exposed to the public and which identifies, depicts or otherwise advertises a product, service, place, activity, person, institution, business, or use including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designated to advertise, identify or convey information, with the exception of window displays and national, state and local government flags. The definition does not include: (a) Murals as defined in section 42-138B.; (b) Graphics, illustrations, architectural or landscape features used

solely for decorative purposes which do not display a business name, logo, or trademark and do not identify, depict or otherwise advertise a product, business or service. A sign as defined above includes the support structure, sign pole and/or anchoring device to which the sign is attached.

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

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

1. Accessory sign: An advertising sign relating in subject matter to the main or principal use of the premises.
2. Awning/canopy sign: Identification sign attached to a marquee, canopy or awning projecting from and supported by the building.
3. Banner: A sign made of cloth or a similar flexible material bearing a name, design, motto or other form of advertisement, identification or information that is secured to the support structure on all corners and/or sides. A flag, pennant or standard may be considered a "banner," provided that it meets the definition of banner.
4. Construction sign: A temporary sign naming the builder/contractor during active construction.
5. Development sign: A temporary sign naming a developer, contractor or subcontractor, engineer, architect, broker or financial institution involved in development of property or a building.
6. Directional sign: A sign that serves only to designate the location or direction of any place, area, or activity.
7. Freestanding sign: A sign erected on a freestanding frame, mast or pole and not attached to a building.
8. Household goods sign: A temporary sign for the advertising of household goods or produce.
9. Identification sign: A sign that identifies the business, owner or resident.
10. Nonaccessory sign: A sign which directs attention to a business or service offered or existing elsewhere than upon the same lot where the sign is displayed.
11. Nonconforming sign: A sign which lawfully occupied a building or land on the effective date of this article, that does not currently conform to the sign regulations of the district in which it is located.
12. Obsolete sign and abandoned sign: A sign that no longer advertises a bona fide business, owner, product, person or activity.
13. Election campaign sign: A sign related to a candidate for political office or an issue to be determined at an official federal, state, county, school or municipal election.
14. Projecting sign: A sign attached to a building wall that extends outward from the building wall or a sign suspended below an awning, canopy or marquee.
15. Public event sign: A temporary sign advertising or identifying a noncommercial public service event of community-wide interest.
16. Real estate sign: A sign pertaining to the sale, lease or rental of land or a building.
17. Temporary sign: Any sign that is not constructed or intended for long term use and is not permanently attached to a building or structure.
18. Wall sign: A sign attached directly to the exterior wall of a building extending not more than 18 inches from the wall, with the face of the sign running parallel to the plane of the building wall to which it is attached. Awing and/or canopy signs are considered wall signs for the purposes of

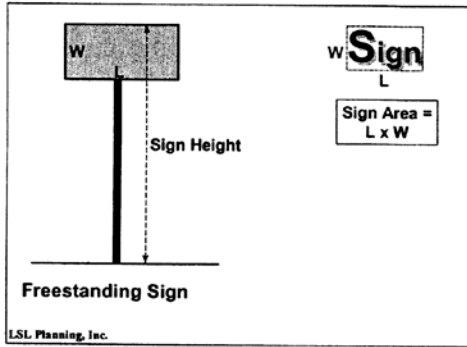
calculating the total area. Awning and/or canopy signs may project more than 18 inches from the wall to which they are attached.

19. *Electronic message display* . A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. The definitions below (a) through (c) are used in conjunction with an electronic message display ("EMD"):
 - a. *Frame* . A complete, static display screen on an electronic message display.
 - b. *Frame effect* . A visual effect on an electronic message display applied to a single frame to attract the attention of viewers.
 - c. *Transition* . A visual effect used on an electronic message display to change from one message to another.

(Ord. No. 03-01 (Exh. A, § 42-621), 2-18-2003; Amend. of 10-2-2007; Ord. No. 11-16, 8-23-2011; Ord. No. 14-02, 3-11-2014)

Sec. 42-542. - General requirements.

- A. Unless not required by this article, all signs shall be required to obtain a permit from the director of community development.
- B. Sign measurements.
 1. The entire area of one side of the sign face within a circle or four-sided polygon enclosing the extreme limits of writing, representation, emblem, or any figure of similar character. This area shall also include any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which the sign is placed.
 2. Separated sign elements, not part of any frame, or separated by other material or color forming an integral part of the display that may be used to differentiate such sign from the background against which it is placed, shall have each element of the sign calculated separately for the purposes of determining the total area. The signs elements shall not exceed the total sign display permitted by the district in which it is located.
 3. The height of a sign is measured from the adjacent street grade or upper surface of the nearest street curb other than an elevated roadway that permits the greatest height to the highest point of such sign.
 4. For the purpose of property line setbacks, the setback distance for a freestanding sign shall be measured from that portion of the sign closest to the property line.
 5. The sign areas for wall signs shall be determined by taking that portion of the front wall of the building applicable to each tenant space, and computing sign requirements for that portion of the total wall.



