

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](http://www.portagemi.gov/544/Podcasts)*

1. Approval of City Council Meeting Minutes:
    - a. Regular Meeting Minutes of July 9, 2019.
    - b. Pre-Council Meeting Minutes of July 22, 2019.
  2. Approval of the Accounts Payable Register of July 23, 2019 as presented.
  3. Amend a construction contract with Northern Construction Services, Corp. of Niles, Michigan for the 2019 Local Streets Reconstruction Program in an amount not to exceed \$1,679,973.50 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
  4. Award a contract to perform an environmental impacts evaluation and joint permit application for the Hampton Creek Wetland Area Phase 2 to Fishbeck, Thompson, Carr & Huber, Incorporated, of Grand Rapids, Michigan in the amount not to exceed \$134,365 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
  5. Approve a sole source purchase in the amount of \$79,825.50 from Jamestown Advanced Productions, Corp., to purchase picnic support equipment, and authorize the City Manager to execute all documents on behalf of the city.
  6. Approve the Final Site Plan for American Village Builders Addition, 4200 West Centre Avenue.
  7. Approve submission of applications to the Michigan Liquor Control Commission (MLCC) for a Special License for the sale of beer and wine for consumption on the premises at Celery Flats (7335 Garden Lane) for the Heritage Festival on Saturday, September 7, 2019, and the Portage Art Hop on Friday, October 4, 2019, and authorize the City Manager to execute all documents on behalf of the city.
  8. Adopt the Resolution to sell 2527 West Milham Avenue, place the Resolution on file with the Office of City Clerk for 28 days and take final action on August 20, 2019.
  9. Set a Special Meeting on August 20, 2019, for the purpose of the next steps in the City Manager Search.
  10. Minutes of Boards & Commissions:
    - a. Human Services Board of May 2 and June 13, 2019.
    - b. Historic District Commission of June 5, 2019.
    - c. Zoning Board of Appeals of June 10, 2019.
    - d. Planning Commission of June 20, 2019.
  11. Materials Transmitted.
- B. Petitions and Statements of Citizens:
- C. Communications:

1. Calendar of Meetings.

- Planning Commission, July 25, 2019 at 7:00 p.m. - CANCELLED.
- Human Services Board, August 1, 2019 at 6:30 p.m. in City Hall Room #1.
- Planning Commission, August 1, 2019 at 7:00 p.m. in Council Chambers.

D. Public Hearings:

E. Regular Business Agenda:

F. Unfinished Business:

1. 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.

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 JULY 9, 2019

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

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs and in honor of all youth in the community that they enjoy a safe, healthy and education filled summer.

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

**PROCLAMATION:** Mayor Randall issued a proclamation recognizing Summer Learning Day in Portage. Mayor Randall invited Jenna VanSpronsen of the Kalamazoo Youth Development Network to read the proclamation. Ms. VanSpronsen read the proclamation and shared information about the efforts of the Youth Development Network and their goal of having youth college, career and community ready by the age of 21. She concluded her comments by thanking City Council for their support.

**CONSENT AGENDA:** Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. No items were removed. Motion by Pearson, seconded by Ford, to approve the Consent Agenda. Upon a roll call vote, motion carried 7 to 0.

**APPROVAL OF MINUTES:** Motion by Pearson, seconded by Ford, to approve the Regular Meeting Minutes of June 25 and Pre-Council Meeting Minutes of July 8, 2019. Upon a roll call vote, motion carried 7 to 0.

**APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 9, 2019:** Motion by Pearson, seconded by Ford, to approve the Accounts Payable Register of July 9, 2019. Upon a roll call vote, motion carried 7 to 0.

**SIGN REMOVAL, FABRICATION AND INSTALLATION:** Motion by Pearson, seconded by Ford, to award a construction contract to Valley City Sign Company in the amount of \$52,099.20 for removal of five and fabrication and installation of 32 new trail way finding and park lectern signs at various locations throughout the city, and authorize the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

**CHANGE ORDER WITH MICHIGAN PAVING & MATERIALS COMPANY:** Motion by Pearson, seconded by Ford, to award Contract Change Order #1 in the amount of \$90,059.60 to Michigan Paving & Materials Company, for mill and fill asphalt repair of 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 7 to 0.

**COMMUNITY DEVELOPMENT BLOCK GRANT & GENERAL FUND HUMAN/PUBLIC SERVICES CONTRACT:** Motion by Pearson, seconded by Ford, to approve the Fiscal Year 2019-2020 Community Development Block Grant and General Fund Human/Public Services contracts for the Portage

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

**LABOR AGREEMENT WITH PORTAGE POLICE COMMAND OFFICERS ASSOCIATION:** Motion by Pearson, seconded by Ford, to Authorize the Mayor and City Clerk to execute a replacement two-year labor agreement between the City of Portage and the Portage Police Command Officers Association. Upon a roll call vote, motion carried 7 to 0.

**APPOINTMENTS TO DOWNTOWN DEVELOPMENT AUTHORITY:** Motion by Pearson, seconded by Ford, to confirm the City Manager appointments to the Downtown Development Authority of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

**APPOINTMENTS TO LOCAL DEVELOPMENT FINANCE AUTHORITY:** Motion by Pearson, seconded by Ford, to confirm the City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

**2017-2018 LOCAL DEVELOPMENT FINANCE AUTHORITY ANNUAL REPORT:** Motion by Pearson, seconded by Ford, to receive the Fiscal Year 2017-18 Local Development Finance Authority Annual Report as information only. Upon a roll call vote, motion carried 7 to 0.

**2017-2018 DOWNTOWN DEVELOPMENT AUTHORITY ANNUAL REPORT:** Motion by Pearson, seconded by Ford, to receive the Fiscal Year 2017-18 Downtown Development Authority Financial Annual Report as information only. Upon a roll call vote, motion carried 7 to 0.

**CLOSED SESSION FOR FOIA APPEAL:** Motion by Pearson, seconded by Ford, to hold a closed session immediately following the regular July 9, 2019 City Council Meeting for the purpose of reviewing an Attorney/Client communication regarding a Freedom of Information Act Appeal. Upon a roll call vote, motion carried 7 to 0.

**MINUTES OF BOARDS AND COMMISSIONS:** Motion by Pearson, seconded by Ford, to receive the minutes of the Portage Public Schools Special Board Meeting of June 10, Portage Public Schools Closed Board Meeting of June 10 and Portage Public Schools Committee of the Whole Meeting of June 10, 2019. Upon a roll call vote, motion carried 7 to 0.

**MATERIALS TRANSMITTED:** Motion by Pearson, seconded by Ford, to receive the Materials Transmitted of June 25, 2019. Upon a roll call vote, motion carried 7 to 0.

**PETITIONS AND STATEMENTS OF CITIZENS:** Ms. Lynn Zhang, 7596 Oak Shore Drive, spoke on behalf of a number of residents present at the meeting regarding flooding concerns associated with high water levels in the Hampton Bog. Ms. Zhang shared the impact the flooding has had on numerous homes, expenses paid by residents in efforts to save their residences and health concerns associated with water inundating houses. She stated that this is an emergency situation and the bog has been at flood stage for 18 months. Ms. Zhang then shared that a short-term solution is coming together and thanked Mayor Randall and City Manager Shaffer for their efforts in this regard. However, she asked that a long-term solution be aggressively pursued and implemented noting that flooding of the bog was last experienced in 2008 and no resolution was implemented. Ms. Zhang

stated that both she and her neighbors love their homes and do not want to move as a result of the flooding.

Mayor Randall thanked Ms. Zhang for her comments and those in the audience for coming to the meeting. She then reviewed recent efforts and meetings that were held to discuss, review and seek out solutions to the flooding problem. Mayor Randall then described the short-term solution that will be implemented and the anticipated results. She explained that the hope is the pumping effort will be effective and lower the water level by several inches over the next 30 days. Mayor Randall asked City Manager Shaffer to provide additional details.

City Manager Shaffer reviewed the project and associated costs in greater detail. He noted that while he is hoping for positive results the persistence and level of the groundwater may be such that pumping water out proves to be, at best, minimally effective. With regard to a permanent solution, Mr. Shaffer reviewed the steps, state agencies, permits and engineering efforts that will be involved. Mr. Shaffer noted that city roadways contribute a portion of the water that drains into the bog and, as a result, he feels it is appropriate for the city to bear some of the cost burden. He concluded by assuring City Council and those in the audience that a permanent solution is being pursued and that he would be reporting back with results.

Mayor Pro Tem Pearson agreed that this is an emergency situation and efforts must be undertaken to address this situation. He shared that he lives along Austin Lake and has never seen the lake so full of water.

Councilmember Reid inquired about the cost of the short-term solution and whether it should be approved by City Council. She continued by stating that the project being implemented is better characterized as an experiment. She noted that the results may be that water levels in the bog are not reduced or that the experiment is only minimally effective. She shared her belief that City Council should have discussions immediately about what to do should the results of the pumping effort be marginal at best.

Mayor Randall shared that she is optimistic the pumping will work and noted efforts by the city to address high water levels in the Black Forest Drive neighborhood. She shared that she has walked the paths adjacent to Hampton Bog and lives nearby. She stated that she anticipates residents will start to see water in the bog receding once pumping starts. She expressed her complete support for the project. With regard to a long-term solution, she noted that flooding in lakes in Texas Township took two years before a solution was implemented. Mayor Randall continued by sharing that she has been told a long-term solution could be anywhere from two to five years from fruition. She expressed her goal that such a solution begin with one year.

In response to the question raised about City Council authorization for the project, City Manager Shaffer noted that a bulk of the cost is related to treatment by the Kalamazoo Wastewater Treatment Facility and the city has a \$2 million annual contract with the City of Kalamazoo in this regard. The remaining costs, he stated, amount to substantially less than \$40,000. Mr. Shaffer concluded by stating that the goal of the immediate solution is to reduce water levels by over seven inches which will help to build capacity in the bog should another significant weather event occur. He added that this solution should be given a chance and that, should the city make a mistake, he prefers that it be on the side of trying to help the residents.

City Attorney Brown noted that, with regard to the anticipated project costs and purchasing ordinance, City Manager Shaffer is correct that he is authorized to spend the funds that have been outlined. Mr. Brown noted that if this situation is a true emergency, the City Manager does have authority to spend funds up front without prior approval by City Council. However, Mr. Brown shared that City Council is free to offer a motion of support for the City Manager's efforts and that general authority to address this situation can be given.

Councilmember Knapp expressed her support for this effort and stated that it will be a very informative project.

Motion by Reid, seconded by Urban, that city administration be authorized to spend the monies necessary to pump water out of the storm sewer in order to provide some assessment of the success of doing this on the Hampton bog and report back to City Council in 30 days. Councilmember Reid stated that she is not opposed to this experiment but wants it understood this project is truly an experiment, that she wants a report back and wants to demonstrate to residents that City Council is willing to take action.

Mayor Pro Tem Pearson shared that he would support the motion but expressed concern regarding results being determined in thirty days due to the unpredictable nature of weather. Councilmember Reid clarified that the intent of her motion is for city administration to provide a report, not final results. Upon a roll call vote, motion carried 7 to 0.

Mr. Steve Antoniotti, 7774 West St. Andrews Circle, expressed his appreciation for action being taken although he's been dealing with the issue for 18 months. He expressed skepticism as to the effectiveness of lowering the level of the bog 7 ½ inches. He stated that his basement was flooded and he spent significant time and effort getting water out of his basement. He questioned how much the city is contributing to the problem with runoff from nearby roads along with new developments in the area. He asked that a long-term solution be found sooner rather than later.

Mayor Randall thanked residents for attending and shared that the engineering part of the solution will likely be far easier than obtaining the necessary permits. She shared that a new engineering firm will be hired that will focus exclusively on this situation. The firm will work to guide all parties through this process. She concluded by sharing that City Council is on board with moving this project forward.

City Attorney Brown clarified that the motion that was made is a confirmation of the City Manager's powers but does not restrict or limit him of the powers he already has regarding emergencies, budgetary items or items covered under the contract with the City of Kalamazoo in case action needs to be taken beyond those authorized by motion.

Mr. Ed Haines, 7745 West St. Andrews Circle, inquired how he and other residents will be able to communicate with city staff and engineers regarding efforts at Hampton Bog. Mr. Shaffer clarified that updates will be made on the city website and public forum and, following a query by Mr. Haines, e-mail.

#### **COMMUNICATIONS:**

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

#### **PUBLIC HEARINGS:**

**REZONING APPLICATION #18/19-6, 129 BOSTON AVENUE:** Mayor Randall opened the public hearing and invited public comment. The applicant and owner of 129 Boston Avenue, Mr. Jay Sharma, spoke and asked that the hearing be adjourned until the August 6<sup>th</sup> Regular City Council Meeting. No one else came forward to speak. Motion by Pearson, seconded by Knapp, to adjourn the public hearing and reconvene at the August 6<sup>th</sup> Regular Meeting. Upon a roll call vote, motion carried 7 to 0.

## **UNIFINISHED BUSINESS:**

### **INTERGOVERNMENTAL AGREEMENT WITH KALAMAZOO FOR PUBLIC SAFETY ANALYTICS:**

Mayor Randall deferred to City Manager Shaffer who explained that City Administration would be meeting with Kalamazoo Public Safety Chief Karianne Thomas and Portage Director of Public Safety Nick Arnold to work on getting answers to outstanding questions. He shared that the plan is to enhance the agreement that was approved by Kalamazoo with additional details. Motion by Knapp, seconded by Reid, to 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 23, 2019, City Council Meeting. Upon a roll call vote, motion carried 7 to 0.

**COUNCIL COMMITTEE REPORTS:** Councilmember Burns shared that a recent meeting of the Metro Transit Authority was canceled. He next mentioned that news reports have highlighted labor negotiations that are on-going and that the bus driver's union is picketing. He commented that the board is hoping for a resolution to the dispute. Motion by Ford, seconded by Reid, to receive the Council Committee Report as presented. Upon a voice vote, motion carried 7 to 0.

**STATEMENTS OF CITIZENS:** Mr. Pete Everts, 1103 Forest Drive, spoke and shared that he recently attended a public meeting about the Lovers Lane construction project and he felt it was all for naught. He stated that the City of Portage failed to communicate about the project and the transition from a four-lane road to a three-lane road. He questioned whether state funding for the project was appropriately used and questioned the rationale for changing the number of lanes. He expressed hope for good communication between the residents around the Hampton Bog and the city because, in his experience, communication with the city is lacking.

**CLOSED SESSION:** Mayor Randall shared with the audience that the meeting would now adjourn into closed session. City Council went into closed session at 7:46 p.m. Mayor Randall reconvened the meeting at 8:21 p.m. Motion by Reid, seconded by Urban, that the appeal of John Stears seeking the waiver of the fees he was charged for responding to his Freedom of Information Act request by the City on June 12, 2019 on the grounds that the FOIA Coordinator did not provide him with a good faith estimate of the fees and request a deposit of 50% of the estimated fee before responding to the request be denied for the reason that the FOIA Coordinator was not required to make a good faith estimate and require a deposit by either the City's FOIA policies and procedures, or the FOIA. In this specific situation we shall set the fee at \$50.00. Upon a roll call vote, motion carried 7 to 0.

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Urban thanked City Council for their card and consideration regarding the recent passing of his mother.

Councilmember Reid shared that she attended the recent public meeting regarding the Lovers Lane construction project. She shared that she found the meeting to be contentious and that residents were invited to a meeting despite the fact that decisions about lane striping were already made. She stated that city staff seemed ill-prepared for the meeting and that she concurs with the assessment of Mr. Everts regarding poor communication on this project.

Councilmember Knapp shared that she also attended the meeting about Lovers Lane and that Councilmember Reid provided a good summary. Councilmember Knapp stated that she is looking forward to the city's new Public Participation Plan being used with vigor and transparency.

Councilmember Burns shared that he also attended the meeting about Lovers Lane and thought the city could do a better job sharing and communicating good justification for the project.

He stated that some residents still have concern about safety and congestion on Lovers Lane especially at it relates to the Stryker development. He continued by stating that the traffic on this roadway will be studied and reassessed. Councilmember Burns next informed the public of an upcoming walking tour of the Elijah Root Mill hosted by local historian Steve Rossio.

Mayor Pro Tem Pearson complimented Steve Rossio as a presenter. He also shared that he was absent from the last meeting due to the passing of his mother. Next, Mayor Pro Team Pearson shared that he filled in for the Mayor at Celery Flats for a ceremony involving the Portage Big Idea Fund and the Portage Rotary Club's donation which led to the purchase of outdoor furniture at the new pavilion. He next shared that the Portage Rotary Club also sponsors the annual 4<sup>th</sup> of July fireworks and the event was a success. Finally, Mayor Pro Tem Pearson shared that he has turned in petitions to run for re-election.

Mayor Randall shared that she has been hearing from residents regarding road construction and commented that the construction window in Michigan is brief but the city is fortunate to be in the position to improve roadways. She shared that the July brush pickup is beginning and encouraged motorists to use caution on the roadways given that so many children are out playing and people are out jogging, biking and enjoying the summer weather.

**ADJOURNMENT:** Mayor Randall adjourned the meeting at 8:28 p.m.

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Adam Herringa, City Clerk

**MINUTES FROM THE PRE-MEETING  
OF THE PORTAGE CITY COUNCIL  
OF JULY 22, 2019**

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

Mayor Randall inquired if there were any questions on the items for the July 23, 2019 City Council agenda.

With regard to Item A.2, Accounts Payable Register for July 23, 2019, Mayor Pro Tem Pearson asked for clarification on Check No. 310287 to Ayers Basement Systems, questioning if a city building was experiencing flooding during this high water period. City Manager Shaffer and Deputy City Manager Boulis responded that the payment was for the pre-planned lower level renovation of Police Division building, which has historically struggled with wet conditions. Mayor Pro Tem Pearson subsequently inquired about Check No. 310307 to the Kalamazoo County Consolidated Dispatch Authority (KCCDA); payment terms as they related to the city's agreement with the KCCDA. City Manager Shaffer stated he would review and report back.

With regard to Item A.4, Hampton Creek Wetland Area Phase 2, Councilmember Reid inquired whether the contract for an environmental analysis should be postponed until the outcome of the water pumping in the area. City Manager Shaffer stated that the pumping is intended as a temporary solution to the area's high water levels, whereas the proposed analysis is for determining a permanent solution.

Councilmember Knapp inquired as to the extent that the Hampton Creek Wetland Area property owner involved the pumping and permitting process. City Manager Shaffer responded that the property owner is not currently involved in the temporary process, but will be included in any permanent solution project with regard to funding and a special assessment process.

With regard to Item A.5, Jamestown Advanced Productions picnic support equipment, Mayor Randall inquired whether the proposed purchase will complete the replacement for all of the city's remaining park picnic equipment. Mr. Shaffer responded that he would confirm.

With regard to Item A.6, Final Site Plan for American Village Builders Addition - 4200 West Centre Avenue, Councilmember Reid inquired whether the addition will have a basement in light of the previous discussions on the area's high water levels. Councilmember Knapp further asked if the proposed site plan includes any special considerations for how the site grading might affect the Hampton Bog and water levels in the area.

With regard to Items A.7, Liquor License Application for Special Events, Councilmember Reid asked whether the events would include food trucks.

With regard to Item A.9, Special Meeting for City Manager Search, Councilmember Reid asked whether the position should be posted on the city's Employment Opportunities web page as well. Mr. Boulis stated he would discuss with the search consultant and pursue the matter.

With regard to Item F.1, Kalamazoo Strategic Operations Center Proposal, Councilmember Knapp inquired if there was any new information and how the matter will be presented at the July 23<sup>rd</sup> Council meeting. Further, Councilmember Reid asked for clarification regarding the proposed analyst(s) schedule, the correlation with time worked and the City of Portage's cost, as well as whether there was a cap on the cost(s). Finally, both Councilmember Reid and Mayor Pro Tem Pearson inquired whether the County had been approached on the matter, as well as neighboring jurisdictions. City Manager Shaffer stated that he was aware if the City of Kalamazoo had presented the proposal to the County, but he didn't know the County's response. Councilmember Reid inquired whether the City of Kalamazoo's Public Safety Chief, Karianne Thomas, planned to attend the July 23<sup>rd</sup> Portage City Council meeting. City Manager Shaffer responded that Chief Thomas would not.

City Manager Shaffer further stated that, due to lack of any substantive changes on the agreement proposal since the last Council meeting, the Action Recommended would be proposed to refer the inter-governmental agreement back to the City Administration, with the intent that he report back to City Council once agreeable terms for all parties involved could be achieved.

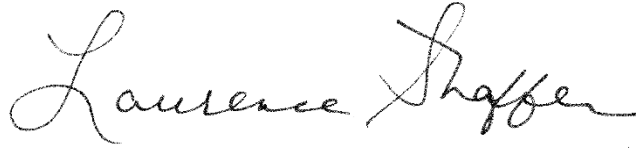
**ADJOURNMENT:** Following a summary of the meeting, Mayor Randall adjourned the meeting at 8:23 a.m.

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Erica L. Eklov, Deputy 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 July 23, 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 July 1, 2019 through July 14, 2019 and notes \$475,203.60 in automated clearing house payments, \$1,278,015.31 in paper checks and \$58,180.43 in auto-pay payments for a grand total of \$1,811,399.34.