Sign Measurements Fig. 7

- C. All references to the term "lot width," "lot frontage" or "frontage" for the purposes of calculating allowable freestanding sign area shall require that width or frontage be on a public dedicated right-of-way and be measured at the front lot line, notwithstanding the definition and use of these terms in division 2 and division 3 of this article.
- D. Signs not permitted.
 - 1. A sign not expressly permitted by this article is prohibited.
 - 2. No person shall erect or maintain a sign which moves or which has moving or animated parts or images, whether the movement is caused by machinery, electronics, wind or otherwise, including swaying signs, except for an EMD as defined in section 42-541, Definitions, and as specified in section 42-542, General requirements.
 - 3. No person shall erect or maintain flags, strings of flags, streamers, pennants or balloons or other gas-filled figures, except as set forth in subsection 42-541(A)(2), Definitions, in subsection 42-542(F), Illumination and movement, and in subsection 42-543(H), Opening of new business, change of business, or going out of business sales.
 - 4. No person shall maintain a sign that in the opinion of the director threatens the health, safety or general welfare of the public by being: a) deteriorated or defective, b) constructed, or erected in an unsafe manner, or c) a hazard to vehicles or pedestrians.
 - 5. No person shall maintain an obsolete or abandoned sign for more than 30 days. The nonconforming status of any sign shall not be construed as eliminating or modifying this requirement.
- E. No sign, except those established and maintained by the city, county, state or federal government, shall be located in, project into or overhang a public right-of-way or a dedicated public easement.
- F. Illumination and movement.
 - 1. No person shall erect or maintain an illuminated sign where the light source:
 - a. Moves or varies in intensity and color;
 - b. Can shine directly into the eyes of an occupant of a vehicle traveling upon a highway, public or private street, driveway or parking area;
 - c. Can shine into any window of a residence within 200 feet;
 - d. Interferes with the visibility or readability of a traffic sign or device;
 - e. Does not comply with the applicable provisions set forth in Subdivision 4, Lighting Standards. (Section 42-590 through 42-597.)
 - 2. Restrictions on movement and illumination set forth in this section and in section 42-595, Prohibition of outdoor lighting, shall not prevent the following:

- a. The erection or maintenance of strings of lights from the day after Thanksgiving of each year until the following January 2.
 - b. EMD signs as defined in section 42-541, Definitions, and as specified in subsection 42-542(I), Electronic or mechanical sign elements.
- G. Lots without frontage.
 - 1. Any zoning lot not having frontage on a public dedicated right-of-way but which abuts a private street as defined in this subsection is permitted wall signs and one freestanding accessory sign. The permitted freestanding accessory sign shall be set back at least ten feet, as measured either from the back of the concrete curb or from the property line, whichever provides the greater setback.
 - 2. For purposes of this subsection a private street shall:
 - a. Have a minimum concrete or asphalt surface width of 22 feet;
 - b. Have a concrete curb and gutter;
 - c. Not be part of an off-street parking facility; and
 - d. Serve more than one zoning lot or principal use.
- H. Removal of hazardous signs. Any sign which, in the opinion of the director, is maintained in violation of the provisions of section 42-1284, removal of hazardous signs, shall be removed pursuant to the procedure of section 42-1284. The term "sign" as used herein includes the support structure, sign pole and/or anchoring device to which the sign is attached.
- I. Electronic or mechanical sign elements.
 - 1. An accessory sign permitted in the B-1, B-2, B-3, PD, CPD, OS-1, OTR, CCA, CCMU, I-1 and I-2 zoning districts, and a nonaccessory sign permitted in the I-1 and I-2 zoning districts, may include an EMD subject to the following requirements:
 - a. Such display shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.
 - b. The maximum size of an EMD on an accessory or nonaccessory freestanding sign or accessory wall sign shall not exceed the sign measurements specified in this Code for the zoning district in which the zoning lot or use is located.
 - c. Each message on the EMD is changed not more often than once every four seconds.
 - d. The EMD shall be equipped with ambient light monitors which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions to prevent glare specified in the Lighting Standards provided in Subdivision 4 of the Zoning Code.
 - e. When the EMD is 200 feet or less from a property line of a zoning lot that is located in a residential zoning district and such EMD is visible from any portion of a residential dwelling unit located within the residential zoning district, the EMD shall only:
 - i. Operate between 7:00 a.m. and 10:00 p.m.; and
 - ii. Display only one "frame" as defined in section 42-541 between 10:00 p.m. and 7:00 a.m.

- f. When a zoning lot or use incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in 42-542I.1. above, a "copy board" as set forth in section 42-543I. shall not be permitted on the sign that incorporates an EMD.
 - g. Notwithstanding subsection 42-542I.1.f., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of this section amendment and incorporates a "copy board" element consistent with the provisions of section 42-543I., said sign shall be considered a conforming sign.
- 2. An accessory sign for a permitted use in the R-1A through R-1E one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements:
 - a. One property line of the zoning lot must be abutting a major thoroughfare as designated on the major thoroughfare plan and the freestanding sign incorporating an electronic message display must be situated along the property line abutting the major thoroughfare.
 - b. Such display shall contain static or still frame messages only which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity. Transitions between frame messages may utilize effects such as dissolve, fade, traveling or scrolling text and/or images, provided such transitions occur over a period of time not exceeding one second, and such effects do not include text and/or images that expand or contract, rotate, twist, bounce, flash, undulate, pulse or utilize other similar movements or optical illusions.
 - c. The maximum size of an EMD on an accessory or nonaccessory freestanding sign or accessory wall sign shall not exceed the sign measurements specified in this Code for the zoning district in which the zoning lot or use is located.
 - d. Each message on such display is changed not more often than once every four seconds.
 - e. The EMD shall be equipped with ambient light monitors which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions to prevent glare specified in the Lighting Standards provided in Subdivision 4 of the Zoning Code.
 - f. When the EMD is visible from any portion of a one-family residential dwelling unit located within a residential zoning district, the EMD shall only:
 - i. Operate between 7:00 a.m. and 12:00 midnight; and
 - ii. Display only one "frame" as defined in section 42-541 between 9:00 p.m. and 12:00 midnight.
 - g. When a zoning lot or use other than a dwelling unit incorporates an EMD on a freestanding sign or wall sign in the zoning districts listed in subsection 42-542I.1., a "copy board" as set forth in subsection 42-543(I) shall not be permitted on the sign that incorporates an EMD.
 - h. Notwithstanding subsection 42-542I.2.G., if a conforming freestanding sign or wall sign with an EMD is in existence before the effective date of the ordinance from which this chapter derives amendment and incorporates a "copy board" element consistent with the provisions in section 42-543.I., said sign shall be considered a conforming sign.
- J. All exterior signs permitted within the City of Portage shall be subject to the regulations of this section as well as the regulations of article 11 of this chapter 42.

(Ord. No. 03-01 (Exh. A, § 42-622), 2-18-2003; Amend. of 10-2-2007; Ord. No. 10-05, 4-13-2010; Ord. No. 11-16, 8-23-2011; Ord. No. 14-02, 3-11-2014)

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

A. *Directional signs.*

1. Directional signs required for the purpose of orientation, when established by the city, county, state or federal government, are permitted in all districts.
2. Directional or orientation signs, or signs otherwise required by state law or local ordinances, are permitted in conjunction with all developments, provided, however, that each permitted sign shall not exceed four square feet in area per side.

B. *Real estate signs.*

1. One real estate sign is permitted per premises or building, when located on the same premises or building, while such real estate is actually on the market for sale, rent or lease and for 30 days after such sale, rent or lease.
2. In one-family residential districts, a real estate sign shall not exceed six square feet in area per side. However, a sign advertising real estate in a subdivision for sale, rent or lease shall not exceed 64 square feet in area per side and shall be permitted for a period of not more than two years.
3. For all other zoning districts, one real estate sign is permitted per premises or building, not to exceed 64 square feet in area per side.
4. Real estate signs shall not require a permit.

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

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

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

F. *Public event signs .*

1. One temporary public event sign is permitted per zoning lot for the advertising of a noncommercial public service event.
2. Such temporary sign shall not be erected more than seven days before the public service event takes place and shall be removed not more than two days after the public service event is completed.
3. For a zoning lot with frontage on more than one street, one temporary sign is permitted for each street frontage.
4. For each zoning lot that exceeds two acres in area, an additional temporary sign is permitted for each full two acres.
5. The total square footage for a single sign shall not exceed 64 square feet in area per side.
6. Public event signs shall be setback ten feet from the property line.
7. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I.
8. A permit is not required for public event signs six square feet in area or less.