**FUNDING:** N/A

**Attachments:** 1. Accounts Payable Register of July 23, 2019

ACCOUNTS PAYABLE REGISTER  
Check Dates From: 7/1/2019 To: 7/14/2019

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Check Type: ACH Transaction

| Check Date | Check    | Vendor Name                         | Description                    | Amount    |
|------------|----------|-------------------------------------|--------------------------------|-----------|
| 07/05/2019 | 11359(A) | ABONMARCHE CONSULTANTS, INC         | ENGINEERING SERV - ROMENCE     | 59,953.25 |
| 07/05/2019 | 11360(A) | ALL CITY MANAGEMENT SERVICES, INC.  | SCHOOL CROSSING GUARD          | 2,925.72  |
| 07/05/2019 | 11361(A) | BYHOLT INC.                         | SAND DELIVERY TO DPW           | 391.05    |
| 07/05/2019 | 11362(A) | C M P DISTRIBUTORS, INC.            | ARMOR VEST CARRIERS            | 6,829.60  |
| 07/05/2019 | 11363(A) | C T S TELECOM, INC.                 | TS DEDICATED FIBER OPTIC CIRC. | 325.00    |
| 07/05/2019 | 11364(A) | CHARTER COMMUNICATIONS              | CABLE TV                       | 233.40    |
| 07/05/2019 | 11365(A) | DELTA DENTAL PLAN OF MICHIGAN       | DENTAL INSURANCE               | 18,450.67 |
| 07/05/2019 | 11366(A) | DOUGLASS SAFETY SYSTEMS LLC         | OCFF UNIFORMS                  | 3,683.52  |
| 07/05/2019 | 11367(A) | ENGINEERED PROTECTION SYSTEMS, INC. | ID BADGE CARDS                 | 1,600.00  |
| 07/05/2019 | 11368(A) | ESCAPE FIRE & SAFETY SERVICES, INC. | DPW BIKE HANGERS               | 120.00    |
| 07/05/2019 | 11369(A) | EVERETT, CHIP                       | FIRE TRAINING                  | 440.00    |
| 07/05/2019 | 11370(A) | FERRELLGAS, LP                      | PROPANE - GENERATORS CH        | 497.84    |
| 07/05/2019 | 11371(A) | FIDELITY SECURITY LIFE INSURANCE CO | VISION INSURANCE               | 1,184.64  |
| 07/05/2019 | 11372(A) | GLOBAL EQUIPMENT CO., INC.          | 2 RECEPTION CHAIRS             | 274.23    |
| 07/05/2019 | 11373(A) | GRIFFIN PEST SOLUTIONS, INC.        | YEARLY SERVICE                 | 65.00     |
| 07/05/2019 | 11374(A) | HARTFORD LIFE INSURANCE COMPANY     | LIFE & LTD INSURANCE           | 9,135.74  |
| 07/05/2019 | 11375(A) | J & J LAWN SERVICE, INC.            | LANDSCAPING SERVICES           | 874.00    |
| 07/05/2019 | 11376(A) | LAWSON PRODUCTS, INC                | FIELD MARKING PAINT            | 525.72    |
| 07/05/2019 | 11377(A) | LEXISNEXIS RISK SOLUTIONS           | MONTHLY ACCURINT FOR YEAR      | 150.00    |
| 07/05/2019 | 11378(A) | LIBRA INDUSTRIES, INC. OF MICHIGAN  | FIRE OPS SUPPLIES              | 255.84    |
| 07/05/2019 | 11379(A) | MALL CITY MECHANICAL                | FIRE FACILITY MAINT            | 430.00    |
| 07/05/2019 | 11380(A) | MCNALLY ELEVATOR CO.                | ELEVATOR MAINTENANCE           | 134.21    |
| 07/05/2019 | 11381(A) | NYE UNIFORMS                        | MISC UNIFORM SUPPLIES          | 110.26    |
| 07/05/2019 | 11382(A) | ONSTAFF USA INC                     | TEMPORARY EMPLOYEE SERVICES    | 6,556.98  |
| 07/05/2019 | 11383(A) | PERCEPTIVE CONTROLS, INC.           | SCADA SUPPORT SERVICES         | 1,202.50  |
| 07/05/2019 | 11384(A) | PLM LAKE & LAND MANAGEMENT          | 2019 WEST LAKE WEED MGT PRGM   | 11,518.00 |
| 07/05/2019 | 11385(A) | PREDPOL, INC.                       | PREDPOL SOFTWARE - POLICE      | 14,800.00 |
| 07/05/2019 | 11386(A) | ROE-COMM, INC.                      | REPL/REPAIR RADIOS             | 70.00     |
| 07/05/2019 | 11387(A) | TECHNOLOGY SOLUTIONS                | BACKFLOW DATABASE MODS         | 1,562.50  |
| 07/05/2019 | 11388(A) | WEST SHORE FIRE, INC.               | FIRE APPARATUS MAINT           | 4,526.22  |
| 07/12/2019 | 11389(A) | AIRGAS GREAT LAKES                  | WELDING SUPPLIES               | 79.76     |

ACCOUNTS PAYABLE REGISTER  
Check Dates From: 7/1/2019 To: 7/14/2019

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| Check Date | Check    | Vendor Name                         | Description                  | Amount    |
|------------|----------|-------------------------------------|------------------------------|-----------|
| 07/12/2019 | 11390(A) | AMERICAN SAFETY & FIRST AID         | SAFETY AND FIRST AID         | 182.03    |
| 07/12/2019 | 11391(A) | AUMACK, MICHAEL                     | UMPIRE PAYROLL 2019          | 150.00    |
| 07/12/2019 | 11392(A) | BEEBE, RONALD E.                    | UMPIRE PAYROLL 2019          | 200.00    |
| 07/12/2019 | 11393(A) | C M P DISTRIBUTORS, INC.            | MAGPUL AND RIFLE LIGHTS      | 1,419.00  |
| 07/12/2019 | 11394(A) | C T S TELECOM, INC.                 | TELEPHONE SERVICE            | 2,368.71  |
| 07/12/2019 | 11395(A) | CARLETON EQUIPMENT CO.              | YORK RAKE RENTAL             | 1,800.00  |
| 07/12/2019 | 11396(A) | CLINGENPEEL, DAVID                  | UMPIRE PAYROLL 2019          | 42.00     |
| 07/12/2019 | 11397(A) | COLLIER, MICHAEL                    | STAFF & COMMAND WK 6         | 150.00    |
| 07/12/2019 | 11398(A) | ENGINEERED PROTECTION SYSTEMS, INC. | ALARM SYSTEM MONITER & TEST  | 913.44    |
| 07/12/2019 | 11399(A) | F D LAKE COMPANY                    | CHAIN INSPECTION             | 511.89    |
| 07/12/2019 | 11400(A) | FORSHEE, MARK                       | UMPIRE PAYROLL 2019          | 200.00    |
| 07/12/2019 | 11401(A) | GAIL ANDRUS TRAVEL                  | TRIP VENDOR PAYMENT 190615   | 16,061.00 |
| 07/12/2019 | 11402(A) | GORDON WATER SYSTEMS                | HARDWARE RENT, COFFEE/WATER  | 77.50     |
| 07/12/2019 | 11403(A) | GRIFFIN PEST SOLUTIONS, INC.        | PEST CONTROL - SCHRIER PARK  | 126.00    |
| 07/12/2019 | 11404(A) | HOFFMAN BROTHERS, INC.              | WINTER FOREST DRAINAGE IMPRV | 14,852.50 |
| 07/12/2019 | 11405(A) | HOJNACKI, DAVID                     | UMPIRE PAYROLL 2019          | 92.00     |
| 07/12/2019 | 11406(A) | HURLEY & STEWART, LLC               | ENGINEERING SERVICES         | 50,763.69 |
| 07/12/2019 | 11407(A) | IRISH AYRES ENTERPRISES, LLC        | MOWING SERVICES              | 24,210.55 |
| 07/12/2019 | 11408(A) | J & J LAWN SERVICE, INC.            | HERBICIDE SERVICES           | 75.00     |
| 07/12/2019 | 11409(A) | KUSHNER & COMPANY, INC.             | COBRA & FSA                  | 317.21    |
| 07/12/2019 | 11410(A) | LANDS END                           | UNIFORMS                     | 42.90     |
| 07/12/2019 | 11411(A) | LAWSON PRODUCTS, INC                | MAINTENANCE SUPPLIES         | 381.48    |
| 07/12/2019 | 11412(A) | LIBRA INDUSTRIES, INC. OF MICHIGAN  | FIRE OPS SUPPLIES            | 1,293.12  |
| 07/12/2019 | 11413(A) | MAILFINANCE                         | LEASE PAYMENT                | 733.77    |
| 07/12/2019 | 11414(A) | MARANA GROUP                        | METER SERVICE                | 273.00    |
| 07/12/2019 | 11415(A) | MARTIN SPRING & DRIVE, INC.         | VACTOR REPAIRS               | 4,051.92  |
| 07/12/2019 | 11416(A) | MATERIALS RESOURCES                 | MAINTENANCE SUPPLIES         | 699.55    |
| 07/12/2019 | 11417(A) | MCCULLIN, LARRY W.                  | UMPIRE PAYROLL 2019          | 125.00    |
| 07/12/2019 | 11418(A) | MCNALLY ELEVATOR CO.                | ELEVATOR MAINTENANCE         | 135.91    |
| 07/12/2019 | 11419(A) | MYERS, JAMES                        | MACP CONFERENCE 2019         | 944.27    |
| 07/12/2019 | 11420(A) | NUYEN, ERIC                         | UMPIRE PAYROLL 2019          | 92.00     |
| 07/12/2019 | 11421(A) | ONSTAFF USA INC                     | TEMP EMPLOYEE SERVICES DPW   | 5,139.03  |

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| 07/12/2019                     | 11422(A) | PATESEL, TERRY                     | UMPIRE PAYROLL 2019          | 100.00            |
| 07/12/2019                     | 11423(A) | PCM SALES, INC.                    | FI-7160 PROFESSIONAL SCANNER | 1,818.13          |
| 07/12/2019                     | 11424(A) | PEOPLEFACTS, LLC                   | EMPLOYEE BACKGROUND CHECK    | 16.67             |
| 07/12/2019                     | 11425(A) | PIERMAN, BRANNON                   | BASIC SCHOOL RESOURCE OFF    | 350.00            |
| 07/12/2019                     | 11426(A) | PLM LAKE & LAND MANAGEMENT         | AQUATIC WEED MANAGEMENT      | 281.88            |
| 07/12/2019                     | 11427(A) | PREMIER SAFETY                     | FIRE RESCUE SUPPLIES         | 1,053.75          |
| 07/12/2019                     | 11428(A) | PRINTING SERVICES INC              | CAMPOUT BANNER PRINTING      | 256.72            |
| 07/12/2019                     | 11429(A) | R W LAPINE INC.                    | FIRE FACILITY MAINT          | 3,999.00          |
| 07/12/2019                     | 11430(A) | REPUBLIC SERVICES OF WEST MICHIGAN | WASTE SERVICES               | 764.91            |
| 07/12/2019                     | 11431(A) | RHODES, KEVIN                      | UMPIRE PAYROLL 2019          | 216.00            |
| 07/12/2019                     | 11432(A) | RYAN, JOHNATHAN                    | UMPIRE PAYROLL 2019          | 47.00             |
| 07/12/2019                     | 11433(A) | SIMPLIFILE LLC                     | RECORDING OF DOCUMENTS       | 165.00            |
| 07/12/2019                     | 11434(A) | SNELL, DEBRA                       | PROGRAM INSTRUCTOR PAYMENT   | 336.00            |
| 07/12/2019                     | 11435(A) | SUEZ WATER ENVIRONMENTAL SERVICES  | WATER METERS                 | 5,452.16          |
| 07/12/2019                     | 11436(A) | TRUCK & TRAILER SPECIALTIES        | DUMP BODY W/ FRONT PLOW      | 105,324.00        |
| 07/12/2019                     | 11437(A) | TYLER TECHNOLOGIES, INC.           | ANNUAL MAINTENANCE           | 70,332.00         |
| 07/12/2019                     | 11438(A) | W W GRAINGER INC                   | LEXINGTON PROJECT            | 106.92            |
| 07/12/2019                     | 11439(A) | WEST MICHIGAN INT'L LLC            | MAINTENANCE SUPPLIES         | 80.44             |
| 07/12/2019                     | 11440(A) | WEST SHORE SERVICES, INC           | SIREN CONTROLLER             | 7,172.90          |
| <b>Total ACH Transactions:</b> |          |                                    |                              | <b>475,203.60</b> |

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|------------|--------|---------------------------------|------------------------------|-----------|
| 07/05/2019 | 310281 | 3 C M A                         | 3 CMA MEMBERSHIP FOR MBB     | 400.00    |
| 07/05/2019 | 310282 | A T & T                         | TELEPHONE                    | 378.82    |
| 07/05/2019 | 310283 | ACE PARKING LOT STRIPING, INC.  | PARKING LOT STRIPING         | 1,311.50  |
| 07/05/2019 | 310284 | ALLEGRA PRINT & IMAGING         | PRINTING SERVICES            | 260.00    |
| 07/05/2019 | 310285 | AMERICAN ARBOR LLC              | TREE REMOVAL SERVICES        | 6,275.00  |
| 07/05/2019 | 310286 | AT&T                            | GPS TRACKING 18-13811        | 500.00    |
| 07/05/2019 | 310287 | AYERS BASEMENT SYSTEMS          | BASEMENT WATERPROOFING SYST  | 23,722.50 |
| 07/05/2019 | 310288 | BORGESS HEALTH ALLIANCE         | PHYSICAL EXAM                | 253.00    |
| 07/05/2019 | 310289 | CARTRIDGE WORLD                 | HP M682Z FOR PDPS ADMIN OFFC | 5,495.00  |
| 07/05/2019 | 310290 | CHAN DE VERLARDE, KINN-MING     | SOCCER CAMP REFUND           | 90.00     |
| 07/05/2019 | 310291 | CHICAGO TITLE OF MICHIGAN, INC. | CDBG TITLE SEARCHES S DUNCAN | 450.00    |

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| 07/05/2019 | 310292 | CITY OF KALAMAZOO (PUBLIC SAF)      | FIRE OPS TRAINING             | 3,250.00   |
| 07/05/2019 | 310293 | DELOOF CONSTRUCTION, INC.           | DRYWALL MULTIPURPOSE ROOM     | 8,483.00   |
| 07/05/2019 | 310294 | DENOOYER OPERATING, LLC             | POLICE VEHICLE REPAIRS        | 633.97     |
| 07/05/2019 | 310295 | FAWLEY OVERHEAD DOOR, INC.          | FIRE FACILITY MAINT           | 105.00     |
| 07/05/2019 | 310296 | FLETCHER ENTERPRISES                | DPW PAINTING SERVICES         | 1,675.00   |
| 07/05/2019 | 310297 | FULL CIRCLE FARM                    | REIMBURSE FARMERS MARKET      | 32.00      |
| 07/05/2019 | 310298 | GRAHAM, WILLIAM                     | FIRE OPS TRAINING             | 100.35     |
| 07/05/2019 | 310299 | HABEL, CRAIG                        | LAKEVIEW SOFTBALL FIELD RFND  | 100.00     |
| 07/05/2019 | 310300 | HALL BUILDERS LLC                   | FIRE FACILITY MAINT           | 5,506.00   |
| 07/05/2019 | 310301 | HATFIELD, DOROTHY                   | HAYLOFT AND TENT DEPOSIT      | 250.00     |
| 07/05/2019 | 310302 | HEID, DAWN                          | SCHRIER PARK DEPOSIT REFUND   | 150.00     |
| 07/05/2019 | 310303 | HOLLAND SUPPLY INC.                 | VETERAN MARKERS               | 654.04     |
| 07/05/2019 | 310304 | HOME DEPOT                          | SUPPLIES - PARKS DIVISION     | 294.07     |
| 07/05/2019 | 310305 | INTERSTATE ALL BATTERY CENTER       | BATTERY                       | 239.99     |
| 07/05/2019 | 310306 | JENKINS, GRETA                      | REIMB-NATL COUNCIL AGING CONF | 66.75      |
| 07/05/2019 | 310307 | KAL COUNTY CONSOLIDATED DISPATCH    | KCCDA INTERLOCAL AGREEMENT    | 378,397.00 |
| 07/05/2019 | 310308 | KALAMAZOO NATURE CENTER, INC.       | RANGER TRAININGS              | 1,190.40   |
| 07/05/2019 | 310309 | KENT COUNTY DPW                     | RED MED/DRUG/WASTE DISP       | 90.00      |
| 07/05/2019 | 310310 | LANCASTER, JONATHAN                 | BANDSHELL DEPOSIT REFUND      | 150.00     |
| 07/05/2019 | 310311 | LOCEY SWIM POOL CO.                 | FOUTAIIN SUPPLIES FOR CH      | 1,376.40   |
| 07/05/2019 | 310312 | LONGMAN, MARK                       | GRAIN ELEVATOR DEPOSIT RFND   | 150.00     |
| 07/05/2019 | 310313 | MCDONALD'S TOWING & RESCUE, INC.    | TOWING SERVICES               | 25.00      |
| 07/05/2019 | 310314 | MICH MUNICIPAL POLICE & FIRE REPAIR | POLICE VEHICLE REPAIR & MAINT | 1,048.43   |
| 07/05/2019 | 310315 | MIGALA CARPET ONE, INC.             | CARPETING                     | 333.05     |
| 07/05/2019 | 310316 | MILLER, MIKE                        | FIRE OPS TRAINING             | 130.63     |
| 07/05/2019 | 310317 | MOSQUITO CONTROL OF SW MICHIGAN     | CAMPOUT MOSQUITO SPRAY        | 318.00     |
| 07/05/2019 | 310318 | OFFICE DEPOT, INC.                  | OFFICE SUPPLIES               | 244.00     |
| 07/05/2019 | 310319 | OLIVER, KELSEY                      | HAYLOFT THEATRE DEPOSIT RFND  | 150.00     |
| 07/05/2019 | 310320 | OUTERWEARS, INC.                    | MOWER PREFILTER               | 22.45      |
| 07/05/2019 | 310321 | PETTY CASH-JANET GATES              | REPLENISHMENT CHECK           | 699.30     |
| 07/05/2019 | 310322 | PHELPS, DAWN                        | GRAIN ELEVATOR DEPOSIT RFND   | 150.00     |
| 07/05/2019 | 310323 | PORTAGE ROTARY                      | SPECIAL EVENT LIABILITY INS   | 2,214.50   |

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| 07/05/2019 | 310324 | RATHCO SAFETY SUPPLY, INC.          | SIGNS AND SIGN MATERIALS     | 299.00     |
| 07/05/2019 | 310325 | RESTORATIVE LAKE SCIENCES, LLC      | 2019 WEST LAKE WEED MGMT     | 1,625.00   |
| 07/05/2019 | 310326 | RIVERSIDE INTEGRATED SYSTEMS, INC.  | REPAIR FIRE PANEL            | 422.57     |
| 07/05/2019 | 310327 | SHADLEY, KAREL                      | SCHRIER PARK DEPOSIT REFUND  | 250.00     |
| 07/05/2019 | 310328 | STATE SYSTEMS RADIO, INC            | MISC RADIO REPAIRS           | 592.00     |
| 07/05/2019 | 310329 | STOMMEN, JAKE                       | WESTFIELD SOFTBALL FIELD     | 100.00     |
| 07/05/2019 | 310330 | TENNIS COURTS UNLIMITED, INC.       | COURT LINE PAINTING          | 795.00     |
| 07/05/2019 | 310331 | TRAFFIC CONTROL CORP.               | TRAFFIC SIGNAL SUPPLIES      | 11,817.00  |
| 07/05/2019 | 310332 | VANGUARD FIRE & SUPPLY CO., INC.    | VANGUARD FIRE SUPPLY         | 1,287.34   |
| 07/05/2019 | 310333 | WIKEL, JULIE                        | GRAIN ELEVATOR DEPOSIT RFND  | 150.00     |
| 07/05/2019 | 310334 | STATE OF MICHIGAN (TREASURY)        | PMT IN LIEU OF TAXES         | 148,084.10 |
| 07/12/2019 | 310335 | ADVANCE II LLC                      | TEMP STAFFING FOR DEP CLERK  | 465.05     |
| 07/12/2019 | 310336 | ALLEGRA PRINT & IMAGING             | PARKS GUIDE AND MAP PRINT    | 680.00     |
| 07/12/2019 | 310337 | ALVI, ESKANDER                      | RENTAL DAMAGE DEPOSIT RETURN | 100.00     |
| 07/12/2019 | 310338 | BART'S BANNERS AND SIGNS            | FIRE ADMIN PRINTING          | 288.00     |
| 07/12/2019 | 310339 | BINDER PARK ZOOLOGICAL SOCIETY, INC | PROGRAM VENDOR PAYMENT       | 230.00     |
| 07/12/2019 | 310340 | BOXWOOD TECHNOLOGY, INC.            | JOB ADVERTISING              | 420.00     |
| 07/12/2019 | 310341 | BRISTOL, MARGARET                   | TRIP REFUND 190821           | 50.00      |
| 07/12/2019 | 310342 | BULL, BARBARA                       | TRIP VENDOR PAYMENT 190711   | 1,557.00   |
| 07/12/2019 | 310343 | BULLETS & BARRELS LLC               | 2 MK 18 5, 56 CAL RIFLES     | 2,898.00   |
| 07/12/2019 | 310344 | CHAPMAN, MARY                       | TRIP REFUND 190711           | 100.00     |
| 07/12/2019 | 310345 | CINTAS CORP.                        | UNIFORM RENTAL SERVICES      | 190.88     |
| 07/12/2019 | 310346 | CITY OF KALAMAZOO TREASURER         | WATER SERVICE - KILGORE      | 387.59     |
| 07/12/2019 | 310347 | CRAYTON, MYISHA                     | RENTAL DAMAGE DEPOSIT RET    | 100.00     |
| 07/12/2019 | 310348 | DAVID VLIK                          | OVERPAYMENT FINAL WATER B    | 59.07      |
| 07/12/2019 | 310349 | DELOOF CONSTRUCTION, INC.           | WATERPROOFING - POLICE ANNEX | 56,496.00  |
| 07/12/2019 | 310350 | DENOYER BROTHERS, INC.              | POLICE VEHICLE REPAIR        | 478.15     |
| 07/12/2019 | 310351 | DENOYER OPERATING, LLC              | POLICE VEHICLE REPAIR        | 231.55     |
| 07/12/2019 | 310352 | DEVON TITLE AGENCY                  | OVERPAYMENT WATER/SEWER      | 4.10       |
| 07/12/2019 | 310353 | DREWS, BRIAN                        | AMPHITHEATRE RENTAL RFND     | 450.00     |
| 07/12/2019 | 310354 | DYKEHOUSE, GAIL                     | TRIP REFUND 190717           | 100.00     |
| 07/12/2019 | 310355 | ENGINEERING SUPPLY & IMAGING        | KIP SUPPLIES FOR COM DEV     | 73.46      |