- G. In addition to those signs allowed in F, above, a temporary banner for the sole purpose of advertising and identifying a public event may be permitted on a municipal pole on public property, including a street right-of-way, subject to the following conditions:
1. The banner shall be not larger than 20 square feet in area per side.
 2. The banner shall be not higher than 24 feet or lower than 16 feet.
 3. The banner is permitted for a maximum of 60 days in any calendar year.
 4. The parks and recreation department approve the banner.
 5. Applicable city banner fees prescribed by the council are paid.
- H. *Opening of new business, change of business, or going out of business sales* . For the grand opening of a new business in the city, or for a change in ownership or tenancy of an existing business, or for a going out of business sale, the director may grant a permit for a temporary sign for a period not to exceed 14 calendar days, subject to the following conditions:
1. One temporary sign shall be permitted per use.
 2. The temporary sign shall not exceed 40 square feet in area per side.
 3. The sign must be at least ten feet from any property line.
 4. Flashing and/or animated signs are not permitted, except that EMD sign displays may be utilized provided such signs comply with the provisions of section 42-542I. When exposed bulbs are used, such bulbs shall be frosted or screened and not exceed 40 watts.
 5. Flags, strings of flags, streamers, banners, pennants, balloons or other gas-filled figures may be used in lieu of, or in conjunction with, the sign so long as the maximum permitted square footage for the sign has not been exceeded.
 6. The height of the sign shall not exceed the height requirement for freestanding accessory signs in the district in which it is located.
 7. For a grand opening of a new business or for a change in ownership or tenancy of an existing business or for a going out of business sale, the director may grant a permit for one additional 30-calendar-day period if the accessory sign area permitted by this subsection was temporarily not available due to reasons beyond the control of the business owner and/or tenant; or upon a finding of some other significant hardship.
- I. *Temporary signs—Generally* : In addition to the temporary signs permitted in this section, each use is permitted one temporary sign for one display period not to exceed seven consecutive days in any calendar year. The sign shall be: (a) no more than 40 square feet in area; (b) setback ten feet from the property line; and (c) not exceed the height requirement for freestanding accessory signs in the district in which it is located. An EMD sign display may be utilized provided such signs comply with the provisions of section 42-542I.
- J. *Temporary pedestrian oriented signs* . In addition to the temporary signs permitted in subsections H and I above, each use is permitted one pedestrian oriented temporary sign not more than six square feet in area. Such sign shall be located within ten feet of the main customer entry for the business it serves, and may be displayed only when the use is open for business. In addition, the sign shall be located in a manner that does not obstruct or create a hazard for vehicular and pedestrian circulation on the property. No permit is required for temporary pedestrian oriented signs.
- K. *Banner Sign* . For each zoning lot, there is permitted one banner. For a zoning lot with frontage on more than one street, one banner is permitted for each street frontage. For each zoning lot that exceeds two acres in area, an additional banner is permitted for each two acres. All banners shall be subject to the following conditions:
1. The banner shall not: (a) project or extend into the public right-of-way; or (b) extend over a public sidewalk.

2. The banner shall not exceed 25 feet in height.
 3. The banner shall not be less than eight feet from the surface of the ground.
 4. The banner shall not exceed 20 square feet in area per side.
 5. The banner shall not be attached to the surface of any building, to any existing freestanding sign or to any vehicle, or be stretched between poles or trees.
 6. The banner shall be kept clean, free from fading, decay and tears. The support structure and brackets shall be maintained in a structurally sound condition.
 7. A permit is required for the initial installation of the banner and support structure and/or anchoring device. Banners may be subsequently changed without a permit provided there are no changes to the support structure and/or anchoring device, and all conditions of this section remain satisfied.
- L. *Copy board* . Fifteen square feet per side of sign surface may be added to any freestanding sign in the city, regardless of zoning district classification and also regardless of being classified as a legal nonconforming sign, if the additional square footage is in the form of copy board. For the purposes of this section, the term "copy board" means a sign on which copy is changed manually on the site, i.e., reader boards with changeable letters or changeable pictorial panels.
- M. *Holiday decorations* . A decoration or other display customarily and commonly associated with a national, state, local or religious holiday is permitted, provided that such decoration shall not be displayed for more than ten days, except that such decoration may be displayed between November 1 and January 15. Holiday decorations shall not require a permit.
- N. *Election campaign signs* . Election campaign signs shall not exceed six square feet in area per side and shall not be placed or project into the public right-of-way. All election campaign signs shall be removed within ten days following the general or special election to which the sign pertains. An election campaign sign shall not require a permit.
- O. *Substitution clause* . Any graphic, illustration or copy that can be displayed under this subdivision 2, signs, may contain a noncommercial message, provided that the graphic illustration or copy meets the requirements of section 42-138, murals, if applicable.

(Ord. No. 03-01 (Exh. A, § 42-623), 2-18-2003; Ord. No. 14-02, 3-11-2014)

Sec. 42-544. - Nonconforming signs.

- A. A lawfully erected sign, the maintenance of which is made unlawful by this article, may continue to be maintained exactly as such existed at the time when the maintenance thereof became otherwise unlawful under this article.
- B. No nonconforming sign shall:
1. Be changed to another nonconforming sign;
 2. Be structurally altered so as to prolong the life of the sign or change the shape, size, type or design of the sign;
 3. Be reestablished after the activity, business or use to which it relates has been discontinued for 180 days or longer; or
 4. Be reestablished after damage by accident, vandalism or an act of God if the damage requires repair of the structural supports as a result of failure or collapse of the footings, columns or other structural supports as determined by the director
 5. Be continued after any substantial improvement has taken place involving the main building. For purposes of this subsection, substantial improvement shall mean any repair, reconstruction or improvement of a building, the cost of which exceeds 25 percent of the market value of the

building either before the improvement or repair is started or, if the building has been damaged and is being restored, before the damage occurred. Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not such alteration affects the external dimensions of the structure.