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| 07/12/2019 | 310356 | FLETCHER ENTERPRISES                | PAINTING SERVICES              | 3,800.00   |
| 07/12/2019 | 310357 | FOUNE WELL DRILLING, INC.           | WELL SERVICES                  | 410.00     |
| 07/12/2019 | 310358 | GILCHRIST, PAMELA                   | TRIP REFUND 190717             | 105.00     |
| 07/12/2019 | 310359 | GRIMES, TODD                        | UB REFUND: DUPLICATE PMT       | 137.66     |
| 07/12/2019 | 310360 | HARWOOD & ASSOCIATES                | OVERPAYMENT FINAL BILL         | 53.98      |
| 07/12/2019 | 310361 | HEFFNER, SAVANNAH                   | STUART MANOR DEPOSIT RFND      | 150.00     |
| 07/12/2019 | 310362 | HODGSON, BRITTANY                   | STUART MANOR DEPOSIT RFND      | 150.00     |
| 07/12/2019 | 310363 | HOME DEPOT                          | SUPPLIES - PARKS DIVISION      | 240.23     |
| 07/12/2019 | 310364 | HUNTER EVALUATION & ANALYTICS, LLC  | EVALUATION CONSULTINGS         | 958.75     |
| 07/12/2019 | 310365 | JEFFREY HILLMAN: HUMAN CORE EVALUAT | EVALUATION CONSULTING          | 958.75     |
| 07/12/2019 | 310366 | JOHN W. DUNLOP                      | FISH CAMP INSTRUCTION          | 140.00     |
| 07/12/2019 | 310367 | KALAMAZOO AREA TRANSPORTATION STUDY | TRAFFIC COUNTING SERVICES      | 240.00     |
| 07/12/2019 | 310368 | KALAMAZOO COUNTY HEALTH & COMMUNITY | 2 TABLES AT KALAMAZOO EXPO     | 600.00     |
| 07/12/2019 | 310369 | KALAMAZOO COUNTY TREASURER          | EXCESS FUNDS-SALE OF PERS PROP | 106.32     |
| 07/12/2019 | 310370 | KALAMAZOO LANDSCAPE SUPPLIES        | LEXINGTON PROJECT              | 462.50     |
| 07/12/2019 | 310371 | KALAMAZOO OIL COMPANY               | FUEL FOR SMALL EQUIPMENT       | 361.01     |
| 07/12/2019 | 310372 | KIESLER POLICE SUPPLY               | AMMO                           | 2,519.58   |
| 07/12/2019 | 310373 | KLOOSTER, FRAN                      | BAND REIMBURSE FOR MUSIC       | 92.41      |
| 07/12/2019 | 310374 | KZOO TIRE COMPANY                   | TIRE REPAIRS PD                | 18.50      |
| 07/12/2019 | 310375 | MALSCH, MARY                        | TRIP REFUND 190903             | 200.00     |
| 07/12/2019 | 310376 | MARION, MARILYN                     | JUNE 2019 COBRA                | 1,574.00   |
| 07/12/2019 | 310377 | MARION, MARILYN                     | JULY 2019 COBRA                | 1,574.00   |
| 07/12/2019 | 310378 | MCCLURE, DENNIS & CAROLYN           | TRIP REFUND 190711             | 190.00     |
| 07/12/2019 | 310379 | MCDONALD'S TOWING & RESCUE, INC.    | TOWING SERVICES                | 75.00      |
| 07/12/2019 | 310380 | MENARD'S (WEST MAIN)                | SPLIT RAIL FENCE               | 3,865.70   |
| 07/12/2019 | 310381 | MICH MUNICIPAL POLICE & FIRE REPAIR | POLICE VEHICLE REPAIR & MAINT  | 1,557.45   |
| 07/12/2019 | 310382 | MICHIGAN STATE UNIVERSITY           | CWCP RECERTIFICATION           | 95.00      |
| 07/12/2019 | 310383 | MILLER, MARY                        | TRIP REFUND 190711             | 95.00      |
| 07/12/2019 | 310384 | MLIVE MEDIA GROUP                   | JUNE LEGAL NOTICES             | 1,753.25   |
| 07/12/2019 | 310385 | MML UNEMPLOYMENT FUND               | MML QUARTERLY UNEMPLOYMENT     | 479.82     |
| 07/12/2019 | 310386 | MSU HIGHWAY TRAFFIC SAFETY PROGRAM  | AI-8 MOTORCYCLE ACCIDENT       | 405.00     |
| 07/12/2019 | 310387 | NORTHERN CONSTRUCTION SERVICES CORP | LOCAL STREETS RECON PHASE II   | 258,625.53 |

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| 07/12/2019 | 310388 | O'BRIEN, NICK                   | HAYLOFT THEATRE DEPOSIT RFND    | 150.00    |
| 07/12/2019 | 310389 | OCKERMAN, JOAN                  | TRIP REFUND 190621              | 50.00     |
| 07/12/2019 | 310390 | OFFICE DEPOT, INC.              | FUNDS TO RECEIVE OFFICE SUPP    | 949.32    |
| 07/12/2019 | 310391 | OLLIE-BENTON, TERRI             | RAMONA SOCCER DEPOSIT RFND      | 100.00    |
| 07/12/2019 | 310392 | PEERLESS-MIDWEST, INC.          | PUMP OVERHAUL - G/L # 4         | 20,761.54 |
| 07/12/2019 | 310393 | PETERMAN CONCRETE CO.           | CONCRETE DISPOSAL               | 38.90     |
| 07/12/2019 | 310394 | PETTY CASH-ALYSSA MILBECK       | PETTY CASH                      | 1,081.49  |
| 07/12/2019 | 310395 | PETTY CASH-DEREK HENSON         | REIMBURSEMENT CHECK             | 212.59    |
| 07/12/2019 | 310396 | PETTY CASH-JANET GATES          | PETTY CASH                      | 413.50    |
| 07/12/2019 | 310397 | POLDERMAN'S FLOWER SHOP         | FLOWERS                         | 153.85    |
| 07/12/2019 | 310398 | PRIEST, REBECCA                 | STUART MANOR DEPOSIT RFND       | 150.00    |
| 07/12/2019 | 310399 | RATHCO SAFETY SUPPLY, INC.      | SIGNS AND SIGN MATERIALS        | 94.00     |
| 07/12/2019 | 310400 | RHINO PRODUCTS, INC.            | FIRE TRAINING SUPPLIES          | 448.00    |
| 07/12/2019 | 310401 | ROSE, PATRICIA                  | TRIP REFUND 190717              | 100.00    |
| 07/12/2019 | 310402 | ROSIER, JERI                    | RAMONA PRKG VOUCHER RFND        | 10.00     |
| 07/12/2019 | 310403 | SAFEBUILT MICHIGAN, LLC         | FILL IN INSPECTIONS - BLDG SERV | 5,730.00  |
| 07/12/2019 | 310404 | SCHUG, NELSON                   | TRIP REFUND 190903              | 200.00    |
| 07/12/2019 | 310405 | SENIOR SERVICES, INC.           | BEST OF CARE LISTING SC         | 50.00     |
| 07/12/2019 | 310406 | SEVERANCE ELECTRIC COMPANY, INC | TRAFFIC SIGNAL REPAIR/MAINT     | 11,610.59 |
| 07/12/2019 | 310407 | SHILTS, DAWN                    | TRIP REIMBURSEMENT 190625       | 640.00    |
| 07/12/2019 | 310408 | SLAVIN MANAGEMENT CONSULTANTS   | CONSULTING SERVICES             | 5,782.50  |
| 07/12/2019 | 310409 | SPORT VIEW TELEVISION, LLC      | FIRE FACILITY MAINT             | 270.00    |
| 07/12/2019 | 310410 | STATE SYSTEMS RADIO, INC        | MISC RADIO REPAIRS              | 303.73    |
| 07/12/2019 | 310411 | SUN TITLE AGENCY LLC            | OVERPMT FINAL WATER/SEWER       | 25.79     |
| 07/12/2019 | 310412 | SUN TITLE AGENCY LLC            | OVERPAYMENT 8736 PORTAGE RD     | 0.11      |
| 07/12/2019 | 310413 | SUN TITLE AGENCY LLC            | OVERPAYMENT 8732 PORTAGE RD     | 15.59     |
| 07/12/2019 | 310414 | TBDC LLC                        | MOWER REPAIRS                   | 623.17    |
| 07/12/2019 | 310415 | TESSER, JANET                   | TRIP REFUND 190717              | 105.00    |
| 07/12/2019 | 310416 | TODD ARBANAS ENTERPRISES INC.   | TREE REMOVAL                    | 3,800.00  |
| 07/12/2019 | 310417 | TRAFFIC CONTROL CORP.           | TRAFFIC SIGNAL SUPPLIES         | 3,939.00  |
| 07/12/2019 | 310418 | TRUGREEN PROCESSING             | LANDSCAPE SERVICES              | 876.43    |
| 07/12/2019 | 310419 | UNITED PARCEL SERVICE           | UPS WEEKLY                      | 23.11     |

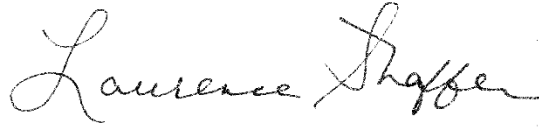
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| 07/12/2019                      | 310420 | UNITED PARTY & EVENT SERVICES  | INCRED 2 MOVIE EQUIP RENTAL | 1,845.00            |
| 07/12/2019                      | 310421 | USA TODAY                      | SUBSCRIPTION FOR LOBBY      | 29.00               |
| 07/12/2019                      | 310422 | USPS                           | REPLENISH BUS REPLY POSTAGE | 250.00              |
| 07/12/2019                      | 310423 | VERIZON WIRELESS SERVICES, LLC | CELL PHONES                 | 2,397.93            |
| 07/12/2019                      | 310424 | WORD, ALEXIS                   | RENTAL REFUND               | 290.00              |
| 07/12/2019                      | 310425 | WRIGHT, AARON                  | MUSIC FOR RAMONA BONFIRE    | 250.00              |
| 07/12/2019                      | 310426 | AMERICAN PLANNING ASSOCIATION  | APA/AICP MEMBERSHIP         | 543.00              |
| 07/12/2019                      | 310427 | LAKELAND ASPHALT CORP.         | LOVERS LANE IMPROVEMENTS    | 253,436.72          |
| 07/12/2019                      | 310428 | MICAMP TREASURER               | MEMBERSHIP RENEWAL          | 125.00              |
| <b>Total Paper Checks:</b>      |        |                                |                             | <b>1,278,015.31</b> |
| Check Type: Auto-Pay Payment    |        |                                |                             |                     |
| 07/05/2019                      |        | CONSUMERS ENERGY               | GAS-ELECTRIC                | 44,578.20           |
| 07/10/2019                      |        | CONSUMERS ENERGY               | GAS-ELECTRIC                | 12,480.55           |
| 07/12/2019                      |        | CONSUMERS ENERGY               | GAS-ELECTRIC                | 1,121.68            |
| <b>Total Auto-Pay Payments:</b> |        |                                |                             | <b>58,180.43</b>    |
| <b>Grand Total:</b>             |        |                                |                             | <b>1,811,399.34</b> |

**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** 2019 Local Street Reconstruction Project

**SUPPORTING PERSONNEL:** Kendra Gwin, Director of Transportation & Utilities

**ACTION RECOMMENDED:** Amend a construction contract with Northern Construction Services, Corp. of Niles, Michigan for the 2019 Local Streets Reconstruction Program in an amount not to exceed \$1,679,973.50 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The FY 2019-2020 Capital Improvement Program (CIP) budget provides funding for the 2019 Local Streets Reconstruction Program. The project entails street milling and resurfacing, storm sewer system improvements, concrete curb and gutter replacement as needed, new sidewalk to connect gaps in existing sidewalk and installation of ADA approved ramps at intersections. The location of the 2019 Local Streets Reconstruction Program includes all streets in the Harbors, Heverly Downs, Devisser Plat, and Sherwood Forest Estates neighborhoods. The streets included are:

- |                        |                      |                       |
|------------------------|----------------------|-----------------------|
| - Abbott Avenue        | - Hemlock Avenue     | - Rosewood Avenue     |
| - Beacon Harbor Avenue | - Heverly Drive      | - Sherwood Drive      |
| - Bird Rock Avenue     | - New Haven Cove     | - Springridge Street  |
| - Eagle Harbor Avenue  | - New Haven Drive    | - Sturgeon Bay Avenue |
| - French Bay Drive     | - Old Mission Street | - Thunder Bay Street  |
| - Grand Traverse Lane  | - Robinhood Drive    | - Tradewind Drive     |
| - Hedgewood Street     |                      |                       |

On May 7, 2019, City Council awarded a contract in an amount not to exceed \$1,703,135.30 to Northern Construction Services, Corp., for the construction of Phase 2 of the 2018 Local Street Reconstruction Program, which is currently under construction and planned to be completed in August of 2019. Northern Construction Services, Corp. has done an excellent job on the 2018 Local Street Reconstruction Program, is very responsive to city requests and resident needs, and has kept the project on schedule.

Design of the 2019 Local Streets Reconstruction Program was finalized on July 10, 2019. To provide ample time to complete the construction in 2019, and take advantage of existing unit prices being carried over, it is recommended that the existing contract for Phase 2 of the 2018 Local Streets Reconstruction Program be amended. If approved, the project construction of the 2019 Local Street Reconstruction Program will begin in August of 2019 and be completed in the fall of 2019.

It is recommended that City Council amend a construction contract to Northern Construction Services, Corp. of Niles, Michigan for the 2019 Local Streets Reconstruction project, in an amount not to exceed \$1,679,973.50 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

**FUNDING:** Funds are available in the FY 2019-2020 Capital Improvement Program budget.

**Attachments:** 1. Abonmarche 2019-07-16 Recommendation of Award

July 16, 2019

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

Re: Recommendation for Contract Award  
2018 Portage Local Streets Resurfacing Project Phase II  
ACI Project No. 18-0668

Mrs. Gwin,

At the request of City Staff, Northern Construction Services Corporation (NCSC) provided a bid for completion of the 2019 Local Streets Resurfacing Project. With this bid, NCSC is holding their unit pricing from the from Phase II of the 2018 Local Streets Project. Based on recent bidding results, this pricing is advantageous for the City. It also retains the Contractor on site, saving time and cost for mobilization.

**Bid Summary**

| <b><i>Prepared By:</i></b>                        | <b><i>Base Bid</i></b> |
|---------------------------------------------------|------------------------|
| Engineer's Estimate                               | \$1,678,887.50         |
| <b>Northern Construction Services Corporation</b> | <b>\$1,679,973.50</b>  |

The bid of \$1,679,973.50 submitted by Northern Construction Services Corporation of Niles, MI is in line with the Engineer's Estimate for the work. NCSC has previously furnished the qualifying project experience and meets the MDOT prequalification requirement for this project. Their proposed subcontractors also meet the MDOT prequalification requirements and have completed several past projects for the City of Portage. Abonmarche recommends award of the Contract to Northern Construction Services Corporation, in the amount of \$1,679,973.50.

If you have any questions or comments, please feel free to contact me.

Sincerely,

ABONMARCHE



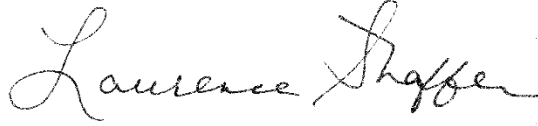
Daniel A. Dombos II, P.E.  
Senior Project Engineer

attachment: NCSC Bid Form

cc: Jamie Harmon, PE City of Portage

**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** Hampton Creek Wetland Area - Phase 2

**SUPPORTING PERSONNEL:** Kendra Gwin, Director of Transportation & Utilities

**ACTION RECOMMENDED:** Award a contract to perform an environmental impacts evaluation and joint permit application for the Hampton Creek Wetland Area Phase 2 to Fishbeck, Thompson, Carr & Huber, Incorporated, of Grand Rapids, Michigan in the amount not to exceed \$134,365 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Hampton Creek Wetland Area located north of West Centre Avenue and east of Angling Road, consists of an approximate 85-acre wetland surrounded by commercial, medical and residential developments and The Moors Golf Club. The Hampton Creek Wetland Area receives storm water runoff from approximately 2.55 square miles of primarily residential developments. Currently the Hampton Creek Wetland Area does not have a dedicated storm water surface outlet and as a result, the wetlands have experienced extended periods of high water levels that are impacting the surrounding residential and commercial properties and making portions of the golf course unusable.

In October 2018, the City Administration approved a Contract Change Order with Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) in the amount not to exceed \$19,800 to complete Hampton Creek Wetland Area Phase 1. Phase 1 evaluated the hydrogeological function of the wetlands and potential environmental impacts to Portage Creek. This phase also reviewed potential outfall alternatives. FTCH completed the Phase 1 evaluation and a pre-application meeting was held with the Michigan Department of Environment, Great Lakes and Energy (EGLE) in April 2018.

In June 2018, the city received the pre-application meeting response from EGLE detailing the required information needed for the permit application submittal. The City Administration requested a proposal from FTCH for Hampton Creek Wetland Area Phase 2 permit application submittal engineering services. FTCH submitted a proposal in the amount not to exceed \$134,365. Staff has reviewed the proposal and found it to be appropriate for the work required. FTCH has performed many successful feasibility studies and evaluations for the city.

It is recommended that City Council award a contract to Fishbeck, Thompson, Carr & Huber, Inc., of Grand Rapids, Michigan to perform an environmental impacts evaluation and joint permit application for the Hampton Creek Wetland Area Phase 2 in the amount not to exceed \$134,365 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

**FUNDING:** FY 2019-2020 Utility Operating Budget

**Attachments:**      1.      LP Portage Hampton Creek Phase 2 - Hydrogeologic Eval 2019 0711



July 11, 2019  
Project No. 181663

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

Re: Proposal for Professional Engineering Services  
Hampton Creek Wetland Area – Phase 2 – Environmental Impacts Evaluation and Joint Permit Application

Dear Ms. Gwin:

Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) is pleased to provide this Phase 2 proposal for professional engineering and ecological services to design and permit a stormwater outlet from the Hampton Creek Wetland Area (Hampton Creek Bog) to a bog in the Gourdneck State Game Area (Greenspire Bog). A second stormwater outlet would be designed for discharge to into a tamarack swamp/prairie fen complex adjacent to Portage Creek.

The Hampton Creek Bog consists of an approximately 85-acre bog that does not have a stormwater outlet and is experiencing record-high water levels, resulting in flooding of adjacent property. The Hampton Creek Bog serves as the stormwater outlet for surrounding commercial, medical, residential, and recreational developments. High groundwater and frequent rainfall have contributed to record high water levels within the bog, inundating adjacent property and making portions of the Moors Golf Club golf course unusable. Based on our understanding from the Phase 1 hydrogeologic evaluation, site visits, and feedback obtained from the Michigan Department of Environment, Great Lakes and Energy (EGLE), we propose the following scope of services to design and permit a stormwater outlet from the Hampton Creek Bog with ultimate discharge to the wetland complex adjacent to Portage Creek and Hampton Lake. This proposal is in accordance with a conceptual plan prepared by FTCH previously submitted to the City. The locations of the described features are presented on Figure 1.

## Scope of Services

### Baseline Assessment

EGLE's June 24, 2019, letter to the City regarding the April 18, 2019, Preapplication Meeting stated that extensive evaluation of all receiving waters is required as part of EGLE's permit review. This review should include the Hampton Creek Bog, Greenspire Bog, Portage Creek and associated wetlands, and Hampton Lake. FTCH proposes to complete the following assessments.

### *Biological Assessment*

#### **Wetland Evaluation**

Delineation of wetland boundaries in the proposed areas of impact and determination of the historic high-water elevations are required to maintain bog hydrology.

FTCH will evaluate areas impacted by proposed project construction for the presence of wetlands, regulated or nonregulated, under the 1994 Natural Resources and Environmental Protection Act (NREPA), Act 451, Part 303.

Vegetation, soils, and hydrologic qualities will be evaluated for wetland characteristics in a manner consistent with the 1987 *Corps of Engineers Wetlands Delineation Manual* and 2012 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)*. The site's wetland boundary will be flagged based upon these characteristics, and surveyed. The surveyed wetland boundaries will be placed on base maps. Approximate wetland boundaries will be extrapolated for the two bogs, based upon available light detection and ranging (LIDAR) maps and aerial photographs, to determine total wetland size.

FTCH will prepare a report summarizing the results of the fieldwork and wetland delineation. Data collected on the vegetation, soils, and hydrologic characteristics of the identified wetland areas will be summarized in Corps of Engineers Wetland Determination Data Forms. The summary report will be used as an attachment for a 1994 NREPA Act 451, Part 303, Wetland Permit Application.

### **Natural Features Survey**

FTCH will partner with the Michigan Natural Features Inventory (MNFI) to complete a natural features survey of the Hampton Creek and Greenspire Bogs, Portage Creek and associated wetlands, and Hampton Lake. MNFI maintains the state of Michigan's database of known occurrences of federal and state threatened, endangered, and special concern species. Its team of experts in ecology, botany, zoology, and aquatic zoology conduct field surveys of rare vascular plants and animals, as well as rare and/or high-quality natural communities.

The proposed project's natural features survey will include the following:

- Characterize plant communities for the following areas:
  - In the Hampton Creek and Greenspire Bogs.
  - Along the route of the proposed stormwater discharge pipes or channels.
  - In the tamarack swamp/prairie fen adjacent to Portage Creek and Hampton Lake from I-131 east to where Portage Creek enters Hampton Lake.
  - The margins of Portage Creek and Hampton Lake in the project area.
- The plant community survey will be completed through a meander survey, with focused attention to areas of proposed surface disturbance. The approximate boundaries of plant communities will be mapped on an aerial photograph.
- Evaluate for the presence of protected species within the project area (i.e. federal and state threatened and endangered [T&E] species). MNFI records identified historic occurrences of at least eight state T&E species and one federally threatened species in the Gourdneck State Game Area. MNFI will evaluate for the presence of suitable habitat for protected and special concern species within the project area and note whether these species were observed during their site investigation. The field investigation (completed during the summer of 2019) will not be conducted during the optimal survey period for all the species of concern. Subsequent fieldwork will likely be required after submittal of the Joint Permit Application or as a permit condition. This proposal does not include the cost for these later investigations or relocation/mitigation of protected species, if required. However, the T&E evaluation will include detailed recommendations for future surveys of protected snakes and turtles.
- Evaluate for the presence of invasive species within the project area. Of specific concern is the potential migration of invasive species into the Greenspire Bog and the tamarack swamp/prairie fen due to the proposed stormwater management system. The location and relative extent of invasive species will be mapped, and the threat of migration evaluated.

### ***Evaluation of Water Chemistry and Physical Parameters***

FTCH proposes to collect surface water samples from Hampton Creek Bog, Greenspire Bog, the Portage Creek tamarack swamp/prairie fen (located northwest of Hampton Lake), Portage Creek, and Hampton Lake. Details regarding the sample locations and analyses are provided below. It is assumed all locations are accessible and work will be completed in two business days using two FTCH field scientists.

**Hampton Creek Bog:** A total of three samples will be collected. Two of the samples will be collected within the perimeter moat near the proposed outlet structure, and one sample collected in the bog north of the proposed outlet. A canoe will be used to access the sample locations.

**Greenspire Bog:** A total of four samples will be collected. Two of the samples will be collected within the perimeter moat near the proposed outlet structure, one sample collected in the bog north of the proposed outlet, and one sample will be collected in the bog near the proposed inlet. A canoe will be used to access the sample locations.

**Portage Creek tamarack swamp/prairie fen:** Up to three samples will be collected from the tamarack swamp/prairie fen, if surface water is present. The locations will be evenly spaced along a transect from the inlet to Portage Creek. The sample locations will be accessed on foot.

**Portage Creek:** A total of three samples will be collected. One sample will be collected directly downgradient of the proposed inlet, and additional samples will be collected both 200 feet upstream and downstream of the first sample. The creek will be accessed on foot or by boat (depending on site conditions).

**Hampton Lake:** A total of three samples will be collected. Two of the samples will be collected near the inlets from Portage Creek and one will be collected from the central portion of the lake. A canoe will be used to access the sample locations. A Secchi disk will be used to measure the transparency of the water.

The samples collected for laboratory analysis will be collected from the surface water body directly into laboratory-supplied containers. The samples will be placed in an iced-cooler and transported to the laboratory following chain of custody procedures. They will be analyzed for the following parameters: nitrogen-ammonia, nitrate, nitrite, total phosphorous, and suspended solids. In addition, water quality parameters will be measured and recorded at each sample location. The water quality parameters consist of: temperature, dissolved oxygen, specific conductance, pH, and chlorophyll.

A summary report describing the work performed and findings of the investigation will be prepared. The report will include a description of the investigative methods, a site map showing sample locations, and data summary tables.

### ***Stream Stability Assessment of Portage Creek***

FTCH will complete a stream stability assessment of Portage Creek extending from a point approximately 2,000 feet upstream of Hampton Lake and from Hampton Lake to Oakland Drive. Information relating to causes of stability and instability, including stable and unstable channel cross sections, pattern, profile, sediment supply, and transport will be evaluated. The morphological conditions obtained during the assessment and associated data collected will be used to aid in potential impacts to stream stability as a result of constructing a new outlet from the Hampton Creek and Greenspire Bogs.

### ***Hydrologic Assessment/Hydraulic Analysis***

Phase 2 will establish an acceptable high-water elevation within the wetlands and evaluate the hydraulic function of a proposed alternative and potential impacts to Portage Creek. Topographic survey will be completed to support these evaluations.

We will prepare a hydraulic analysis in HydroCAD based on the proposed conceptual design. Upon establishing acceptable high-water elevations within the wetland bogs, a design outlet will be modeled. Surface elevations will be obtained from the existing U.S. Geological Survey digital elevation model (DEM) data. Downstream impacts to peak discharge values within Portage Creek and conceptual outlet control structures will be evaluated to mitigate any adverse impacts to the receiving waters.

### **Permitting and Regulatory Coordination**

#### ***Coordination with Regulatory Agencies***

Early coordination with the U.S. Fish & Wildlife Service (USFWS) and Michigan Department of Natural Resources (DNR) is essential for addressing concerns regarding the impact of the project on protected species. FTCH and MNFI will coordinate with the DNR Wildlife and Fisheries Divisions to obtain relevant information regarding natural resources in the Gourdneck State Game Area and discuss areas of concern. FTCH and MNFI will also meet with USFWS onsite to review the project and design alternatives, discuss areas of concern, and obtain feedback on permitting requirements. EGLE will be invited to these meetings to ensure good communication among all regulatory staff involved in the project.

#### ***Topographic Survey***

FTCH will complete a topographic field survey of the Hampton Creek and Greenspire Bogs near the proposed outlet/inlet structures, along the stormwater pipe alignment between the bogs, and from the Greenspire Bog outlet to the proposed discharge point. Additionally, utility information will be surveyed along the route of the proposed outlet. The topographic survey will support development of a high-water elevation within the bogs and engineering design.

#### ***Preliminary Engineering Design***

A preliminary design and plan will be prepared that is suitable for the Joint Permit Application and will utilize surface data collected from the topographic field survey and existing DEM.

#### ***Joint Permit Application***

FTCH will prepare a Joint Permit Application under Parts 301, Inland Lakes, and 303, Streams/Wetlands, Act 451, PA 1994. We will coordinate with EGLE to resolve concerns throughout the permitting process. The Joint Permit Application will include any applicable reports, which include the wetland evaluation, natural features survey, stream stability evaluation, and hydrologic/hydraulic modeling. The Joint Permit Application will be submitted using the MiWaters website.

### **Meetings**

FTCH anticipates eight meetings with the City, stakeholders, and regulatory agencies. We will also engage in regular communication with your office and provide progress reports on a bi-weekly basis.

## Assumptions

FTCH anticipates that additional survey for protected species may be required by USFWS and the DNR during the optimal survey period for species of concern. Protected species known to occur near the project area have optimal survey periods in April and May. This proposal does not include these surveys.

The proposed restricted outlets, inlets, and pipe route are located on private property or within the Gourdneck State Game Area owned by the state of Michigan. FTCH assumes the City will obtain landowner authorization where physical work is proposed. These authorizations must be submitted with the Joint Permit Application.

## Professional Services Fees

We propose to complete the Phase 2 scope of services for an hourly not-to-exceed fee of One Hundred Thirty-Four Thousand Three Hundred Sixty-Five Dollars (\$134,365). The fees are broken down by task in the following table.

### Summary of Fees

|                                          |                  |
|------------------------------------------|------------------|
| Wetland Evaluation                       | \$4,260          |
| Natural Features Survey                  | \$42,000         |
| Evaluation of Water Chemistry            | \$10,535         |
| Stream Stability Assessment              | \$3,050          |
| Hydrologic Assessment/Hydraulic Analysis | \$13,980         |
| Coordination with Regulatory Agencies    | \$8,168          |
| Topographic Survey                       | \$6,216          |
| Preliminary Engineering Design           | \$13,800         |
| Joint Permit Application                 | \$14,356         |
| Meetings                                 | \$15,230         |
| Expenses and Permit Fee                  | \$2,770          |
| <b>Total</b>                             | <b>\$134,365</b> |

## Schedule

We propose to complete the Phase 2 services in accordance with the schedule outlined below upon authorization to proceed. The anticipated schedule for these tasks is attached.

Key dates to complete tasks are as follows:

|                                |            |
|--------------------------------|------------|
| Authorization to Proceed       | 7/25/2019  |
| Wetland Evaluation             | 8/16/2019  |
| Survey                         | 8/25/2019  |
| Evaluation of Water Chemistry  | 10/1/2019  |
| Natural Features Survey        | 10/1/2019  |
| Stream Stability Assessment    | 10/1/2019  |
| Hydrologic/Hydraulic Analysis  | 10/15/2019 |
| Preliminary Engineering Design | 11/12/2019 |
| Joint Permit Application       | 12/1/2019  |

Ms. Kendra Gwin, PE

Page 6

July 11, 2019

## Authorization

We will proceed with these tasks upon receiving written authorization from the City. Invoices will be submitted every four weeks and payment is due upon receipt.

If you have any questions or require additional information, please contact Brian McKissen at 248.324.1572 or Elise Tripp at 616.464.3738.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.



Brian McKissen, PE, CFM



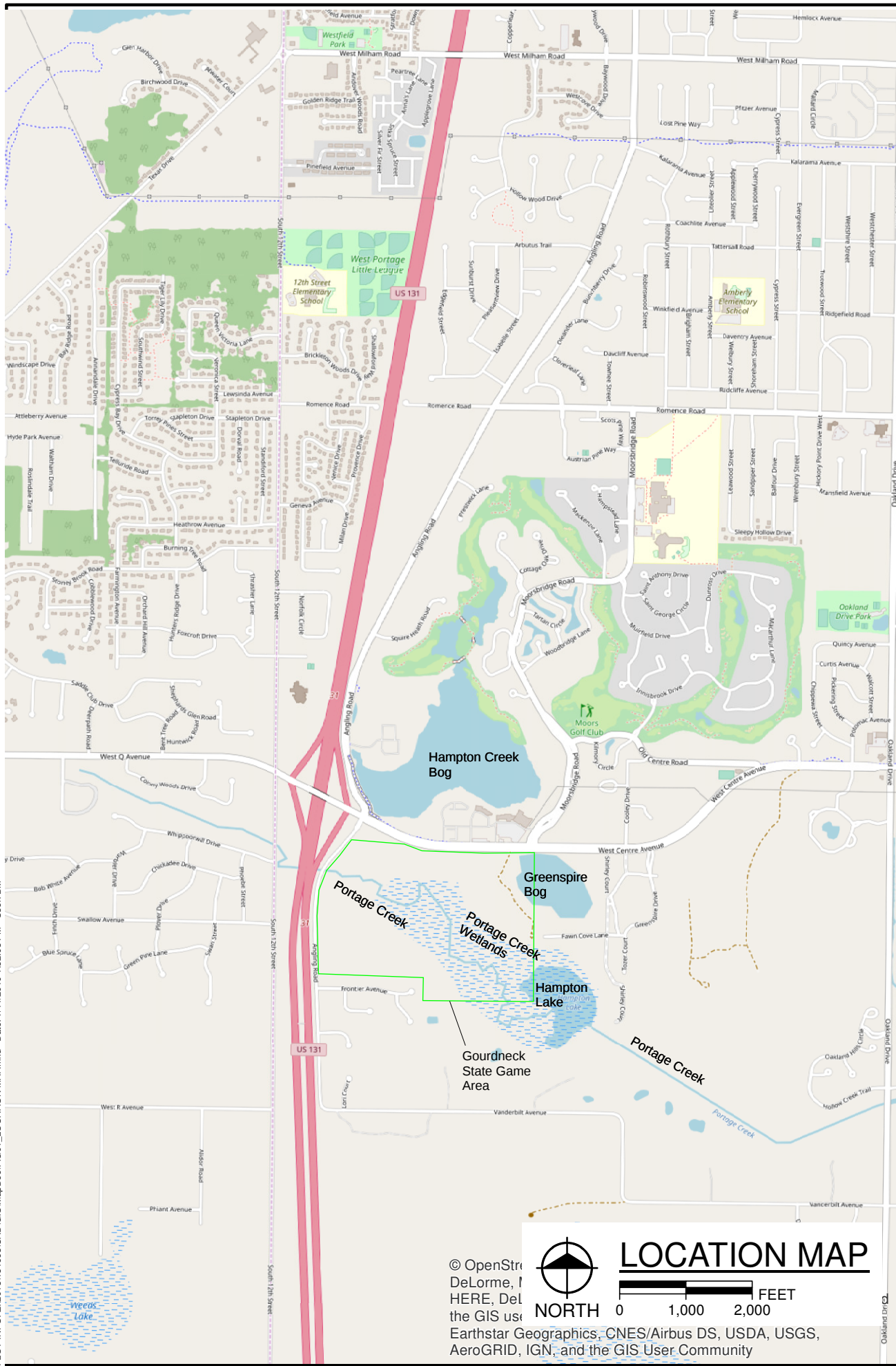
Elise Hansen Tripp, PWS

nac

Attachments

By email

cc: Mr. David J. Baar, PE – FTCH



fishbe

engineers

scientists

architects

constructors

fishbeck, thompson,  
carr & huber, inc.

Hard copy is  
intended to be  
8.5"x11" when  
plotted. Scale(s)  
indicated and  
graphic quality may  
not be accurate for  
any other size.

## City of Portage

Kalamazoo County, Michigan

Hampton Creek Wetland Area

PROJECT NO.

181663

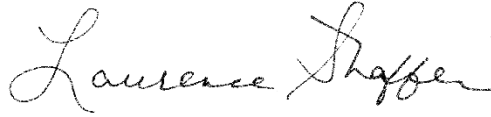
FIGURE NO.

1

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**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** Sole Source Purchase - Picnic Support Equipment

**SUPPORTING PERSONNEL:** Rod Russell, Director of Public Works

**ACTION RECOMMENDED:** Approve a sole source purchase in the amount of \$79,825.50 from Jamestown Advanced Productions, Corp., to purchase picnic support equipment, and authorize the City Manager to execute all documents on behalf of the city.

In September 2018, the City Council approved the purchase of picnic support equipment to the low bidder, Jamestown Advanced Productions, of Jamestown, NY. The picnic equipment was installed at Oakland Drive Park, Harbor's West Park and Portage Creek Bicentennial Park. The same picnic tables were also purchased for use at the new Celery Flats Visitor's Center. The equipment has met the expectations of the city and has provided consistency in the picnic equipment in these three parks.

The Fiscal Year 2019-2020 Capital Improvement Program budget includes funding to purchase new picnic tables and picnic support equipment in West Lake Nature Preserve, South Westnedge Park, Schrier Park, Westfield Park and Lexington-Green Park. The current picnic tables in these parks are old and vary in style and color. City staff requested a proposal from Jamestown Advanced Production Corp. for the purchase of:

- 88 Picnic Tables
- 7 ADA Picnic Tables
- 27 32-gallon Trash Receptacles
- 9 55-gallon Recycling Receptacles

Jamestown Advanced Productions has agreed to hold their prices from the 2018 purchase, resulting in a proposal cost of \$79,925.50. Jamestown Advanced Production is the sole provider of the equipment in this style and color purchased in 2018. So that there is consistency in the picnic equipment across all city parks, it is recommended that City Council approve a sole-source purchase in the amount of \$79,825.50 from Jamestown Advanced Productions for picnic tables and picnic support materials and that the City Manager be authorized to execute all documents related to the contract on behalf of the city.

**FUNDING:** Funds are budgeted for this work in the 2019-2020 Capital Improvement Program budget.

**Attachments:** 1. Equipment Graphics





8' Extra Heavy Duty Table, Perforated **Green Top/Seats**, Powder-Coated Black Frame



8' Double Sided Extra Heavy Duty ADA Table, Perforated **Green Top/Seats**, Powder-Coated Black Frame. **Note:** Shown color is not desired. Table color **shall be green** with black frame.



32 Gallon Trash Receptacle Only, Perforated Polyethylene **Green**. **Note:** Shown color is not desired. Receptacle **color shall be green**.



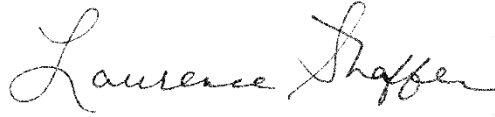
32 Gallon Round Dome Top Lid Black



Stadium Series 55 Gallon Trash Receptacle with Recycling Logo, Plastic Liner & Hood Top Lid – Choose Openings, Post Office Blue

**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** Final Site Plan for American Village Builders Addition, 4200 West Centre Avenue.

**SUPPORTING PERSONNEL:** Vicki Georgeau, Director of Community Development

**ACTION RECOMMENDED:** Approve the Final Site Plan for American Village Builders Addition, 4200 West Centre Avenue.

A final site plan has been submitted by American Village Builders (AVB) to construct an approximate 4,000 square foot, two-story building addition along the west side of the existing AVB office building located at 4200 West Centre Avenue. The subject property is zoned PD, planned development, and is located within a portion of the Woodbridge Hills PD that is identified for office use.

The proposed building addition will be situated outside of the defined wetland area to the north. The Michigan Department of Environment, Great Lakes and Energy (EGLE) has reviewed the proposal and has determined that no permits are necessary. Access to the site will be provided through the existing full-service driveway from West Centre Avenue; no new access drives are proposed. The existing parking areas along the West Centre Avenue frontage, east and west of the driveway, will be maintained. These areas provide the minimum number of parking spaces required by the Zoning Code. No other site changes are proposed with the office addition project.

In a report dated July 3, 2019, the Department of Community Development recommended approval of the Final Site Plan for the American Village Builders addition, 4200 West Centre Avenue. At the July 11, 2019 meeting, the Planning Commission reviewed and also recommend City Council approve the Final Site Plan.

**FUNDING:** Not applicable

**Attachments:**

1. July 12, 2019 Planning Commission transmittal
2. July 11, 2019 DRAFT Planning Commission minutes
3. July 3, 2019 Community Development staff report

**TO:** Honorable Mayor and City Council

**FROM:** Planning Commission

**DATE:** July 12, 2019

**SUBJECT:** Final/Site Plan for American Village Builders (addition), 4200 West Centre Avenue

During the July 11, 2019 meeting, the Planning Commission reviewed and discussed the Final/Site Plan for the above captioned development project, which proposes an approximate 4,000 square foot building addition along the west side of the existing American Village Builders (AVB) office building located at 4200 West Centre Avenue. Mr. Greg Dobson, representing AVB, was present to support the final/site plan and explain the development project. No citizens spoke regarding the proposed development and no citizen communications have been received.

The Final/Site plan for the AVB (addition) at 4200 West Centre Avenue has been designed in substantial conformance with the approved tentative plan for the Woodbridge Hills Planned Development. After a brief discussion, a motion was made by Commissioner Pezzoli, seconded by Commissioner Baldwin, to recommend to City Council that the Final/Site Plan for AVB (addition), 4200 West Centre Avenue, be approved. The motion was unanimously approved 8-0.

Sincerely,

  
Dan Corradini

Chairman

 **DRAFT**

**SITE/FINAL PLANS:**

1. Site Plan: Kingdom Sports KidFit Child Care Center, 8151 Merchant Place. Mr. West summarized the staff report dated July 3, 2019 regarding a request by Chris and Stephanie Keenan to construct an approximate 6,300 square foot child care center building and associated site improvements along the northwest portion of the existing Kingdom Indoor Center site located at 8151 Merchant Place. Mr. West discussed the applicant's intent to "bank" a portion of the required parking in greenspace since the peak hours of operation for the existing Kingdom Indoor Center use and the proposed child care center do not conflict. Mr. West indicated that deferment of these parking spaces will reduce the amount of unnecessary pavement until such time that additional parking may be required.

Stephanie Keenan of Kingdom Indoor Center was present to support the site plan. No citizens spoke regarding the proposed child care center building. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the Site Plan for Kingdom Sports KidFit Child Care Center, 8151 Merchant Place. The motion was unanimously approved 8-0.

**SITE/FINAL PLANS:**

1. Final/Site Plan: American Village Builders (addition), 4200 West Centre Avenue. Mr. West summarized the July 3, 2019 staff report regarding the final/site plan submitted by American Village Builders to construct an approximate 4,000 square foot, two story building addition along the west side of the existing office building located at 4200 West Centre Avenue. Mr. West indicated the proposed building addition would maintain a similar setback from West Centre Avenue as the existing office building, and would be situated outside of the defined wetland area to the north.

Greg Dobson of American Village Builders was present to support the application and explain the development project. No citizens spoke regarding the proposed building addition. After a brief discussion, a motion was made by Commissioner Pezzoli, seconded by Commissioner Baldwin, to recommend to City Council that the Final/Site Plan for American Village Builders (addition), 4200 West Centre Avenue, be approved. The motion was unanimously approved 8-0.

**PUBLIC HEARING:**

1. Preliminary Report: Ordinance Amendment #18/19-B: Residential Amendments. Mr. Forth referred the Commission to the July 5, 2019 staff report and summarized the proposed amendments to the Zoning Code and Subdivision Regulations pertaining to residential land uses. Mr. Forth stated that Community Development has been working with the City Attorney for the past several months to develop these amendments which are intended to provide more flexibility for property owners/developers and to address ongoing issues associated with code implementation by staff. Mr. Forth indicated the proposed amendments were first presented to Planning Commission at the June 6, 2019 meeting where preliminary review and discussion occurred. Based on these preliminary discussions, Mr. Forth stated minimum side and rear building setback for residential accessory buildings was changed from ½ the building height to 5-feet (current requirement is 3-feet). Mr. Forth also stated the provision for review/approval of lot coverage increases (from 25% to 30%) on substandard lakefront lots by the Director of Transportation and Utilities was retained and indicated that Community Development staff would also be involved with the review.

Mr. Forth then reviewed the proposed amendments, by section, including elimination of the R-1E zoning district, Section 42-112 (Definitions), Section 32-121 (Accessory Uses), Section 42-124 (Projections into required yards), Section 42-125 (Street frontage requirements, development standards for land divisions), Section 42-128 (Lakefront lots), Section 42-139 (Lot grading), Section 42-350 (Schedule of Regulations), various sections pertaining to the length of approvals for site plan, special land use permit and variance (increase to 12 month approval period) and Section 42-803 (Streets) and Section 42-805 (Utilities) of the Subdivision Regulations.

**TO:** Planning Commission**DATE:** July 3, 2019**FROM:** Vicki Georgeau, <sup>VJG</sup>Director of Community Development**SUBJECT:** Final/Site Plan for American Village Builders (addition), 4200 West Centre Avenue**I. INTRODUCTION:**

A final/site plan has been submitted by American Village Builders (AVB) requesting approval to construct an approximate 4,000 square foot, two-story building addition along the west side of the existing AVB office building located at 4200 West Centre Avenue. The subject property is zoned PD, planned development and is generally located along the north side of West Centre Avenue, east of Angling Road. The project is located within the portion of the Woodbridge Hills Planned Development identified for office use.