- C. The zoning board of appeals may permit variances from subsection B, above, or variances related to the alteration or maintenance of a nonconforming sign, only upon the following grounds:
 - 1. The standards of section 42-622B.1. are met; or
 - 2. That granting of a variance will reduce the degree of nonconformity of an existing sign; or
 - 3. The granting of a variance will result in the removal of a nonconforming sign and replacement by a sign that, while not meeting the requirements of this article, are, nonetheless, in keeping with the spirit and purpose of this article.
- D. Variances. A sign erected as a result of a lawful grant of a variance by the zoning board of appeals shall be subject to the same restrictions and requirements which apply to nonconforming signs in subsection B above and other provisions of this Code.
- E. The provisions of section 42-544B.2—5 above shall not apply to a nonconforming sign provided that the owner of the sign and owner of the zoning lot upon which the sign is located (if different from the owner of the sign) shall enter into a written agreement with the city which shall be recorded with the county register of deeds by the owner of the sign and the owner of the zoning lot, and which shall state all of the following:
 - 1. The entire nonconforming sign, which includes the entire face and structure, shall be removed within five years of entering into the agreement.
 - 2. At the conclusion of the five years, the owner of the sign and the owner of the zoning lot shall be responsible for the entire removal of the sign.
 - 3. The owner of the sign and the owner of the zoning lot (including subsequent owners) waive their rights to request variances from the zoning board of appeals a variance from the agreement or any other ordinance provision governing the sign.
 - 4. The agreement shall run with the land and become binding upon any subsequent owners of the sign and zoning lot.
 - 5. The replacement sign, erected at the conclusion of the five years, shall be conforming.
 - 6. A lien against the zoning lot and any structure on the zoning lot, in the amount of 1½ times the estimated cost of removing the nonconforming sign at the time the agreement is entered into (as established by the director on the date of the agreement) shall come into existence five years after entering into the agreement and remain in effect until the sign is removed.

(Ord. No. 03-01 (Exh. A, § 42-624), 2-18-2003; Ord. No. 14-02, 3-11-2014)

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

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

- A. For each dwelling unit, there is permitted one sign, not exceeding one square foot in area, indicating the name of the occupant.
- B. For a permitted use other than a dwelling unit, there is permitted one freestanding accessory sign, not exceeding one square foot for each two and one-half feet of lot frontage. The maximum size of the sign may not exceed 50 square feet in area, provided that such freestanding sign:
 - 1. Is at least ten feet from any property line; and
 - 2. Does not exceed ten feet in height.

- C. For a permitted use other than a dwelling unit, there is also permitted a wall sign or signs, the combined area of which does not exceed 15 percent of the total area of the wall to which the sign or signs are attached. The combined total of all wall signs shall not exceed 100 square feet.
- D. Except for the signs permitted in section 42-543, a permanent sign identifying a single-family residential development is not permitted except as provided in this section. The city council may approve an agreement between the city and a proprietor desiring a sign located on city owned property or right-of-way identifying a single-family residential development. The agreement shall specify requirements and conditions regarding the sign, including not limited to the following:
 - 1. Size and height of the sign, construction standards to be followed, appearance, specific location and illumination.
 - 2. The person responsible for maintaining and repairing the sign.
 - 3. Compensation to the city for continued use of the property.
 - 4. A provision which indemnifies the city from liability as a result of any personal damage or personal injury resulting from the sign.

(Ord. No. 03-01 (Exh. A, § 42-625), 2-18-2003; Ord. No. 09-03, 4-14-2009; Ord. No. 10-05, 4-13-2010)

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

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

- A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area, indicating the name of the occupant.
- B. For a rental or management office, there is permitted one wall sign, not exceeding two square feet in area.
- C. For identifying a multifamily housing project, there is permitted one freestanding or wall sign, not exceeding 32 square feet in area per vehicular entrance, provided that such sign:
 - 1. Is at least ten feet from any property line; and
 - 2. Does not exceed ten feet in height.
- D. For a permitted use other than a dwelling unit, there is permitted one freestanding accessory sign, not exceeding one square foot for each two and one-half feet of lot frontage. The maximum size of the sign may not exceed 50 square feet in area, provided that such freestanding sign:
 - 1. Is at least ten feet from any property line; and
 - 2. Does not exceed ten feet in height.
- E. For a permitted use other than a dwelling unit, there is also permitted a wall sign or signs, the combined area of which does not exceed 15 percent of the total area of the wall to which the sign or signs are attached. The combined total of all wall signs shall not exceed 100 square feet.

(Ord. No. 03-01 (Exh. A, § 42-626), 2-18-2003; Ord. No. 10-05, 4-13-2010)

Sec. 42-547. - MHC district.

In an MHC manufactured home community district:

- A. For each dwelling unit, there is permitted one wall sign, not exceeding one square foot in area, indicating the name of the occupant.
- B. For each manufactured home park vehicular entrance, there is permitted one freestanding identification sign, not exceeding 32 square feet in area per side, provided that such sign:
 - 1. Is at least ten feet from any property line; and
 - 2. Does not exceed ten feet in height.