The proposed addition will maintain a similar setback from West Centre Avenue as the existing office building, approximately 80-feet from the public right-of-way, and will be situated outside of the defined wetland area to the north. The Michigan Department of Environment, Great Lakes and Energy (EGLE) has reviewed the proposed building addition and has determined that no permits are necessary.

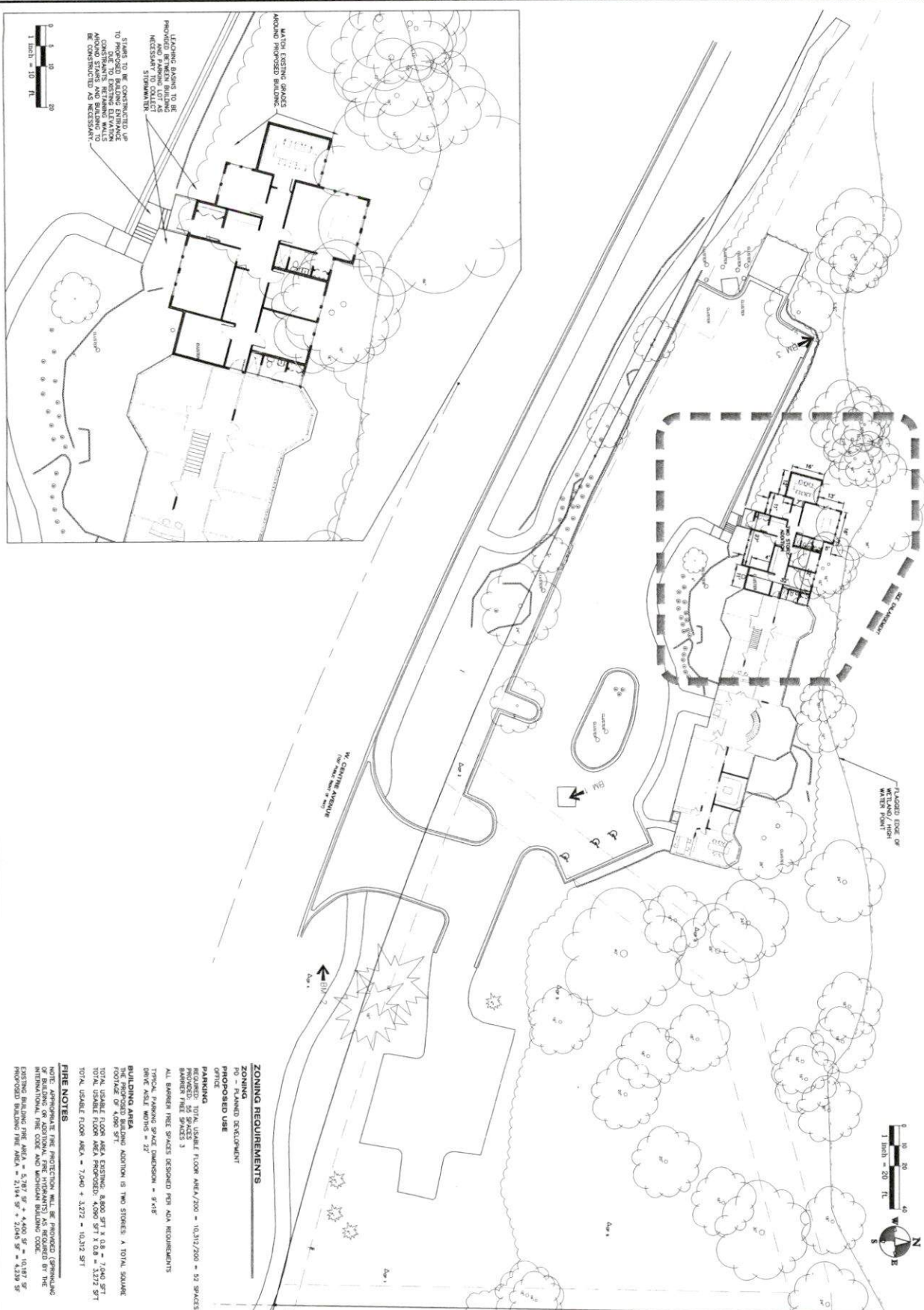
Access to the site will continue from the existing full service driveway from West Centre Avenue. No new access drives are proposed. Existing parking areas located along the West Centre Avenue frontage, east and west of the driveway, will be maintained and these areas provide the minimum number of spaces required by the Zoning Code. No other site changes are proposed with the office building addition.

**II. RECOMMENDATION:**

The final/site plan has been reviewed by the City Administrative departments. Staff advises that the Planning Commission recommend to City Council approval of the Final/Site Plan for American Village Builders (addition), 4200 West Centre Avenue.

**Attachments:** Final Plan SheetsT:\COMMDEV\2018-2019 Department Files\Board Files\Planning Commission\PC reports\Site Plans\2019-07-03 AVB (addition), 4200 West Centre Avenue.docx



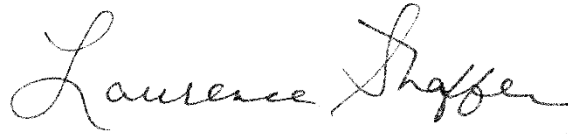


**PROPOSED LAYOUT**  
**4200 W CENTRE AVE OFFICE EXPANSION**  
**AVB**



**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** Liquor License Application for Special Events

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

**ACTION RECOMMENDED:** Approve submission of applications to the Michigan Liquor Control Commission (MLCC) for a Special License for the sale of beer and wine for consumption on the premises at Celery Flats (7335 Garden Lane) for the Heritage Festival on Saturday, September 7, 2019, and the Portage Art Hop on Friday, October 4, 2019, and authorize the City Manager to execute all documents on behalf of the city.

Portage Parks & Recreation has plans to serve alcohol at the Heritage Festival on Saturday, September 7, 2019, and the Portage Art Hop on Friday, October 4, 2019. Both events will be held at the Celery Flats Historical Area (7335 Garden Lane). A drink truck would be provided by IHS Distributing for beer and wine sales.

As with previous events of this nature, Portage Parks & Recreation, along with the Department of Public Safety – Police Division, will work cooperatively to develop controls to ensure safe and successful events where alcohol is served:

- Fencing will be used for crowd containment, with only one entrance and one exit for patrons.
- Wristbands will be issued to participants over 21 years of age.
- Park Rangers will assist in monitoring and patrolling the location perimeters, limiting access to the main event entrances.
- Patrons will pay for beer or wine, with all proceeds being used to pay for the drink truck and to assist in offsetting concert costs.
- City staff and Park Board members will serve the alcohol and will be a minimum of 21 years of age or older.

Public Safety approved the Special License Application and the plans for the event (attached). The city's liability insurance would cover any claims made against the city, staff or volunteers.

**FUNDING:** Funded through Parks Events General Budget

**Attachments:**

1. Heritage Festival Alcohol Application
2. Art Hop Alcohol Application





Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

### Special License Application

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

#### Part 1 - Applicant Organization Information

|                                                                                                                                                                     |                     |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------------|
| Applicant organization name: City of Portage                                                                                                                        |                     |                               |
| Applicant address: 7900 South Westnedge Avenue                                                                                                                      |                     |                               |
| City: Portage                                                                                                                                                       |                     | Zip Code: 49002               |
| Contact name: Alyssa Milbeck                                                                                                                                        | Phone: 269-324-9271 | Email: milbecka@portagemi.gov |
| Alternate contact name: Peggy Napier                                                                                                                                | Phone: 269-207-2209 | Email: napierp@portagemi.gov  |
| 1. Has the applicant organization previously received a Special License? <input checked="" type="radio"/> Yes <input type="radio"/> No                              |                     | Leave Blank - MLCC Use Only   |
| If No, the applicant organization must submit documentary proof of its non-profit status (e.g. charter, bylaws, IRS tax exemption, Articles of Incorporation, etc.) |                     |                               |
| 2. Has the applicant organization been established for one (1) year or longer? <input checked="" type="radio"/> Yes <input type="radio"/> No                        |                     |                               |
| Date the applicant organization was established (month/day/year): _____                                                                                             |                     |                               |
| 3. Is the applicant organization a municipality? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                      |                     |                               |

#### Part 2 - Event Information - For requests at more than one location, submit separate forms for each location.

|                                                                                                                                                                                                                                                                                                                                                |                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Address of event location: 7335 Garden Lane                                                                                                                                                                                                                                                                                                    |                        |
| City, township, or village where event will be held: Portage                                                                                                                                                                                                                                                                                   | County: Kalamazoo      |
| 1. Will you submit your completed application at least ten (10) business days before your event?<br><i>It is strongly recommended that you submit the application as soon as you know the date of your event(s).</i> <input checked="" type="radio"/> Yes <input type="radio"/> No                                                             |                        |
| 2. Do you have permission from the property owner of the location listed above to hold your event(s) on the date(s) listed below (see pages 2-3) at this location? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                               |                        |
| 3. Has the local law enforcement agency with primary jurisdiction over the event location approved this application for a Special License? (See Part 5 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                |                        |
| 4. Is the event location within 500 feet of a church or school?<br>If Yes, the church or school must consent to the event(s). (See Part 6 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                             |                        |
| 5. Is the event location outdoors or partially outdoors? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                                                                                                                         |                        |
| If Yes, list the exact dimensions of the outdoor area:<br><b>Submit a clear diagram of the outdoor service area with your application form.</b>                                                                                                                                                                                                |                        |
| 92.1<br>Width                                                                                                                                                                                                                                                                                                                                  | feet X 265.2<br>Length |
| feet = 24,424.92 square feet                                                                                                                                                                                                                                                                                                                   |                        |
| Describe type and height of the barrier that will be used to enclose the outdoor area:<br>Orange fencing - 4 Feet High                                                                                                                                                                                                                         |                        |
| 6. Describe type of security that will be used for event(s) and how it will be utilized to secure and monitor to prevent sales to minors and visibly intoxicated persons:<br>Employees will place a wrist band on those 21 and older at the gate where everyone will enter. We will also have orange fencing around the event for containment. |                        |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 7. Is the event location situated in or on state owned land, such as a state park or National Guard armory?<br>If Yes, attach a copy of your documentary proof of approval to use the state owned land.                                                                                                                                                                                                                                                                                | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| 8. Is there an existing liquor licensee issued at the event location, such as a Class C or Club license?<br>If Yes, the existing licensee must request to place its license in escrow during the event(s). (See Part 7 on Page 5)                                                                                                                                                                                                                                                      | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| 9. Will the event(s) involve an auction of donated wine?<br>If Yes, please check "Wine Auction" for the applicable event date(s) on pages 2-3. Only donated wine may be auctioned under a Special License; beer and spirits cannot be auctioned. If you request a Special License for on-premises consumption <u>AND</u> for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses. | <input type="radio"/> Yes <input checked="" type="radio"/> No |

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

10. The applicant organization may request up to twelve (12) Special Licenses total (one Special License per day) in a calendar year. Please complete the information below **for each individual date** for which you are requesting a Special License at this location. **If you are requesting Special Licenses for consecutive days, completely fill out a separate box for each date.** **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

|   |                        |                                                                                                                                                                                                                     |  |
|---|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1 | 9-7-19                 | Describe event being held: Heritage Festival                                                                                                                                                                        |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | 12:00pm    7:00pm      | Special License will be used for: <input checked="" type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                               |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input checked="" type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input checked="" type="radio"/> No |  |

|   |                        |                                                                                                                                                                                               |  |
|---|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2 |                        | Describe event being held:                                                                                                                                                                    |  |
|   | Date                   |                                                                                                                                                                                               |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                    |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

|   |                        |                                                                                                                                                                                               |  |
|---|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 3 |                        | Describe event being held:                                                                                                                                                                    |  |
|   | Date                   |                                                                                                                                                                                               |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                    |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

|   |                        |                                                                                                                                                                                               |  |
|---|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 4 |                        | Describe event being held:                                                                                                                                                                    |  |
|   | Date                   |                                                                                                                                                                                               |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                    |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

|   |                        |                                                                                                                                                                                               |  |
|---|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 5 |                        | Describe event being held:                                                                                                                                                                    |  |
|   | Date                   |                                                                                                                                                                                               |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                    |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

|   |                        |                                                                                                                                                                                               |  |
|---|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 6 |                        | Describe event being held:                                                                                                                                                                    |  |
|   | Date                   |                                                                                                                                                                                               |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                    |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

12. Special license date information Continued from Page 2.

|    |            |          |                                                                                                                                                                                            |
|----|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7  |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 8  |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 9  |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 10 |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 11 |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 12 |            |          | Describe event being held:                                                                                                                                                                 |
|    | Date       |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

**Part 3 - Special License Fees - Complete the Special License fee calculation on Page 4**

**For Organizations established less than one year or are municipalities** - a \$50.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$7.50 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

**For Organizations established one year or more** - a \$25.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$3.75 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

The fees must be paid by check, bank or postal money order, or by credit card, using the attached Credit Card Authorization Form (LCC-300). Checks and money orders should be made payable to **State of Michigan**.

|                                                                     |      |
|---------------------------------------------------------------------|------|
| Special License Base Fee:<br><i>(per Special License requested)</i> | 50 - |
| x Number of Special Licenses:                                       | 1    |
| = Special License Fees:<br><i>MLCC Fee Code: 4008</i>               | 50 - |
| + Sunday Sales Permit (P.M.) Fees:<br><i>MLCC Fee Code: 4032</i>    | 0    |
| + Sunday Sales Permit (A.M.) Fee:<br><i>MLCC Fee Code: 4033</i>     | 0    |
| <b>= TOTAL FEES DUE:</b>                                            | 50 - |

Make checks payable to:  
**State of Michigan**

*Leave Blank - MLCC Use Only*

Pursuant to administrative rule R 436.575, the president and secretary of the organization making application shall sign the application and the signatures shall be notarized. Political candidates only need to sign the president section and have it notarized.

We certify that all profits from the sale of beer, wine and/or spirits or from a wine auction will go to the applicant organization and not to any individual. We further certify that any license issued by the Michigan Liquor Control Commission is a contract subject to suspension or revocation by the Commission, that there shall be no liability on the part of the State of Michigan, the Commission, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

We certify that the information contained in this form is true and accurate to the best of our knowledge and belief. We agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. We also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

Date \_\_\_\_\_

Date \_\_\_\_\_

My commission expires

Date \_\_\_\_\_

Date \_\_\_\_\_

My commission expires

**Part 5 - Local Law Enforcement Approval\***

The local law enforcement agency with primary jurisdiction over the event location must complete this section.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Name of law enforcement agency: City of Portage Public Safety                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          |
| Name & title of reviewing officer: Nick Arnold - Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |
| Phone number of officer: 269-329-4561                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Email of officer: arnoldn@portage.mi.gov |
| If event will be held on a Sunday, is the sale of alcohol from 7:00am to 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input checked="" type="radio"/> No                                                                                                                                                                                                                                                                                                                          |                                          |
| If the event will be held on a Sunday, is the sale of alcohol after 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input checked="" type="radio"/> No                                                                                                                                                                                                                                                                                                                               |                                          |
| I certify that I have reviewed the application of the applicant organization for a Special License and approve the issuance of a Special License by the Michigan Liquor Control Commission at the proposed event location. <div style="float: right; text-align: right;"> <br/>           Signature of Reviewing Officer         </div> <div style="float: right; text-align: right;">           7/10/19<br/>           Date         </div> |                                          |

**Part 6 - Church/School Consent (If Applicable)\***

If the event location is located within 500 feet of a church or school, the applicant organization must obtain the consent of the church or school. A church or school within 500 feet of the event location may object based on such the sale of alcohol at the location adversely affecting the church or school's operations. If a proper objection is filed, the Commission shall hold a hearing to determine whether the granting of the application will adversely affect the operation of the church or school.

|                                                                                                                                                                                                                                                                                                                                                                    |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Name of church or school:                                                                                                                                                                                                                                                                                                                                          |           |
| Address of church or school:                                                                                                                                                                                                                                                                                                                                       |           |
| City:                                                                                                                                                                                                                                                                                                                                                              | Zip Code: |
| Phone number:                                                                                                                                                                                                                                                                                                                                                      | Email:    |
| Name of clergy member or superintendent:                                                                                                                                                                                                                                                                                                                           |           |
| I, the authorized representative of the above named church or school, state that the church or school has no objection to the issuance of a Special License to the applicant organization at its proposed event location. <div style="float: right; text-align: right;">           Signature of Clergy Member or Superintendent<br/>           Date         </div> |           |

**\*Please note: the Commission has the sole and only right to approve or deny this request for a Special License.**

**Part 7 - Existing On-Premises Licensee Escrow Request (If Applicable)**

If the event location is currently licensed with an on-premises license, the licensee must request that its license be placed into escrow for the date(s) and time(s) of the Special Licenses issued for use at the event location requested on this application. If the existing license would prefer to temporarily drop space from its licensed premises, it must submit a letter to the Commission requesting to drop space temporarily from its licensed premises during the event date(s) and time(s), accompanied by a diagram showing the area where the license will temporarily drop space from its licensed premises to accommodate the applicant organization.

|                                                                                                                                                                                                                                                                                                                                                                                            |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Name of licensee:                                                                                                                                                                                                                                                                                                                                                                          | Business ID Number: |
| Type of license held at this location (e.g. Class C, Club, Tavern, etc.):                                                                                                                                                                                                                                                                                                                  |                     |
| Phone number:                                                                                                                                                                                                                                                                                                                                                                              | Email:              |
| Name of authorized signer for licensee:                                                                                                                                                                                                                                                                                                                                                    |                     |
| I, the authorized signer, for the above named on-premises licensee, request that the licensee's licenses at this location be placed into escrow during the date(s) and time(s) specified for the Special Licenses issued for use at this location. <div style="float: right; text-align: right;">           Signature of Authorized Signer for Licensee<br/>           Date         </div> |                     |



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License**

(Required under Administrative Rule R 436.576 - Not Required for Candidate Committee)

At a ☐ Regular ☐ Special meeting of the ☐ Membership ☐ Board of Directors

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Time)

the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the application from \_\_\_\_\_  
(Name of Organization)

for a Special License to serve alcohol on: \_\_\_\_\_  
(Event Date or Dates)

to be located at \_\_\_\_\_  
(Physical Address - Include Location Name, Street Address, City, State, & Zip Code)

It is the consensus of this body that the application be \_\_\_\_\_ for issuance.  
(Recommended or Not Recommended)

**Approval Vote Tally**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

**Certification by Authorized Officer of Organization:**

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the

☐ Membership ☐ Board of Directors at a ☐ Regular ☐ Special meeting held on \_\_\_\_\_  
(Date)

Print Name & Title of Authorized Officer

Signature of Authorized Officer

Date



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Bond of Special License for Sale of  
Beer, Wine, and/or Spirits for Consumption on the Premises**  
[Required under MCL 436.1801(1)(b) - Not Required if Applicant Organization is a Church or School]

|                                                                               |                   |
|-------------------------------------------------------------------------------|-------------------|
| Applicant organization name: City of Portage                                  |                   |
| Address of event location: Celery Flats - 7335 Garden Lane, Portage, MI 49002 |                   |
| City, township, or village where event will be held: City of Portage          | County: Kalamazoo |

Know all men by these presents, that the above applicant, as principal,  
and West Bend Mutual Insurance Company

of address PO Box 620976, City of Middleton, State of Wisconsin

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the sum of One Thousand (\$1,000.00) dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

**Sealed with our seals and dated this (date and year):** \_\_\_\_\_

Now therefore the condition of this obligation is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and/or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission and

Conditioned further, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time, sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or likewise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

And the obligors, for themselves, their heirs, executors, administrators, successors or assigns do further covenant and agree with the State of Michigan as follows:

**That this bond shall be in effect for a period commencing at 7:00 a.m. on (date):** \_\_\_\_\_

if accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.

That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

**Witness our hands and seals this (date and year):** \_\_\_\_\_

Signature of Special License applicant: \_\_\_\_\_

Officer name & title (print or type): Laurence Shaffer - City Manager

Attorney-in-fact signature: \_\_\_\_\_

Attorney-in-fact name (print or type): \_\_\_\_\_

Name of Surety Company: \_\_\_\_\_

Address & Phone of Surety Company: \_\_\_\_\_



THE SILVER LINING®

Bond No. 2409646

### POWER OF ATTORNEY

Know all men by these Presents, That West Bend Mutual Insurance Company, a corporation having its principal office in the City of West Bend, Wisconsin does make, constitute and appoint:

Kevin A. Steiner

lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety and as its act and deed any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of: One Thousand Dollars (\$1,000.00)

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of West Bend Mutual Insurance Company at a meeting duly called and held on the 21<sup>st</sup> day of December, 1999.

*Appointment of Attorney-In-Fact. The president or any vice president, or any other officer of West Bend Mutual Insurance Company may appoint by written certificate Attorneys-In-Fact to act on behalf of the company in the execution of and attesting of bonds and undertakings and other written obligatory instruments of like nature. The signature of any officer authorized hereby and the corporate seal may be affixed by facsimile to any such power of attorney or to any certificate relating therefore and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the company in the future with respect to any bond or undertaking or other writing obligatory in nature to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any said officer at any time.*

In witness whereof, the West Bend Mutual Insurance Company has caused these presents to be signed by its president undersigned and its corporate seal to be hereto duly attested by its secretary this 22nd day of September, 2017.

Attest: Christopher C. Zwygart  
Christopher C. Zwygart  
Secretary



Kevin A. Steiner  
Kevin A. Steiner  
Chief Executive Officer/President

State of Wisconsin  
County of Washington

On the 22nd day of September, 2017, before me personally came Kevin A. Steiner, to me known being by duly sworn, did depose and say that he resides in the County of Washington, State of Wisconsin; that he is the President of West Bend Mutual Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.



Juli A. Benedum  
Juli A. Benedum  
Senior Corporate Attorney  
Notary Public, Washington Co., WI  
My Commission is Permanent

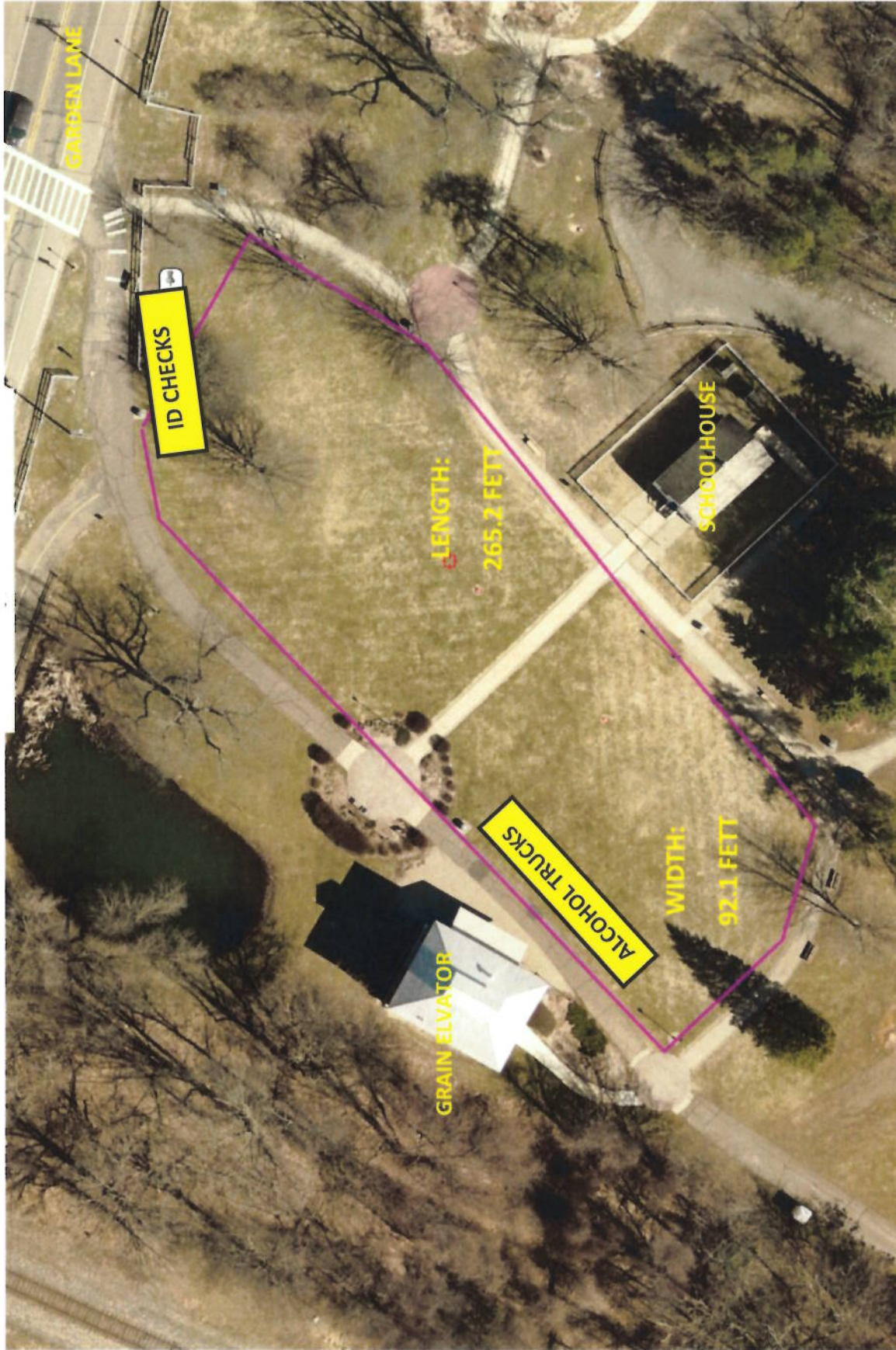
The undersigned, duly elected to the office stated below, now the incumbent in West Bend Mutual Insurance Company, a Wisconsin corporation authorized to make this certificate, Do Hereby Certify that the foregoing attached Power of Attorney remains in full force effect and has not been revoked and that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at West Bend, Wisconsin this 23rd day of April, 2019



Heather Dunn  
Heather Dunn  
Vice President - Chief Financial Officer

**Notice:** Any questions concerning this Power of Attorney may be directed to the Bond Manager at NSI, a division of West Bend Mutual Insurance Company.



HERITAGE FEST LAYOUT



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Bond of Special License for Sale of  
Beer, Wine, and/or Spirits for Consumption on the Premises**  
[Required under MCL 436.1801(1)(b) - Not Required if Applicant Organization is a Church or School]

Bond Number 2409646

|                                                                                              |                          |
|----------------------------------------------------------------------------------------------|--------------------------|
| Applicant organization name: <u>City of Portage</u>                                          |                          |
| Address of event location: <u>Celery Flats, 7335 Garden Lane, City of Portage, MI, 49002</u> |                          |
| City, township, or village where event will be held: <u>City of Portage</u>                  | County: <u>Kalamazoo</u> |

Know all men by these presents, that the above applicant, as principal,  
and West Bend Mutual Insurance Company

of address PO Box 620976, City of Middleton, State of Wisconsin

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the sum of One Thousand (\$1,000.00) dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

**Sealed with our seals and dated this (date and year):** 04/23/2019

Now therefore the condition of this obligation is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and/or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission and

Conditioned further, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time, sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or likewise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

And the obligors, for themselves, their heirs, executors, administrators, successors or assigns do further covenant and agree with the State of Michigan as follows:

**That this bond shall be in effect for a period commencing at 7:00 a.m. on (date):** 09/07/2019

If accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.

That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

**Witness our hands and seals this (date and year):** 04/23/2019

Signature of Special License applicant: \_\_\_\_\_

Officer name & title (print or type): \_\_\_\_\_

Attorney-in-fact signature: Kevin Steiner

Attorney-in-fact name (print or type): Kevin Steiner

Name of Surety Company: West Bend Mutual Insurance Company

Address & Phone of Surety Company: PO Box 620976, Middleton, WI 53562, (800) 760-9250





Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

### Wine Auction Special License Wine Donation Record

List the name and address of each person that has donated wine to the applicant organization for the wine auction and list the brand(s) and quantity donated. The applicant organization shall not accept donations of wine from a business licensed by the Michigan Liquor Control Commission. An authorized officer of the applicant organization must sign this donation record form.

| Applicant organization: |               | Wine auction date:    |                  |
|-------------------------|---------------|-----------------------|------------------|
| Donor Name              | Donor Address | Wine Brand(s) Donated | Quantity Donated |
|                         |               |                       |                  |
|                         |               |                       |                  |
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#### Signature of Authorized Officer

I hereby certify that all persons listed above have donated wine to the applicant organization listed above for this wine auction, to be conducted pursuant to the Michigan Liquor Control Code, MCL 436.1527. The persons listed above have donated wine to the applicant organization as individuals and not for or on behalf of any retail or nonretail business licensed by the Michigan Liquor Control Commission.

\_\_\_\_\_  
Print Name of Authorized Officer      Signature of Authorized Officer      Date

## Credit Card Authorization Form

**\*\* FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 \*\***

**\*\* DO NOT EMAIL OR MAIL THIS FORM \*\***

*Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.*

**\*\*IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED\*\***

|                                |                                                                                            |
|--------------------------------|--------------------------------------------------------------------------------------------|
| Name: _____                    | Transaction Amount: _____                                                                  |
| Address: _____                 | Card Number: _____                                                                         |
| City: _____                    | Check One:                                                                                 |
| State: _____                   | <input type="radio"/> MasterCard <input type="radio"/> Visa <input type="radio"/> Discover |
| Zip Code: _____                | Security Code/CVV Code: _____                                                              |
| Phone: _____                   | Expiration Date: _____                                                                     |
| Applicant/Licensee Name: _____ | Request or Business ID #: _____                                                            |

Payment is for: \_\_\_\_\_

Signature \_\_\_\_\_

**IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.**

**Credit Card Payment Itemization:**

| Fee Type                                                                              | Fee Amount | MLCC Fee Code |
|---------------------------------------------------------------------------------------|------------|---------------|
| <input type="checkbox"/> Inspection Fee(s): _____                                     | _____      | 4036          |
| <input type="checkbox"/> Special License Fee(s): _____                                | _____      | 4008          |
| <input type="checkbox"/> Temporary Authorization Fee: _____                           | _____      | 4037          |
| <input type="checkbox"/> License Renewal Fee(s): _____                                | _____      | 4004          |
| <input type="checkbox"/> Manufacturer License(s): _____                               | _____      | 4038          |
| <input type="checkbox"/> Wholesaler License(s): _____                                 | _____      | 4085          |
| <input type="checkbox"/> New Retailer License(s): _____                               | _____      | 4012          |
| <input type="checkbox"/> Transfer Retailer License(s): _____                          | _____      | 4034          |
| <input type="checkbox"/> Conditional License _____                                    | _____      | 4012          |
| <input type="checkbox"/> New Add Bar <input type="checkbox"/> Transfer Add Bar: _____ | _____      | 4012/4034     |
| <input type="checkbox"/> Sunday Sales Permit (AM): _____                              | _____      | 4033          |
| <input type="checkbox"/> Sunday Sales Permit (PM): _____                              | _____      | 4032          |
| <input type="checkbox"/> Catering Permit: _____                                       | _____      | 4031          |

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

## Special License Application

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

### Part 1 - Applicant Organization Information

|                                                                                                                                                                     |                     |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------------|
| Applicant organization name: City of Portage                                                                                                                        |                     |                               |
| Applicant address: 7900 South Westnedge Avenue                                                                                                                      |                     |                               |
| City: Portage                                                                                                                                                       | Zip Code: 49002     |                               |
| Contact name: Alyssa Milbeck                                                                                                                                        | Phone: 269-324-9271 | Email: milbecka@portagemi.gov |
| Alternate contact name: Peggy Napier                                                                                                                                | Phone: 269-207-2209 | Email: napierp@portagemi.gov  |
| 1. Has the applicant organization previously received a Special License? <input checked="" type="radio"/> Yes <input type="radio"/> No                              |                     | Leave Blank - MLCC Use Only   |
| If No, the applicant organization must submit documentary proof of its non-profit status (e.g. charter, bylaws, IRS tax exemption, Articles of Incorporation, etc.) |                     |                               |
| 2. Has the applicant organization been established for one (1) year or longer? <input checked="" type="radio"/> Yes <input type="radio"/> No                        |                     |                               |
| Date the applicant organization was established (month/day/year): _____                                                                                             |                     |                               |
| 3. Is the applicant organization a municipality? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                      |                     |                               |

### Part 2 - Event Information - For requests at more than one location, submit separate forms for each location.

|                                                                                                                                                                                                                                                                                                                                                |                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Address of event location: 7335 Garden Lane                                                                                                                                                                                                                                                                                                    |                                                    |
| City, township, or village where event will be held: Portage                                                                                                                                                                                                                                                                                   | County: Kalamazoo <input type="button" value="v"/> |
| 1. Will you submit your completed application at least ten (10) business days before your event?<br><i>It is strongly recommended that you submit the application as soon as you know the date of your event(s).</i> <input checked="" type="radio"/> Yes <input type="radio"/> No                                                             |                                                    |
| 2. Do you have permission from the property owner of the location listed above to hold your event(s) on the date(s) listed below (see pages 2-3) at this location? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                               |                                                    |
| 3. Has the local law enforcement agency with primary jurisdiction over the event location approved this application for a Special License? (See Part 5 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                |                                                    |
| 4. Is the event location within 500 feet of a church or school?<br>If Yes, the church or school must consent to the event(s). (See Part 6 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                             |                                                    |
| 5. Is the event location outdoors or partially outdoors? <input checked="" type="radio"/> Yes <input type="radio"/> No                                                                                                                                                                                                                         |                                                    |
| If Yes, list the exact dimensions of the outdoor area:<br><b>Submit a clear diagram of the outdoor service area with your application form.</b>                                                                                                                                                                                                |                                                    |
| 92.1                                                                                                                                                                                                                                                                                                                                           | feet X 265.2 feet = 24,424.92 square feet          |
| Width                                                                                                                                                                                                                                                                                                                                          | Length                                             |
| Describe type and height of the barrier that will be used to enclose the outdoor area:<br>Orange Fencing - 4 Feet High                                                                                                                                                                                                                         |                                                    |
| 6. Describe type of security that will be used for event(s) and how it will be utilized to secure and monitor to prevent sales to minors and visibly intoxicated persons:<br>Employees will place a wrist band on those 21 and older at the gate where everyone will enter. We will also have orange fencing around the event for containment. |                                                    |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 7. Is the event location situated in or on state owned land, such as a state park or National Guard armory?<br>If Yes, attach a copy of your documentary proof of approval to use the state owned land.                                                                                                                                                                                                                                                                                | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| 8. Is there an existing liquor licensee issued at the event location, such as a Class C or Club license?<br>If Yes, the existing licensee must request to place its license in escrow during the event(s). (See Part 7 on Page 5)                                                                                                                                                                                                                                                      | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| 9. Will the event(s) involve an auction of donated wine?<br>If Yes, please check "Wine Auction" for the applicable event date(s) on pages 2-3. Only donated wine may be auctioned under a Special License; beer and spirits cannot be auctioned. If you request a Special License for on-premises consumption <u>AND</u> for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses. | <input type="radio"/> Yes <input checked="" type="radio"/> No |

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

10. The applicant organization may request up to twelve (12) Special Licenses total (one Special License per day) in a calendar year. Please complete the information below **for each individual date** for which you are requesting a Special License at this location. **If you are requesting Special Licenses for consecutive days, completely fill out a separate box for each date.** **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

|   |                        |                                                                                                                                                                                                                     |  |
|---|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1 | 10/4/19                | Describe event being held: Art Hope/Recycled Art in the Park                                                                                                                                                        |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | 4:00 PM    10:00 PM    | Special License will be used for: <input checked="" type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                               |  |
|   | Start Time    End Time | Is this date a Sunday? <input type="radio"/> Yes <input checked="" type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input checked="" type="radio"/> No |  |
| 2 |                        | Describe event being held:                                                                                                                                                                                          |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                                          |  |
|   |                        | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No                       |  |
| 3 |                        | Describe event being held:                                                                                                                                                                                          |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                                          |  |
|   |                        | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No                       |  |
| 4 |                        | Describe event being held:                                                                                                                                                                                          |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                                          |  |
|   |                        | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No                       |  |
| 5 |                        | Describe event being held:                                                                                                                                                                                          |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                                          |  |
|   |                        | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No                       |  |
| 6 |                        | Describe event being held:                                                                                                                                                                                          |  |
|   | Date                   |                                                                                                                                                                                                                     |  |
|   | Start Time    End Time | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                                          |  |
|   |                        | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No    If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No                       |  |

12. Special license date information Continued from Page 2.

|    |            |          |                                                                                                                                                                                            |  |
|----|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 7  |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |
| 8  |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |
| 9  |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |
| 10 |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |
| 11 |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |
| 12 |            |          | Describe event being held:                                                                                                                                                                 |  |
|    | Date       |          |                                                                                                                                                                                            |  |
|    |            |          | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction                 |  |
|    | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |  |

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

**Part 3 - Special License Fees - Complete the Special License fee calculation on Page 4**

**For Organizations established less than one year or are municipalities** - a \$50.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$7.50 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

**For Organizations established one year or more** - a \$25.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$3.75 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

The fees must be paid by check, bank or postal money order, or by credit card, using the attached Credit Card Authorization Form (LCC-300). Checks and money orders should be made payable to **State of Michigan**.

### Part 3 Continued - Special License Fees Calculation

|                                                                     |     |                                                                                                                                                                                                                                                                                                  |                                    |
|---------------------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| Special License Base Fee:<br><i>(per Special License requested)</i> | 50- | <b>If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.</b><br><br>Make checks payable to:<br><b>State of Michigan</b> | <i>Leave Blank - MLCC Use Only</i> |
| x Number of Special Licenses:                                       | 1   |                                                                                                                                                                                                                                                                                                  |                                    |
| = Special License Fees:<br><i>MLCC Fee Code: 4008</i>               | 50- |                                                                                                                                                                                                                                                                                                  |                                    |
| + Sunday Sales Permit (P.M.) Fees:<br><i>MLCC Fee Code: 4032</i>    | 0   |                                                                                                                                                                                                                                                                                                  |                                    |
| + Sunday Sales Permit (A.M.) Fee:<br><i>MLCC Fee Code: 4033</i>     | 0   |                                                                                                                                                                                                                                                                                                  |                                    |
| <b>= TOTAL FEES DUE:</b>                                            | 50- |                                                                                                                                                                                                                                                                                                  |                                    |

### Part 4 - Signatures of Applicant Organization's Officers, Witnesses, and Notary

Pursuant to administrative rule R 436.575, the president and secretary of the organization making application shall sign the application and the signatures shall be notarized. Political candidates only need to sign the president section and have it notarized.

#### By signing below the applicant organization's officers attest that:

We certify that all profits from the sale of beer, wine and/or spirits or from a wine auction will go to the applicant organization and not to any individual. We further certify that any license issued by the Michigan Liquor Control Commission is a contract subject to suspension or revocation by the Commission, that there shall be no liability on the part of the State of Michigan, the Commission, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

We certify that the information contained in this form is true and accurate to the best of our knowledge and belief. We agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. We also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

**A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.**

|                                                                  |                                              |      |
|------------------------------------------------------------------|----------------------------------------------|------|
| Print Name and <u>Phone Number</u> of President                  | Signature of President                       | Date |
| Print Name of Notary                                             | Signature of Notary                          | Date |
| Notary Public, State of Michigan, County of <input type="text"/> | Acting in the County of <input type="text"/> |      |
| My commission expires                                            |                                              |      |

|                                                                  |                                              |      |
|------------------------------------------------------------------|----------------------------------------------|------|
| Print Name and <u>Phone Number</u> of Secretary                  | Signature of Secretary                       | Date |
| Print Name of Notary                                             | Signature of Notary                          | Date |
| Notary Public, State of Michigan, County of <input type="text"/> | Acting in the County of <input type="text"/> |      |
| My commission expires                                            |                                              |      |

**Part 5 - Local Law Enforcement Approval\***

The local law enforcement agency with primary jurisdiction over the event location must complete this section.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Name of law enforcement agency: City of Portage Public Safety                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |
| Name & title of reviewing officer: Nick Arnold - Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                         |
| Phone number of officer: 269-329-4561                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Email of officer: armoldn@portagemi.gov |
| If event will be held on a Sunday, is the sale of alcohol from 7:00am to 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input checked="" type="radio"/> No                                                                                                                                                                                                                                                                                                                          |                                         |
| If the event will be held on a Sunday, is the sale of alcohol after 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input checked="" type="radio"/> No                                                                                                                                                                                                                                                                                                                               |                                         |
| I certify that I have reviewed the application of the applicant organization for a Special License and approve the issuance of a Special License by the Michigan Liquor Control Commission at the proposed event location. <div style="float: right; text-align: right;"> <br/>           Signature of Reviewing Officer         </div> <div style="float: right; text-align: right;">           7/10/19<br/>           Date         </div> |                                         |

**Part 6 - Church/School Consent (If Applicable)\***

If the event location is located within 500 feet of a church or school, the applicant organization must obtain the consent of the church or school. A church or school within 500 feet of the event location may object based on such the sale of alcohol at the location adversely affecting the church or school's operations. If a proper objection is filed, the Commission shall hold a hearing to determine whether the granting of the application will adversely affect the operation of the church or school.

|                                                                                                                                                                                                                                                                                                                                                                    |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Name of church or school:                                                                                                                                                                                                                                                                                                                                          |           |
| Address of church or school:                                                                                                                                                                                                                                                                                                                                       |           |
| City:                                                                                                                                                                                                                                                                                                                                                              | Zip Code: |
| Phone number:                                                                                                                                                                                                                                                                                                                                                      | Email:    |
| Name of clergy member or superintendent:                                                                                                                                                                                                                                                                                                                           |           |
| I, the authorized representative of the above named church or school, state that the church or school has no objection to the issuance of a Special License to the applicant organization at its proposed event location. <div style="float: right; text-align: right;">           Signature of Clergy Member or Superintendent<br/>           Date         </div> |           |

**\*Please note: the Commission has the sole and only right to approve or deny this request for a Special License.**

**Part 7 - Existing On-Premises Licensee Escrow Request (If Applicable)**

If the event location is currently licensed with an on-premises license, the licensee must request that its license be placed into escrow for the date(s) and time(s) of the Special Licenses issued for use at the event location requested on this application. If the existing license would prefer to temporarily drop space from its licensed premises, it must submit a letter to the Commission requesting to drop space temporarily from its licensed premises during the event date(s) and time(s), accompanied by a diagram showing the area where the license will temporarily drop space from its licensed premises to accommodate the applicant organization.

|                                                                                                                                                                                                                                                                                                                                                                                            |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Name of licensee:                                                                                                                                                                                                                                                                                                                                                                          | Business ID Number: |
| Type of license held at this location (e.g. Class C, Club, Tavern, etc.):                                                                                                                                                                                                                                                                                                                  |                     |
| Phone number:                                                                                                                                                                                                                                                                                                                                                                              | Email:              |
| Name of authorized signer for licensee:                                                                                                                                                                                                                                                                                                                                                    |                     |
| I, the authorized signer, for the above named on-premises licensee, request that the licensee's licenses at this location be placed into escrow during the date(s) and time(s) specified for the Special Licenses issued for use at this location. <div style="float: right; text-align: right;">           Signature of Authorized Signer for Licensee<br/>           Date         </div> |                     |



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License**

(Required under Administrative Rule R 436.576 - Not Required for Candidate Committee)

At a ☐ Regular ☐ Special meeting of the ☐ Membership ☐ Board of Directors

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Time)

the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the application from \_\_\_\_\_  
(Name of Organization)

for a Special License to serve alcohol on \_\_\_\_\_  
(Event Date or Dates)

to be located at \_\_\_\_\_  
(Physical Address - Include Location Name, Street Address, City, State, & Zip Code)

It is the consensus of this body that the application be \_\_\_\_\_ for issuance.  
(Recommended or Not Recommended)

**Approval Vote Tally**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

**Certification by Authorized Officer of Organization:**

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the

☐ Membership ☐ Board of Directors at a ☐ Regular ☐ Special meeting held on \_\_\_\_\_  
(Date)

Print Name & Title of Authorized Officer

Signature of Authorized Officer

Date



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Bond of Special License for Sale of  
Beer, Wine, and/or Spirits for Consumption on the Premises**

[Required under MCL 436.1801(1)(b) - Not Required if Applicant Organization is a Church or School]

Applicant organization name: City of Portage

Address of event location: Celery Flats- 7335 Garden Lane, Portage, MI 49002

City, township, or village where event will be held: City of Portage

County: Kalamazoo



Know all men by these presents, that the above applicant, as principal,

and West Bend Mutual Insurance Company  
of address PO Box 620976, City of Middleton, State of Wisconsin

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the sum of One Thousand (\$1,000.00) dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

**Sealed with our seals and dated this (date and year):** \_\_\_\_\_

Now therefore the condition of this obligation is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and/or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission and

Conditioned further, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time, sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or likewise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

And the obligors, for themselves, their heirs, executors, administrators, successors or assigns do further covenant and agree with the State of Michigan as follows:

**That this bond shall be in effect for a period commencing at 7:00 a.m. on (date):** \_\_\_\_\_

if accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.