(Ord. No. 03-01 (Exh. A, § 42-627), 2-18-2003)

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

In the PD planned development district:

- A. For a permitted use other than a dwelling unit, there is permitted one freestanding accessory sign per zoning lot, not exceeding one square foot for each 2½ feet of lot frontage, provided that the sign may not exceed 50 square feet in area for a lot with less than 300 feet of frontage. A zoning lot with more than 300 feet of frontage may have an additional sign based upon the ratio of one square foot of sign per each 2½ feet of lot frontage over the initial 300 feet of frontage. The maximum size of any one sign is 50 square feet.
- B. Where multiple use zoning lots are involved, for each additional use on a zoning lot beyond the initial use, eight additional square feet of sign area is permitted, the total area of all signs not to exceed 50 percent over the sign size originally permitted for the lot.
- C. Where the zoning lot abuts a one-family residential district, the setback distance shall be increased such that one foot of horizontal distance from the residential district is provided for each square foot of sign permitted on the lot, provided that all such signs:
 - 1. Are at least ten feet from any property line; and
 - 2. Do not exceed 15 feet in height.
- D. For each use on a zoning lot, there is permitted a wall sign or signs, the combined area of which does not exceed 15 percent of the total area of the wall to which the sign or signs are attached. The combined total of all wall signs shall not exceed 100 square feet per street frontage.
- E. If no freestanding sign is used, the percentage of total wall area for wall signs may be increased by 33 percent per street frontage. Lots with dual frontage may not combine permissible signs for one frontage with another frontage for the purpose of placing the combined area of signs on one frontage.
- F. Reserved.
- G. For each dwelling unit there is permitted one sign not exceeding one square foot in area indicating the name of the occupant.
- H. Except for the signs permitted in section 42-543, a permanent sign identifying a single-family residential development is not permitted except as provided in section 42-545.B.

(Ord. No. 03-01 (Exh. A, § 42-628), 2-18-2003; Amend. of 10-2-2007; Ord. No. 09-03, 4-14-2009; Ord. No. 11-12, 8-9-2011; Ord. No. 14-02, 3-11-2014)

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

In a P-1 vehicular parking district:

- A. One freestanding or wall sign is permitted, not to exceed six square feet in area per side, designating conditions of use, provided that a freestanding sign:
 - 1. Is ten feet from any property line; and
 - 2. Does not exceed ten feet in height.
- B. Entrance and exit signs are permitted as provided in section 42-433.E.

(Ord. No. 03-01 (Exh. A, § 42-629), 2-18-2003)

Sec. 42-550. - OS-1, office service and OTR, office, technology and research districts.

In an OS-1 office service or OTR, office, technology or research district:

- A. One freestanding accessory sign per zoning lot is permitted, not exceeding one square foot for each two and one-half feet of lot frontage, provided that the sign may not exceed 50 square feet in area for a lot less than 300 feet wide. For lots less than 80 feet in width, one freestanding sign not to exceed 32 square feet is permitted. A zoning lot in excess of 300 feet wide may have one additional sign based upon the ratio of one square foot of sign area per each two and one-half feet of lot frontage over the initial 300 feet of frontage. The maximum size for any one sign is 50 square feet. Where multiple-use zoning lots are involved, for each additional use on a zoning lot beyond the initial use, eight additional square feet of sign area is permitted, the total area of all signs not to exceed 50 percent over the sign size originally permitted for the lot. Where the zoning lot abuts a one-family residential district, the setback distance shall be increased such that one foot of horizontal distance from the residential area is provided for each square foot of sign permitted on the lot, provided that all such signs:
 - 1. Are at least ten feet from any property line; and
 - 2. Do not exceed 15 feet in height.
- B. For each use on a zoning lot, there is permitted a wall sign or signs, the combined area of which does not exceed 15 percent of the total area of the wall to which the sign or signs are attached. The combined total of wall signs shall not exceed 100 square feet per street frontage. If no freestanding sign is used, the percentage of total wall area for wall signs may be increased by 33 percent per street frontage. Lots with dual frontage may not combine permissible signs for one frontage with another frontage for the purpose of placing the combined area of signs on one frontage.
- C. In addition to the sign area allowed in this subsection, one additional freestanding sign may be erected at each vehicular entrance to identify the development and facilities located in an OTR zone therein, provided that such sign:
 - 1. Does not exceed 50 square feet in area per side;
 - 2. Is ten feet from any property line; and
 - 3. Does not exceed 15 feet in height.

(Ord. No. 03-01 (Exh. A, § 42-629.1), 2-18-2003; Ord. No. 10-05, 4-13-2010)

Sec. 42-551. - B-1, local business district.

In a B-1 local business district:

- A. One freestanding accessory sign per zoning lot is permitted, not exceeding one square foot for each two and one-half feet of lot frontage, provided that the sign may not exceed 50 square feet in area for a lot less than 300 feet wide. For lots less than 80 feet in width, one freestanding sign not to exceed 32 square feet is permitted. A zoning lot in excess of 300 feet wide may have one

additional sign based upon the ratio of one square foot of sign area per each two and one-half feet of lot frontage over the initial 300 feet of frontage. The maximum size for any one sign is 50 square feet. Where multiple-use zoning lots are involved, for each additional use on a zoning lot beyond the initial use, eight additional square feet of sign area is permitted, the total area of all signs not to exceed 50 percent over the sign size originally permitted for the lot. Where the zoning lot abuts a one-family residential district, the setback distance shall be increased such that one foot of horizontal distance from the residential area is provided for each square foot of sign permitted on the lot, provided that all such signs:

1. Are at least ten feet from any property line; and
 2. Do not exceed 15 feet in height.
- B. For each use on a zoning lot, there is permitted a wall sign or signs, the combined area of which does not exceed 15 percent of the total area of the wall to which the sign or signs are attached. The combined total of wall signs shall not exceed 100 square feet per street frontage. If no freestanding sign is used, the percentage of total wall area for wall signs may be increased by 33 percent per street frontage. Lots with dual frontage may not combine permissible signs for one frontage with another frontage for the purpose of placing the combined area of signs on one frontage.