That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

**Witness our hands and seals this (date and year):** \_\_\_\_\_

Signature of Special License applicant: \_\_\_\_\_

Officer name & title (print or type): Laurence Shaffer - City Manager

Attorney-in-fact signature: \_\_\_\_\_

Attorney-in-fact name (print or type): \_\_\_\_\_

Name of Surety Company: \_\_\_\_\_

Address & Phone of Surety Company: \_\_\_\_\_



## Credit Card Authorization Form

**\*\* FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 \*\***

**\*\* DO NOT EMAIL OR MAIL THIS FORM \*\***

*Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.*

**\*\*IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED\*\***

|                                |                                                                                            |
|--------------------------------|--------------------------------------------------------------------------------------------|
| Name: _____                    | Transaction Amount: _____                                                                  |
| Address: _____                 | Card Number: _____                                                                         |
| City: _____                    | Check One:                                                                                 |
| State: _____                   | <input type="radio"/> MasterCard <input type="radio"/> Visa <input type="radio"/> Discover |
| Zip Code: _____                | Security Code/CVV Code: _____                                                              |
| Phone: _____                   | Expiration Date: _____                                                                     |
| Applicant/Licensee Name: _____ | Request or Business ID #: _____                                                            |

Payment is for: \_\_\_\_\_

Signature \_\_\_\_\_

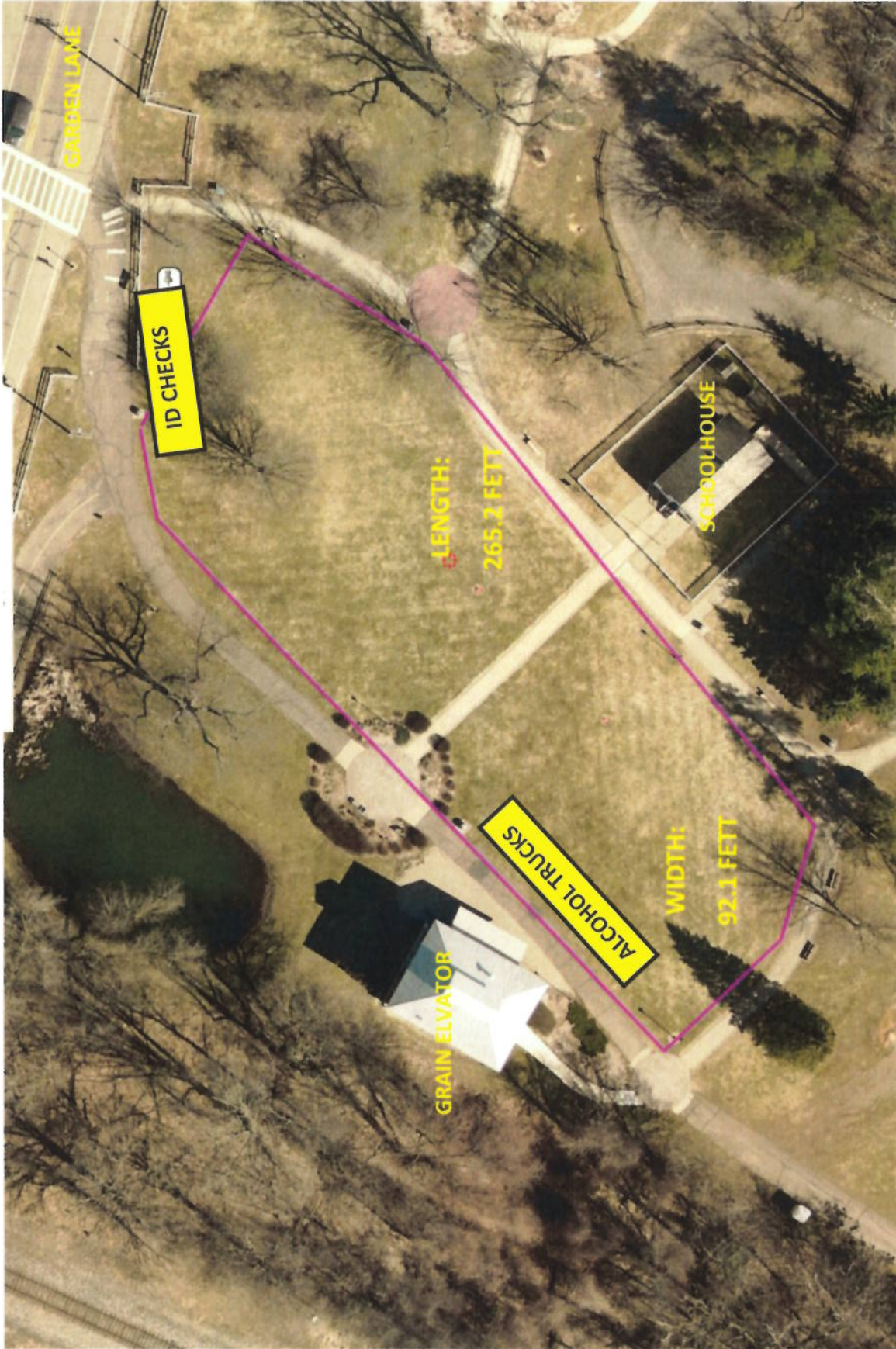
**IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.**

**Credit Card Payment Itemization:**

| Fee Type                                                                              | Fee Amount | MLCC Fee Code |
|---------------------------------------------------------------------------------------|------------|---------------|
| <input type="checkbox"/> Inspection Fee(s): _____                                     |            | 4036          |
| <input type="checkbox"/> Special License Fee(s): _____                                |            | 4008          |
| <input type="checkbox"/> Temporary Authorization Fee: _____                           |            | 4037          |
| <input type="checkbox"/> License Renewal Fee(s): _____                                |            | 4004          |
| <input type="checkbox"/> Manufacturer License(s): _____                               |            | 4038          |
| <input type="checkbox"/> Wholesaler License(s): _____                                 |            | 4085          |
| <input type="checkbox"/> New Retailer License(s): _____                               |            | 4012          |
| <input type="checkbox"/> Transfer Retailer License(s): _____                          |            | 4034          |
| <input type="checkbox"/> Conditional License _____                                    |            | 4012          |
| <input type="checkbox"/> New Add Bar <input type="checkbox"/> Transfer Add Bar: _____ |            | 4012/4034     |
| <input type="checkbox"/> Sunday Sales Permit (AM): _____                              |            | 4033          |
| <input type="checkbox"/> Sunday Sales Permit (PM): _____                              |            | 4032          |
| <input type="checkbox"/> Catering Permit: _____                                       |            | 4031          |

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.



ART HOP LAYOUT





Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Mailing Address: P.O. Box 30005, Lansing, MI 48909  
Toll-Free: 866-813-0011 - [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC Use Only)

**Bond of Special License for Sale of Beer, Wine, and/or Spirits for Consumption on the Premises**  
[Required under MCL 436.1801(1)(b) - Not Required If Applicant Organization is a Church or School]

|                                                                                       |                   |
|---------------------------------------------------------------------------------------|-------------------|
| Applicant organization name: City of Portage                                          |                   |
| Address of event location: Celery Flats, 7335 Garden Lane, City of Portage, MI, 49002 |                   |
| City, township, or village where event will be held: City of Portage                  | County: Kalamazoo |

Know all men by these presents, that the above applicant, as principal,

and West Bend Mutual Insurance Company

of address PO Box 620976, City of Middleton, State of Wisconsin

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the sum of One Thousand (\$1,000.00) dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

Sealed with our seals and dated this (date and year): 04/23/2019

Now therefore the condition of this obligation is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and/or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission and

Conditioned further, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time, sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or likewise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

And the obligors, for themselves, their heirs, executors, administrators, successors or assigns do further covenant and agree with the State of Michigan as follows:

That this bond shall be in effect for a period commencing at 7:00 a.m. on (date): 10/04/2019

If accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.

That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

Witness our hands and seals this (date and year): 04/23/2019

Signature of Special License applicant: \_\_\_\_\_

Officer name & title (print or type): \_\_\_\_\_

Attorney-in-fact signature: \_\_\_\_\_

Attorney-in-fact name (print or type): Kevin Steiner

Name of Surety Company: West Bend Mutual Insurance Company

Address & Phone of Surety Company: PO Box 620976, Middleton, WI 53562, (800) 760-9250





THE SILVER LINING®

Bond No. 2409648

### POWER OF ATTORNEY

Know all men by these Presents, That West Bend Mutual Insurance Company, a corporation having its principal office in the City of West Bend, Wisconsin does make, constitute and appoint:

Kevin A. Steiner

lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety and as its act and deed any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of: One Thousand Dollars (\$1,000.00)

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of West Bend Mutual Insurance Company at a meeting duly called and held on the 21<sup>st</sup> day of December, 1999.

*Appointment of Attorney-In-Fact. The president or any vice president, or any other officer of West Bend Mutual Insurance Company may appoint by written certificate Attorneys-In-Fact to act on behalf of the company in the execution of and attesting of bonds and undertakings and other written obligatory instruments of like nature. The signature of any officer authorized hereby and the corporate seal may be affixed by facsimile to any such power of attorney or to any certificate relating therefore and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the company in the future with respect to any bond or undertaking or other writing obligatory in nature to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any said officer at any time.*

In witness whereof, the West Bend Mutual Insurance Company has caused these presents to be signed by its president undersigned and its corporate seal to be hereto duly attested by its secretary this 22nd day of September, 2017.

Attest

Christopher C. Zwygart  
Christopher C. Zwygart  
Secretary



Kevin A. Steiner  
Kevin A. Steiner  
Chief Executive Officer/President

State of Wisconsin  
County of Washington

On the 22nd day of September, 2017, before me personally came Kevin A. Steiner, to me known being by duly sworn, did depose and say that he resides in the County of Washington, State of Wisconsin; that he is the President of West Bend Mutual Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.



Juli A. Benedum  
Juli A. Benedum  
Senior Corporate Attorney  
Notary Public, Washington Co., WI  
My Commission is Permanent

The undersigned, duly elected to the office stated below, now the incumbent in West Bend Mutual Insurance Company, a Wisconsin corporation authorized to make this certificate, Do Hereby Certify that the foregoing attached Power of Attorney remains in full force effect and has not been revoked and that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at West Bend, Wisconsin this 23rd day of April, 2019

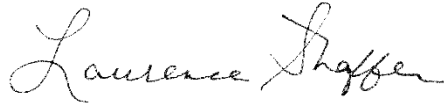


Heather A. Dunn  
Heather Dunn  
Vice President - Chief Financial Officer

**Notice:** Any questions concerning this Power of Attorney may be directed to the Bond Manager at NSI, a division of West Bend Mutual Insurance Company.

**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** Sale of City Property at 2527 West Milham Avenue

**SUPPORTING PERSONNEL:** Vicki Georgeau, Director of Community Development

**ACTION RECOMMENDED:** Adopt the resolution to sell 2527 West Milham Avenue, place the resolution on file with the Office of City Clerk for 28 days and take final action on August 20, 2019.

Attached is a communication dated July 12, 2019 from Mr. Larry Lambie, who on behalf of his client Janice Lehrke, is requesting to purchase the city-owned property at 2527 West Milham Avenue for \$500. Mrs. Lehrke's late husband maintained the corner lot at the southwest corner of West Milham Avenue and Cypress Street for the past 15-20 years. Mrs. Lehrke is not financially nor physically able to continue maintaining the property. If sale of the property at 2527 West Milham is approved, Mrs. Lehrke plans to include the small parcel in the sale of her property which is currently on the market.

In 2003, 2527 West Milham Avenue was conveyed to the city by the previous owner who bought the property at a tax sale and was subsequently unsuccessful in reselling the parcel. The city accepted the parcel because it was considered useful for future road right-of-way purposes prior to the widening improvements to West Milham Avenue. Subsequent to West Milham Avenue road improvements, the City Administration has determined it has no public use or purpose for this corner parcel. In addition, due to the narrow 36-foot width of the parcel, the property is not buildable and is only valuable as an assemblage parcel to the property owner to the west, Mrs. Lehrke.

The city recently obtained an appraisal of 2527 West Milham Avenue and the estimated market value is \$2,408. The appraised valuation is based on the limited stand-alone development potential of the narrow corner parcel. Mrs. Lehrke and her late husband maintained 2527 West Milham Avenue prior to and after the city acquisition of the subject property in 2003. Mrs. Lehrke is offering to purchase the property for \$500 given the past 16 years of maintenance they provided on behalf of the city.

It is recommended that City Council adopt the resolution to sell the property at 2527 West Milham Avenue.

**FUNDING:**

**Attachments:**

1. 2527 West Milham Avenue - purchase offer
2. 2527 West Milham Avenue Vicinity Map
3. Resolution-Notice-Deed to sell vacant real estate



BERKSHIRE HATHAWAY | Michigan Real Estate  
HomeServices

Ms. Vicki Georgeau AICP  
Community Development Director  
City of Portage, Michigan

RECEIVED

JUL 12 2019

July 12, 2019, 2019

COMMUNITY DEVELOPMENT

RE: Request to purchase 2527 W. Milham Rd. (a 36.03' strip of property)

Dear Vicki,

Per your request I am submitting on behalf of my client, Janice E. Lehrke, to have the City of Portage sell to her, or given the property is being marketed for sale any subsequent owner of her home, the 36.03' by piece of property which lies due east of her home at 2529 W. Milham.

So as to provide a brief basis for the reason for this request I offer the following:

1. This property was gifted to the City of Portage at no cost by a previous owner who purchased the property at a tax sale and upon the realization this wasn't a buildable lot and therefore had no use or value.
2. Mr. Frank Lehrke, who has recently passed away, lived adjacent to this property and took it upon himself to maintain the subject property for years until 2016 when they paid to have the property professionally mowed etc., so as to prevent the negative impact on his property value. He continued to maintain it, for the City, for 15-20 years.
3. This property has absolutely no use to the City of Portage, or anyone else except the Lehrke's or any future owner of her home.
4. Additionally, it has been determined by the City of Portage that the sewer lead/line to the Lehrke's home runs through the 36.03' property in question!
5. Given the recent passing of Mr. Lehrke his widow, Janice E. Lehrke, is not physically, nor financially, able to continue maintaining the property. Therefore the City will once again be responsible for daily maintenance.

I have placed Mrs. Lehrke's property on the market for recently and believe it would be in the City's best interest if I included this small parcel with the sale, which will have no additional value to her overall sales price. In doing so it would relieve the City of the burden to maintain the property and clear the issue of a sewer line passing through the adjacent property. A win-win for all concerned.

I realize that given the City Council's approval for the sale it will still take approximately 30 days to run it through the City Clerk's office but during that time I would be able to offer any purchaser for the property the assurance the land would be included within the new deed, together with the responsibility to properly maintain it.

Mrs. Lehrke is not a rich widow! She was left with very little upon her husband's death. I believe a purchase price of \$500 for this rather useless piece of land is more than fair especially given the City received it for free and the Lehrke's have spent countless hours and dollars caring for it.

Sincerely,

A handwritten signature in blue ink that reads "Larry Lamble". The signature is stylized with a large "L" and a long horizontal stroke at the end.

Larry Lamble

REALTOR® EMERITUS

Associate Broker

[larrylamble@bhhsmi.com](mailto:larrylamble@bhhsmi.com)

269-217-9883



**Legend**

 2527 W. Milham Property Boundary

**CITY OF PORTAGE  
2527 W MILHAM AVE**



1 inch = 50 feet  
(73)

**CITY OF PORTAGE, MICHIGAN  
RESOLUTION OF INTENT TO SELL REAL ESTATE**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on \_\_\_\_\_, 20\_\_ at 7:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by:

COUNCILMEMBER: \_\_\_\_\_ and supported by

COUNCILMEMBER: \_\_\_\_\_

WHEREAS, the City of Portage ("City") owns real estate ("Property") at 2527 West Milham Avenue;

WHEREAS, the Property was conveyed to the City in 2003 to serve as additional right-of-way for the widening of West Milham Avenue.

WHEREAS, subsequent to West Milham road improvements, no future right-of-way is required for road purposes;

WHEREAS, the Property is vacant, there are no public utilities located thereon and it has no further public use or purpose;

WHEREAS, Janice E. Lehrke, ("Purchaser") the owner of the adjacent property at 2529 West Milham Avenue, Portage, Michigan, desires to purchase the Property;

WHEREAS, Purchaser has maintained the grass and sidewalk on the Property for the entire time the City has owned 2527 West Milham Avenue;

WHEREAS, the Property is not suitable for development and has value only as an assemblage property with the abutting property to the west owned by Purchaser.

BE IT RESOLVED that the City of Portage sell the following described Property to Purchaser for the sum of FIVE HUNDRED DOLLARS (\$500.00):

All that certain parcel of real estate situated in the City of Portage, County of Kalamazoo and State of Michigan, to-wit:

2527 West Milham Avenue, Portage, MI 49024.

SEC 8-3-11 BEG IN N LI SEC 8 564.03 FT W OF N1/4 POST SD SEC TH E ALG SD N LI 36.03 FT TH S PAR TO N&S1/4 LI 200 FT TH W PAR TO SD N LI 36.16 FT TH N 200 FT TO BEG .166 A

BE IT FURTHER RESOLVED that notice, in substantially the form attached as Exhibit A, be published in a newspaper of general circulation within the City not less than 20 days before final action of the City Council.

#### CERTIFICATION

STATE OF MICHIGAN       )  
                                          )  
COUNTY OF KALAMAZOO )

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

IN WITNESS WHEREOF, I have hereunto affixed my official signature this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Adam Herringa, City Clerk

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

Approved as to form

Date: 7/16/2019

\_\_\_\_\_  
City Attorney

EXHIBIT A

CITY OF PORTAGE, MICHIGAN  
NOTICE OF INTENTION TO SELL REAL ESTATE  
IN THE CITY OF PORTAGE, MICHIGAN

PLEASE TAKE NOTICE, that on the \_\_\_\_ day of \_\_\_\_\_, 2019, the City Council of the City of Portage adopted a Resolution of Intent to Sell Real Estate stating the City's intent to sell certain real estate to Janice E. Lehrke for the sum of FIVE HUNDRED DOLLARS (\$500.00).

PLEASE TAKE FURTHER NOTICE that the resolution authorizing this action and the proposed deed to be executed are on file with the City Clerk and open for public inspection. Said documents will be so held by the City Clerk for twenty-eight (28) days from the above date and may be inspected at the Clerk's office during regular working hours. Any person(s) objecting to this sale should make their objection known to the City Council within twenty-eight (28) days of the publication of this notice. After said twenty-eight (28) day period, the Council may take final action and sell said Property.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Adam Herringa, City Clerk

### QUIT CLAIM DEED

The Grantor, **The City of Portage**, a Michigan Municipal Corporation, whose address is 7900 South Westnedge, Portage, Michigan 49002, quit claims to the Grantee, **Janice E. Lehrke**, whose address is 2529 West Milham Avenue, Portage, Michigan, 49024, the following described premises situated in the City of Portage, County of Kalamazoo, State of Michigan, to wit:

SEC 8-3-11 BEG IN N LI SEC 8 564.03 FT W OF N1/4 POST SD SEC TH E ALG SD N LI 36.03 FT TH S PAR TO N&S1/4 LI 200 FT TH W PAR TO SD N LI 36.16 FT TH N 200 FT TO BEG .166 A

Commonly known as 2527 West Milham Avenue.

Subject to any easements and building and use restrictions of record, if any.

For the sum of FIVE HUNDRED DOLLARS (\$500.00).

The Grantor grants to the Grantee the right to make all of the available divisions, if any, under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices that may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

This deed is exempt from revenue stamps and transfer tax pursuant to MCLA 207.505(h) and MCLA 207.526(h).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF PORTAGE

\_\_\_\_\_  
By: Patricia Randall  
Its: Mayor

\_\_\_\_\_  
By: Adam Herringa  
Its: Clerk

STATE OF MICHIGAN       )  
                                          )ss.  
COUNTY OF KALAMAZOO )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public, in and for said County, personally appeared Patricia Randall, Mayor of the City of Portage and Adam Herringa, Clerk of the City of Portage, and who executed the within instrument and that said instrument was signed on behalf of the City of Portage by authority of its City Council; and Patricia Randall and Adam Herringa acknowledge said instrument to be the free act and deed of said municipal corporation.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
My Commission Expires: \_\_\_\_\_  
Acting in Kalamazoo County, Michigan

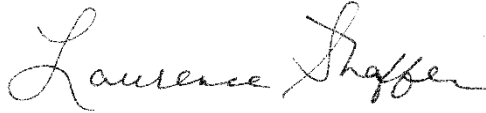
**This instrument prepared by:**  
Randall L. Brown (P34116)  
Randall L. Brown & Associates  
Portage City Attorney  
1662 E. Centre Ave.  
Portage, MI 49002

**Send subsequent tax bills and when recorded return to:**  
Janice E. Lehrke  
2529 West Milham Ave.  
Portage, MI 49024

***NOTICE: This instrument was prepared without examination of the title. Further, preparer renders no opinion regarding a) the title to the property conveyed in this instrument; b) the past, present or proposed use of the property; or c) whether the conveyance is in compliance with the Land Division Act, Act. No. 288 of the Public Acts of 1967, as amended.***

**TO:** Honorable Mayor and City Council

**FROM:** Laurence Shaffer, City Manager



**SUBJECT:** City Manager Search - Next Steps

**SUPPORTING PERSONNEL:** Rob Boulis, Deputy City Manager

**ACTION RECOMMENDED:** Set a Special Meeting on August 20, 2019, for the purpose of discussing the next steps in the City Manager Search.

It is requested that City Council set the following upcoming date as Special Meeting for next steps in the City Manager Search:

- Tuesday, August 20, 2019 beginning at 4:30 p.m. in Conference Room #1 for a progress meeting between City Council and Slavin Management Consultants (review candidates, development of a short list of candidates and discussion regarding the interview process).

**FUNDING:** N/A

**Attachments:** None

# ***Minutes of Boards & Commissions***

## **CITY OF PORTAGE HUMAN SERVICES BOARD**

Minutes of Meeting May 2, 2019

**CALL TO ORDER:** 6:34 p.m.

**MEMBERS PRESENT:** Nadeem Mirza, Elma (Pat) Maye, Effie Kokkinos, Kathryn Hanfland, Fiorella Spalvieri, Diane Durian

**MEMBERS EXCUSED:** Alice Mwanda, Tim Henson

**MEMBERS ABSENT:** Stephanie Upshaw

**STAFF PRESENT:** Tom McCoy, Neighborhood Program Specialist, Vicki Georgeau, Director of Community Development

**APPROVAL OF MINUTES:** Kokkinos moved, and Mirza supported a motion to approve the April 4, 2019 minutes. Motion passed 5-0 (Durian arrived at 6:50 p.m.).

### **OLD BUSINESS:**

### **NEW BUSINESS:**

1. Revised CDBG Program, 2019-20 Annual Action Plan budget and Human Public Service Funding – McCoy indicated that the city received notice of its final entitlement grant, which is approximately \$14,000 less than the projected amount of \$237,000. The Annual Action Plan budget has been revised to reduce funding to human services to stay within the 15% cap, and the housing rehabilitation program was reduced \$4,080. Due to reduced personnel costs, the Neighborhood Improvement – Code Enforcement Program was also reduced \$7,736, with an additional small reduction (\$19) to the Grant Planning/Administration activity.

McCoy added that while human service funding from the CDBG Program was reduced by \$2,055, funding for the Portage Community Center (PCC) is recommended to be increased from the General Fund so that PCC total funding is essentially the same as initially recommended. McCoy added that during the Council budget work session, there was consensus that Council did not support funding to Kalamazoo Youth for Christ (KYFC) due to its positions toward sexual orientation and gender identity, which were not consistent with the intent of the city's Non-Discrimination Ordinance. Council has requested that the Board decide how to reallocate the \$2,500 recommended for KYFC to other agencies. McCoy indicated that based on the budget work session discussion, staff is recommending an additional \$500 be awarded to Lending Hands to fully fund the agency at their requested grant amount, and the remaining \$2,000 be allocated to PCC, as noted earlier.

Maye indicated that she disagrees with the decision of Council to not fund KYFC, as the agency as a religious organization has the right to hold certain positions in its hiring of staff and volunteers, and notes they indicated verbally and in writing they would not discriminate based on sexual orientation and gender identity in the provision of services. Mirza and Spalvieri noted the Board fully vetted the application from KYFC and don't believe they made an error in their recommendation based on the evaluation criteria. The Board then again discussed the need to review the application form and evaluation criteria, as well as determine if a policy should be recommended to Council that all grant applicants meet the intent of the Non-Discrimination Ordinance in the provision of services, even if they are a religious organization. Spalvieri agreed that a special meeting/discussion is needed to decide on a policy, but noted that city staff and the City Attorney should be present because there seems to be important technical and legal issues associated with the ordinance as it pertains to grant applicants and religious entities in general. After additional lengthy discussion, the Board decided to have this discussion at their next meeting, and staff would determine a time/date since the Board does not normally meeting in the summer months and they want to have the City Attorney in attendance. Spalvieri moved and Mirza supported a motion to recommend to City Council the revised CDBG Program Annual Action Plan and human service funding as noted in the staff report. Upon voice vote, motion passed 6-0.

2. Housing Rehabilitation Program Appeal 18-19-01- McCoy presented the circumstances of a housing rehabilitation project that is currently in process for which the homeowners have committed to \$17,527 in repairs and improvements including a roof, windows and chimney repairs. The homeowners would also like to have a non-functional central air conditioning unit replace for health reasons at an approximate cost of \$3,000 (one bid for \$3,000 has been received). The addition of this additional amount would put the total loan amount over the maximum of \$20,000. In addition, it is likely that the roof project that is currently underway could incur an additional expense of up to \$1,000 for necessary re-decking once the shingles are removed and the decking is exposed. For these reasons, staff is recommending an exception be granted to allow the homeowners to exceed the maximum loan amount by an amount sufficient to cover both items. Spalvieri moved and Hanfland supported a motion to grant an exception from program guidelines to allow the homeowner to increase their loan in an amount not to exceed \$2,000 over the \$20,000 limit. Motion passed 6-0.
3. Kalamazoo Transit Authority LAC Update – Upshaw was not present and therefore no update was provided.
4. Portage Community Center site and building improvements funding request – Georgeau reviewed the staff memo regarding a funding request from Portage Community Center for facility and site improvements. She indicated that General Fund monies cannot be used for building and site improvements to private property. However, the activities proposed are eligible under CDBG Program regulations and that funds could be designated for this purpose as improvements to a “Neighborhood Facility” serving a “low-income clientele”. Up to \$150,000 of funding from the unexpended fund balance could be allocated without compromising other core activities of the CDBG Program. An amendment to the Annual Action Plan and required public notices, hearings and comment periods would be necessary should the Board decide to recommend approval of the funding to City Council, and Council approve the funding request. A list of the proposed improvements and related costs were summarized, including the staff recommendation to provide funding in the form of a no interest loan, 50% of which may be forgiven if specified performance measures are met. PCC Executive Director Chris Buckley and PCC Board member and Treasurer Randy Orwig were present to provide an overview, answer questions and furnish additional information on the funding request. Board members inquired about and commented on the proposed improvements, indicating their general agreement that the parking lot, site design and signage upgrades were in need of improvement, and were pleased that the Portage Community Center was addressing these areas of concern. The building ownership, the existing mortgage and potential future tenants were discussed with PCC. Buckley explained that PCC does allocate funds monthly (\$1,600) for building and site improvements, but at this time, the agency needs to reserve those funds for leasehold improvements anticipated to attract a new tenant to the property, as well as make improvements to the building that are not part of the funding request to the city. Buckley and Orwig also discussed current and future fundraising activities, and a strategic planning initiative that will be undertaken this year. Orwig also commented on the financial condition and fiscal management methods utilized, including a commitment by the Executive Board to establish a long-range financial plan to ensure sustainability and grow the capacity of the Portage Community Center. In response to an inquiry from Mirza, Georgeau explained that the unexpended fund balance of the CDBG Program was derived from a combination of program income receipts that exceeded the anticipated amounts and unexpended funds from prior program years. Georgeau further indicated that city would have identified a capital improvement project such as a park project or sidewalk repairs to allocate fund towards if the PCC request had not been received. After further discussion, Hanfland moved and Mirza supported motion to approve the staff recommendations and forward the funding request to City Council for consideration. Motion passed 6-0.

**STATEMENTS OF CITIZENS:** Buckley provided an overview of services provided at PCC, indicating that requests for assistance continue to remain constant, with the exception of the food pantry. Due to changes with Loaves & Fishes, fewer people are now being served with emergency food.

**ADJOURNMENT:** Mirza moved and Durian supported adjournment at 7:35 p.m. Motion passed 6-0.

Respectfully Submitted,

Tom McCoy, Neighborhood Program Specialist

## **CITY OF PORTAGE HUMAN SERVICES BOARD**

Minutes of Meeting June 13, 2019

**CALL TO ORDER:** 6:34 p.m.

**MEMBERS PRESENT:** Nadeem Mirza, Alice Mwanda, Tim Henson  
Elma (Pat) Maye, Fiorella Spalvieri, Stephanie Upshaw, Diane Durian

**MEMBERS EXCUSED:** Effie Kokkinos, Kathryn Hanfland

**MEMBERS ABSENT:**

**STAFF PRESENT:** Tom McCoy, Neighborhood Program Specialist

**APPROVAL OF MINUTES:** Mirza moved, and Upshaw supported a motion to approve the May 2, 2019 minutes. Motion passed 6-0 (Durian arrived at 7:00 p.m.).

### **NEW BUSINESS:**

1. Public Hearing for Proposed Amendment to CDBG Program FY 19-20 Annual Action Plan- Upshaw moved and Spalvieri supported motion to open the public hearing at 6:45. Motion passed 6-0. McCoy presented a summary of the proposed amendment as presented and discussed at the May 2, 2019 Board meeting. Mirza inquired of representatives Chris Buckley and Randy Orwig from the Portage Community Center if they had spoken with any more contractors about the project and they said they had not but were expecting that the city was going to assist them with this process based on previous conversations with staff. They did report however they had contacted the Home Builders Association of Kalamazoo to request assistance in obtaining information about local contractors and available resources. No additional comments were received. Spalvieri moved and Upshaw supported motion to close public hearing. Motion passed 6-0.
2. Review of HPS Funding Application – McCoy began with a summary of the June 7, 2019 memo from Director Georgeau to the Human Services Board regarding proposed revisions to the Human/Public Service funding application. Staff shared information received from two other agencies who had furnished written documents upon request stating their respective organizational non-discrimination policies. Mirza inquired whether all applicants would be asked to submit such statements. Spalvieri noted that City Council took action contrary to the recommendation of the Human Services Board in removing funding for one organization (Kalamazoo Youth for Christ) who, according to public information derived from their web site and informational materials, were determined to be in conflict with the spirit and intent of the City of Portage's Non- Discrimination ordinance. She questioned whether the Board was now looking at the application process or the non-discrimination ordinance and suggested that legal guidance would be helpful in determining what information or written statements regarding organizational policies should be considered for inclusion into the application process. Maye asked if the Board had any recourse to appeal the Council decision and staff indicated that the Council has the final authority on the funding recommendation. A discussion ensued regarding the requirements for new applicants and the possibility of adding language to the application. Staff noted that the applicant presentations present an opportunity for Board members to inquire about and to request additional information on any matter of concern. Mirza suggested it would be helpful if we could query other neighboring communities regarding their respective non-discrimination policies as they relate to potential applicant for funding and grantees. Mwanda also agreed that legal guidance should be requested given the circumstances and in the interest of establishing a consistent and sustainable method of evaluating future applications. A request was made by the Board for staff to: reach out to neighboring communities to see if policies related to these issues are available; request additional clarification from City Administration on City Councils position; request legal guidance on this issue in order to establish and maintain consistent methods and practices in evaluating future applications. McCoy noted he would work on these three requests and the subject will be discussed again at the July 18<sup>th</sup> Board meeting.
3. Communication from Housing Resources, Inc. – McCoy reviewed e-mail received from Housing Resources, Inc. regarding closing of Eleanor St. shelter. Board expressed regret that the shelter was closing after having been in existence for so many years and that the subsequent loss of 24 beds would be a significant loss of limited

community resources available to assist homeless families. The Board expressed interest in exploring other options and community resources that may be considered in order to replace or otherwise mitigate the loss of this facility.

**STATEMENTS OF CITIZENS:** . Chris Buckley stated that the Portage Rotary had donated over 400 tomato plants to PCC, the majority of which have already been distributed to clients who may not otherwise be able to enjoy fresh vegetables.

**ADJOURNMENT:** Henson moved and Durian supported adjournment at 7:35 p.m. Motion passed 7-0.

Respectfully Submitted,

Tom McCoy, Neighborhood Program Specialist

**City of Portage**  
**Historic District Commission**  
Wednesday, June 05, 2019

Meeting Called to Order: 8:23 A.M.

Members Present: Duniphin, Barton, Lopez, Nemeth, Grunert.

Members Excused: Custer, Maytnier, Forrest, vanLonkhuyzen.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): None

Approval of Minutes: Nemeth moved, seconded by Grunert, to approve the May 01, 2019 meeting minutes. Motion approved 5-0.

Old Business:

- a. Ordinance Amendment: Mucha provided a highlight and strike version of the proposed Historic District Ordinance amendments regarding legal descriptions to the Commission. Mucha reiterated to the Commission that a study committee needs to be formed to review the proposed ordinance amendments. Grunert moved, seconded by Lopez, to form a study committee, consisting of all nine members of the Historic District Commission to review the proposed ordinance amendments. Mucha informed the Commission that a draft report to modify the ordinance should be completed by the July 2019 meeting for review.

New Business:

- a. 2112 Vanderbilt Avenue – Window Replacement: Steve Rice, 2112 Vanderbilt Avenue, was unable to attend the meeting to discuss his proposed application to replace an additional ten storm windows on the home. Grunert inquired if this was the second year, of a three-year program to replace the storm windows on the property. Mucha responded in the affirmative. Grunert moved, seconded by Duniphin, to approve the replacement of ten storm windows at 2112 Vanderbilt Avenue. Motion passed 5-0.

May Event – 2019 – Recap: Duniphin provided a recap of the May Event to the Commission. Duniphin indicated 45 guests were at the event, not including the various vendors and family members of the property owner. Duniphin thanked all the Commissioners who were able to attend and for all the hard work that has been put into the event over the past few months.

July 2019 Regularly Scheduled Meeting: Mucha informed the Commission that the next scheduled meeting is set for July 3<sup>rd</sup>. Discussion followed regarding moving the July 3<sup>rd</sup> meeting to an alternate date. Lopez moved, seconded by Grunert, to move the July 3<sup>rd</sup> scheduled meeting to July 17, 2019. Motion passed 5-0.

Adjournment: There being no further comments or business, Nemeth adjourned the Historic District at 8:57 a.m.

Respectfully submitted,



Kyle Mucha  
Zoning & Codes Administrator

## CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – June 10, 2019

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Eichstaedt at 7:00 p.m. in the Council Chambers. Ten people were in the audience.

**MEMBERS PRESENT:** Alexander Philipp, Jay Eichstaedt, Linda Fry, Randall Schau, Natalie Rowe, Jeff Wettig, and Linda Finch.

**MEMBERS EXCUSED:** Stu Bernhardt and John Byrnes.

**IN ATTENDANCE:** Jeff Mais, Zoning & Codes Administrator, Charlie Bear, Assistant City Attorney.

**APPROVAL OF THE MINUTES:** Rowe moved and Fry seconded a motion to approve the May 13, 2019 minutes as submitted. Upon voice vote, the motion was approved 7-0.

### **NEW BUSINESS:**

**ZBA #18-20; 8213 Newells Lane:** Mais summarized the request for: a) a 22-foot variance to construct a 26-foot by 20-foot attached garage eight feet from the property line on Prosperity Drive where a minimum 30-foot setback is required; or b) a two-foot variance to retain an existing dwelling 28 feet from the front property line on Prosperity Drive where a minimum 30-foot setback is required. Cassie DeForest stated the property had no garage and thought a two stall garage was not unreasonable. The applicant stated an attached garage was important for the occupant's safety so they did not have to travel outside from the garage to the dwelling. Schau inquired if the applicant could respond to staff's suggestion to construct a detached garage behind the dwelling where a shed is currently located. Ms. DeForest stated they did not want a garage obstructing the view of their back yard and also did not address the safety issue moving outside between the house and the garage. Schau inquired how close the proposed garage would be from Prosperity Drive. The applicant stated it would be 8 feet from the property line. Mais interjected the Prosperity right-of-way was not a standard 66 feet in width, but rather only 30 feet. The street has previously been under consideration by the City for possibly widening in future and if/when that happened the proposed garage could end up a very short distance from the street.

A public hearing was opened. Eichstaedt read into the record a letter of support dated May 28, 2019 from Edward Healy, 8145 Newells Lane. The public hearing was closed.

The Board discussed the possibility of a lesser variance to permit a one stall attached garage. Finch noted concrete steps extended several feet from the house on the north side where an attached garage would be constructed. Rowe inquired if the applicant had considered a one-stall attached garage, and if so, what minimum dimensions they needed. The applicant responded it was not their first choice, but might be willing to consider it. However, they did not know specifically what dimensions they needed. After additional discussion, a motion was made by Rowe, seconded by Schau, to table the variance request until July 8, 2019 to give the applicant the opportunity to look into what they would require for a one-stall garage. Upon voice vote, the motion passed 7-0.

**ZBA #18-21; 2016 Ames Drive:** Mais summarized the request for a variance to construct a dwelling 29 feet in height where a minimum building height of 25 feet is required. Jack Gesmundo spoke on behalf of the applicant and stated they had looked at conforming alternatives such as going with a very shallow pitch roof or making modifications to grade but did not want to pursue those options as there is little market demand currently for shallow pitch roofs except, perhaps, entry level homes, and making adjustments to the grade and/or constructing retaining walls to accommodate greater building height can have undesirable effects, potentially creating difficulties for emergency access or problems with storm water drainage. Mr. Gesmundo noted the proposed dwelling would be comparable in size and height to the adjacent dwelling at 2012 Ames Drive. Schau inquired if 2012 Ames got a height variance. Mais responded a variance was granted for the roof overhangs projecting into a required setback, but were able to avoid a height variance by making modifications to the grade. City staff, however, does not think making grade alterations and erecting retaining walls is an ideal solution, and consequently recommended a text amendment to increase maximum building height for lots 80 feet or less in width that the Planning Commission has recently reviewed and forwarded to City Council for approval. Mr.

Gesmundo presented the Board a letter of recommendation signed by the owner of the adjacent property at 2020 Ames Drive.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Rowe, seconded by Schau, to grant a variance to construct a dwelling 29 feet in height where a minimum building height of 25 feet is required for the following reasons: there are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include the narrow lakefront lot and sloping topography. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to build on sloping topography without negatively impacting adjacent properties; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the Zoning Ordinance. In addition, the application and supporting materials, staff report, and all comments, discussions and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Fry-Yes, Schau-Yes, Wettig-Yes, Rowe-Yes, Finch-Yes, Philipp-Yes, Eichstaedt-Yes. Motion passed 7-0.

ZBA #18-22; 2030 Charter Avenue: Mais summarized the request for a variance to construct a five-foot by 21-foot addition on the front of the dwelling that will be located 20 feet four inches from the (south) front property line where a minimum 30-foot setback is required. Matt Brooks was present to answer questions.

A public hearing was opened. Jerry Visser, 2001 Schuring Road, spoke in support of the requested variance. The public hearing was closed.

After some discussion a motion was made by Schau, seconded by Rowe, to grant a variance to construct a five-foot by 21-foot addition on the front of the dwelling that will be located 20 feet four inches from the (south) front property line where a minimum 30-foot setback is required for the following reasons: there are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include the location of the dwelling on the lot and the variance will result in a living area closer to current code standards. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to construct additional living area in a manner that does not negatively affect the neighborhood; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the Zoning Ordinance. In addition, the application and supporting materials, staff report, and all comments, discussions and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Fry-Yes, Schau-Yes, Wettig-Yes, Rowe-Yes, Finch-Yes, Philipp-Yes, Eichstaedt-Yes. Motion passed 7-0.

**OTHER BUSINESS:** None.

**STATEMENT OF CITIZENS:** None.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Jeff Mais  
Zoning & Codes Administrator

## **PLANNING COMMISSION**

**June 20, 2019**

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 31<sup>st</sup> 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.

**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 11<sup>th</sup> and July 25<sup>th</sup>. Commissioner Baldwin stated she would need to be excused from the July 25<sup>th</sup> meeting and Harrell-Page indicated she may need to be excused from the August 1<sup>st</sup> meeting.

**ADJOURNMENT:**

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

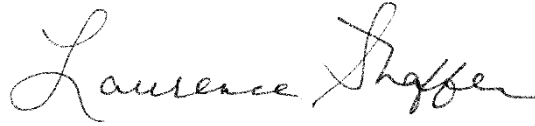
Respectfully submitted,

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

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**TO:** 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 has hired three Strategic Operations & Intelligence Analysts and the center became operational July 1, 2019. If the City of Portage supports this initiative, all three analysts will be available to provide data analysis for the Portage Department of Public Safety. An analyst will normally be staffed Monday through Friday every week of the year by one of the three dedicated analysts from 6 a.m. to 4 p.m., excluding Kalamazoo recognized holidays. Rather than adding staff to the Portage Department of Public Safety, the analyst will remain a City of Kalamazoo employee, the City of Portage will reimburse the City of Kalamazoo for personnel costs equivalent to one analyst at an amount not to exceed \$90,000 annually, invoiced on a quarterly basis.

KSOC Analysts will engage in daily briefings, investigative support, GIS mapping for both Police and Fire Divisions, as well as conduct predictive crime analysis to be presented to Portage Public Safety staff. The processes and procedures concerning content and distribution of any such reporting will be determined with input from both agencies, once the KSOC becomes operational. Similar to the

Kalamazoo County Consolidated Dispatch Authority (KCCDA), certain processes, policies and procedures for the KSOC will be developed as the operation gets underway. Even today, some eight months after the commencement of the KCCDA, work continues to implement, fine tune and create administrative policies. Kalamazoo Department Public Safety Chief Thomas and Portage Department of Public Safety Chief Arnold, who serve as the Intergovernmental Agreement representatives, are committed to the success of the KSOC and the development of an operation that will serve the needs of both agencies. The Intergovernmental Agreement has included provisions for a 30-day agreement termination clause that can be exercised by either party. It is in both communities best interests to continue developing our strong relationships as agencies and administrators when working out operational or future agreement issues.

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:

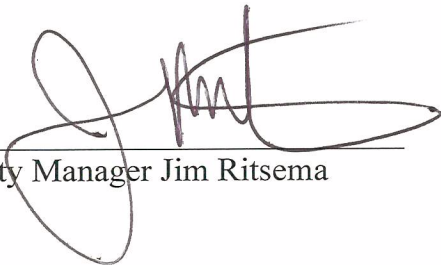
KDPS

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  
arnoldn@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