(Ord. No. 03-01 (Exh. A, § 42-629.2), 2-18-2003; Ord. No. 10-05, 4-13-2010; Ord. No. 11-12, 8-9-2011; Ord. No. 14-02, 3-11-2014)

Sec. 42-552. - B-2, community business; B-3, general business; and CPD, commercial planned development districts.

In a B-2, community business district, B-3, general business district, or a CPD, commercial planned development district:

- A. For each zoning lot, there is permitted one freestanding accessory sign, up to 50 square feet in area per side, for lots 125 feet or less in width, to be increased at a ratio of one square foot per each 2½ feet of lot frontage in excess of the initial 125 feet, up to a lot 300 feet wide. A zoning lot having in excess of 320 feet of frontage may have one additional sign based upon the same ratio of one square foot of sign area for each 2½ feet of lot frontage over the initial 320 feet of frontage. The maximum size for any one sign is 120 square feet.
- B. When multiple-use zoning lots are involved, for each additional use on the zoning lot beyond the initial use, 15 square feet of sign area is permitted, the total area of freestanding signs not to exceed 50 percent over the sign size originally permitted for the lot.
- C. For a lot with frontages on more than one street, each frontage may be treated as a separate frontage for the purpose of establishing permitted freestanding sign area and number.
- D. For a corner lot, the distance between permitted freestanding signs shall be not less than 100 feet, as measured along the property lines, but in no case shall there be a distance of less than 70 feet between such signs. Each such sign shall be oriented to the street frontage it serves. If one freestanding sign is used, then the percentage of freestanding sign area permitted on one street frontage may be increased 100 percent to a maximum of 120 square feet in area per side, provided that such sign is located not more than 25 feet from both street frontages.
- E. Where a zoning lot is permitted to have more than one freestanding accessory sign under this section, the distance between such freestanding signs shall not be less than 300 feet.
- F. Signs may not exceed 25 feet in height.
- G. Signs must be at least ten feet from any property line.
- H. For each use on a zoning lot, there are permitted wall signs, the combined area of which shall not exceed 15 percent of the total area of the wall to which the signs are attached. The total

shall not exceed 100 square feet per street frontage. If no freestanding sign is used, the percentage of total wall area for wall signs may be increased by 33 percent per street frontage. Lots with dual frontages may not combine permissible signs for one frontage with another frontage for the purpose of placing a combined area of sign area on one frontage.

- I. In addition to the wall signage permitted in subsection H above, the permitted wall sign area may be increased if the criteria listed below is satisfied:

1. For buildings with wall frontage at the main building entrance that exceeds 99 lineal feet:

Wall (in lineal feet)	Additional Sign Area Permitted(in square feet)
100-199	25
200—299	50
300—399	75
400—499	100
Greater than 500	125

2. For buildings with wall frontage at the main building entrance that exceeds 99 lineal feet and with a setback greater than 299 feet from a public or private street:

Building Setback (in feet)	Additional Sign Area(in square feet)
300—399	50
400—499	75
500—599	100
Greater than 600	125

(Ord. No. 03-01 (Exh. A, § 42-629.3), 2-18-2003; Ord. No. 01-06, 2-14-2006; Ord. No. 11-12, 8-9-2011; Ord. No. 14-02, 3-11-2014)

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

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

A. Industrial parks.

1. One freestanding or wall sign may be erected at each vehicular industrial park entrance to identify the park and facilities therein, provided that such sign:
 - a. Does not exceed 32 square feet in area per side;
 - b. Is ten feet from any property line; and
 - c. Does not exceed 15 feet in height.
2. One wall sign is permitted per use, not exceeding ten percent of the total area of the wall to which it is attached, to a maximum of 100 square feet.
3. In addition to the signs allowed in subsection A, 1 and 2 of this section, one freestanding accessory sign is permitted per zoning lot, not to exceed 32 square feet in area per side, provided that such sign:
 - a. Is ten feet from any property line; and
 - b. Does not exceed ten feet in height.

B. Industrial uses and developments outside industrial park boundaries.

1. One freestanding accessory sign is permitted per zoning lot, not to exceed 48 square feet in area per side, provided that such sign:
 - a. Is ten feet from any property line; and
 - b. Does not exceed 25 feet in height.
2. One wall sign is permitted per use, not to exceed ten percent of the total area of the wall to which it is attached, to a maximum of 100 square feet.

C. Nonaccessory signs. Nonaccessory signs are permitted in I-1 and I-2 districts, subject to the following conditions:

1. Nonaccessory signs shall be spaced no closer than 1,000 feet between signs on the same side of the right-of-way.
2. Nonaccessory signs shall have a display surface not to exceed 300 square feet per sign.
3. Nonaccessory signs shall be located at least 50 feet from abutting properties and at least 500 feet from abutting residential districts.
4. Nonaccessory signs shall not exceed 40 feet in height.
5. The setback from the right-of-way line of a nonaccessory sign shall equal 15 percent of the number of square feet of display area on one side of the sign structure, with a minimum of 20 feet.

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

(Ord. No. 03-01 (Exh. A, § 42-629.4), 2-18-2003; Ord. No. 01-06, 2-14-2006)

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

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

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

1. Does not exceed 32 square feet in area per side;
 2. Is at least five feet from any property line; and
 3. Does not exceed 15 feet in height.
- B. For each use on a zoning lot, there are permitted wall signs, awning and/or canopy signs, and projecting wall signs, the combined area of which does not exceed 15 percent of the total wall area of the wall to which the signs are attached. The total shall not exceed 100 square feet per street frontage. Lots with dual frontage may not combine permissible signs for one frontage with another frontage for the purpose of placing the combined area of signs on one frontage. The following requirements apply:
1. Wall signs shall not extend above the sill of the second story window or 16 feet in height, whichever is less.
 2. Projecting wall signs shall meet the following requirements:
 - a. The area of the sign attached to a building wall shall not exceed 20 square feet per side.
 - b. Signs attached to a building wall shall not extend above the sill of the second story window or 16 feet in height, whichever is less.
 - c. Signs suspended below an awning, canopy or marquee shall not exceed four square feet in area per side.
 - d. The minimum height as measured from grade to the bottom edge of the sign shall not be less than eight feet.
 3. Awning and canopy signs shall not extend above the sill of the second story window or 16 feet in height, whichever is less.
- C. Marquee signs.
1. A marquee sign is only permitted in conjunction with a theater, cinema or performing arts facility and may include the name of the facility and changeable copy or electronic message display to advertise current or future events.
 2. The permitted area of the marquee sign shall be determined by the planning commission consistent with the design and scale of the building and the surrounding environment.

(Ord. No. 11-16, 8-23-2011; Ord. No. 14-02, 3-11-2014)

Secs. 42-555—42-569. - Reserved.

**NOTICE
OF
ADOPTION OF ORDINANCE
CITY OF PORTAGE, MICHIGAN**

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 Chapter 42, Article 4; Division 6, Subdivision 2, Signs (Sections 42-540 through 42-554) of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2019, and will become effective _____, 2019.

In summary, the amendment revises the above sections of the Sign Regulations to eliminate content-based regulation of all signs; to improve clarity with regard to the definition of a sign; and modifying the substitution clause.

PLEASE TAKE FURTHER NOTICE that copies of said ordinance amendment may be examined at the City Hall, 7900 South Westnedge Avenue, Portage, Michigan 49002, on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. and 5:00 p.m. The ordinance amendment has also been posted at the Portage City Hall, Portage Police Building and Portage Senior Center.

Dated: _____, 2019

Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre, Suite A
Portage, MI 49002

Approved as to Form:

Date: 6-13-19
CRB

City Attorney

Z:\JODY\PORTAGE\ORDINANCES\FORMS\SUMMARIES\Sign Ordinance Notice of Adoption Summary.docx

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Kalamazoo Strategic Operations Center

SUPPORTING PERSONNEL: Laurence Shaffer, City Manager

ACTION RECOMMENDED: Approve moving deliberation of the Intergovernmental Agreement with the City of Kalamazoo for crime analysis, crime prevention and strategic operational crime reduction activities at the Kalamazoo Strategic Operations Center to the July 9, 2019 City Council meeting.

At the June 11, 2019 City Council meeting, City Council approved more time to discuss the intergovernmental Agreement between the City of Portage and the City of Kalamazoo to form the Kalamazoo Strategic Operations Center (KSOC). However, Kalamazoo Department of Public Safety Chief, Karianne Thomas, is unable to attend the June 25, 2019 City Council meeting. Therefore it is recommended that deliberation of the Intergovernmental Agreement be moved to the July 9, 2019 meeting.

FUNDING: N/A

Attachments:

1. Intergovernmental Public Safety Services Agreement Memo 6.11.19
2. Intergovernmental Public Safety Services Agreement

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Kalamazoo Strategic Operations Center

SUPPORTING PERSONNEL: Nicholas Arnold, 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:

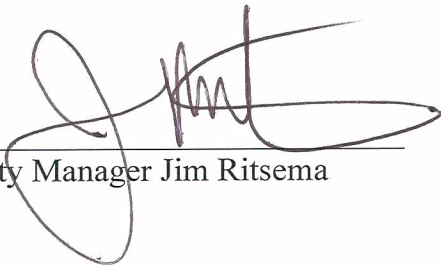
KDPS

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. Arnold
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
CJR
CITY ATTORNEY

For the City of Portage:

City Manager Laurence Shaffer

Date

APPROVED AS TO FORM
DATE 6-7-19
WAG

CITY ATTORNEY