

*Public Phone Line: (844) 854-2222 Access Code 529853# (To voice a question or comment, press *6 to enter the queue.)*

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Fair Housing Month

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. Committee of the Whole of February 25, 2020.
 - b. Regular Meeting of February 25, 2020.
 - c. Regular Meeting of March 10, 2020.
 - d. Pre-Council Meeting of March 23, 2020.
2. Approval of the Accounts Payable Register of March 24, 2020, as presented.
3.
 1. Award a construction contract to Severance Electric Co., Inc. in the not-to-exceed amount of \$715,762.21 for the South Westnedge Avenue Traffic Signal System Upgrade Project,
 2. amend a contract with Abonmarche Consultants, Inc. in the amount of \$66,940 for construction engineering services

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

4. Award a contract in the amount of \$596,278.26 to Michigan Paving & Materials Co., for spring mill and fill asphalt repairs to major and local street sections and authorize the City Manager to execute all documents related to this action on behalf of the city.
5. Award a contract to Seven Brothers, Inc., in the not-to-exceed amount of \$297,800 for the wet interior recoating of the Pine View Water Tank, and authorize the City Manager to execute all documents related to the contract on behalf of the city.
6. Award a contract in the amount of \$257,205 to Cardno, Inc. for Invasive Species Removal in Bishop's Bog, West Lake Nature Preserve, Eliason Nature Reserve, and Schrier Park, and authorize the City Manager to execute all documents related to this action on behalf of the city.
7. Approve an amended contract with LandUse USA in an amount not to exceed \$53,999 to include a city-wide residential market analysis for the City of Portage and authorize the City Manager to execute all documents related to the contract on behalf of the city.
8. Approve a contract allowing the Kalamazoo County Treasurer to collect adjusted PRE tax liabilities when denied after September 14 of the current year on behalf of the City of Portage, and authorize the City Manager to sign the agreement with Kalamazoo County.
9. Approve the Final Preliminary Condominium Subdivision (detailed engineering plans) for Copperleaf Phase 5, 3800 West Milham Avenue.

10. Accept for first reading the proposed City of Portage Ordinance amending Section 35 of Chapter 38, Historical Preservation by removing 214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue from the district; revise the legal descriptions for 10234 East Shore Drive and 3821 West Milham Avenue; correct the tax identification number, and consider final adoption on April 14, 2020.
 11. Approve a Liquor Permit for the Starry Night event on May 16, 2020 and authorize the City Manager to execute all documents related to this action on behalf of the city.
 12. Adopt the Resolution Accepting Newly Constructed Dedicated Streets as Public Streets.
 13. Accept the amendment to Division 2, Article 5 "Purchases and Sales" in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for April 14, 2020.
 14. Adopt the resolution authorizing the City Manager to temporarily make purchases and approve contracts totaling up to \$4 million in the absence of the City Council during a state of emergency.
 15. Set a Special Meeting on Tuesday, May 26, 2020, beginning at 5:15 p.m., to interview Board and Commission applicants.
 16. Minutes of Boards & Commissions:
 - a. Zoning Board of Appeals of January 13, 2020.
 17. Materials Transmitted of March 10, 2020.
 18. Calendar of Meetings:
 - CANCELLED - Historic District Commission, Wednesday, April 1, 2020 at 8:15 a.m. in City Hall Room #1.
 - CANCELLED - Park Board, Wednesday, April 1, 2020 at 6:30 p.m. at Schrier Park.
 - Human Services Board, Thursday, April 2, 2020 at 6:30 p.m. in City Hall Room #1. Virtual Meeting is planned.
 - CANCELLED - Environmental Board, Wednesday, April 8, 2020 at 7:00 p.m. in City Hall Room #1.
 - CANCELLED - Planning Commission, Thursday, April 2, 2020 at 7:00 p.m. in Council Chambers.
 - Downtown Development Authority, Wednesday, April 15, 2020 at 8:00 a.m. in City Hall Room #1.
 - Zoning Board of Appeals, Monday, April 13, 2020 at 7:00 p.m. in Council Chambers.
 - **NOTE:** All above meetings are subject to cancellation or transition to a "virtual meeting" due to the on-going health crisis. Please monitor the City of Portage website at www.portagemi.gov for additional information.
 19. Encourage Governor Gretchen Whitmer and Secretary of State Jocelyn Benson to either postpone the May Special Election to August or, at a minimum, to conduct the election as mail-in only.
- B. Petitions and Statements of Citizens:
- C. Communications:
1. Report from Andrew Alspach, Kalamazoo County Office of Emergency Management.
- D. Public Hearings:
- E. Regular Business Agenda:
- F. Unfinished Business:
1. Adopt the proposed City of Portage Ordinance amending Article 3, Officers and Employees, of Chapter 2, Administration, Section 2-87 Personnel Rules.
- G. Council Committee Reports:
- H. New Business:
- I. Statements of Citizens:

J. Statements of City Council and City Manager.
Adjournment.



CITY OF PORTAGE PROCLAMATION

FAIR HOUSING RESOLUTION

WHEREAS, 2020 is the 52st anniversary of the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended, to prohibit housing discrimination when based on race or color, national origin, religion, sex, familial status or disability, and declared that equal housing opportunity is a basic right of every American; and

WHEREAS, The Michigan State Legislature passed the Elliot-Larsen Civil Rights Act of Michigan in 1976 to protect people from housing discrimination based on religion, color, race, national origin, age, sex, familial status or marital status; and

WHEREAS, The Michigan State Legislature passed the Michigan Persons with Disabilities Civil Rights Law of 1976 to protect individuals with disabilities from housing discrimination; and

WHEREAS, The City of Portage passed a Non-Discrimination Ordinance in 2016 to prohibit housing discrimination based on their actual or perceived race, color, religion, national origin, sex, height, weight, marital status, physical or mental disability, family status, sexual orientation or gender identity, and has completed an Analysis of Impediments to Fair Housing, and annually undertakes activities to further fair housing efforts and educate the public on fair housing issues; and

WHEREAS, Equal housing opportunity is a goal to be achieved within the City of Portage.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, by virtue of the authority vested in me as the Mayor of Portage, Michigan, do hereby resolve the month of April 2020, as **FAIR HOUSING MONTH** in hope that this observance will promote fair housing practices throughout the City.

Signed this 24th day of March, 2020

Patricia M. Randall, Mayor

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE
PORTAGE CITY COUNCIL OF FEBRUARY 25, 2020**

Mayor Patricia Randall called the meeting to order at 6:00 p.m. The following Councilmembers were present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also present were City Manager Joe La Margo, Deputy City Manager Adam Herringa, Deputy City Manager Mike Carroll, Interim Director of Community Development Chris Forth, Public Safety Chief Nick Arnold and City Clerk Erica Eklov. Attorney Denise Policella attended via phone. Citizen Jevin Weyenberg was also present.

Mayor Randall asked City Manager Joe La Margo to introduce the purpose of the meeting. City Manager La Margo relayed that the City Administration desired to get an ordinance in place before allowing recreational marihuana in the City. Mr. La Margo noted that the City did have a rough draft on file starting November 2019, but had since brought on an attorney specialized in marihuana. City Manager La Margo then turned the meeting over to Deputy City Manager Carroll.

Deputy City Manager Carroll acknowledged Attorney Denise Policella and summarized her work with the City. Mr. Carroll highlighted Attorney Policella's provision of a draft ordinance to which he had made only minor revisions following prior discussions with Deputy City Manager Adam Herringa and Interim Director Chris Forth regarding prior ordinance history on adult-use marihuana. Deputy City Manager Carroll noted that the City Administration decided to convene a Committee of the Whole Meeting before further discussing policy decisions in an effort to get direction from City Council regarding opting in to recreational marihuana. Mr. Carroll relayed that the City Administration understood that Council desired to opt-in to adult-use marihuana, but desired to be restrictive and limit the number of licenses to those who already had a medical marihuana license. Mr. Carroll stated that there are currently eight medical marihuana licenses issued in the City of Portage, including one grower license. He noted that Councilmember Reid had previously expressed a desire to have a cap on the licenses, however, Attorney Policella had advised that a numerical cap requirement creates the need for a competitive process. Deputy City Manager Carroll noted that the proposed draft ordinance for adult-use marihuana pairing licenses with medical marihuana licensees was the safest route with the least potential for litigation.

Mayor Pro Tem Pearson asked whether a separate recreational marihuana application would be explored at later date. Councilmember Reid asked for the pros and cons of tying recreational marihuana to medical. Deputy City Manager Carroll responded that, based on the desire of City Council to restrict potential recreational/adult-use licenses to the lowest number possible, the staff was pursuing this route at the beginning of the process following consultations with Attorney Policella. Attorney Policella added that tying recreational marihuana to medical marihuana under the Michigan Medical Marihuana Act does not require a competitive process if you limit the number of applicants and creates an automatic cap both the City and the State have fully vetted.

Deputy City Manager Carroll highlighted the existing Medical Marihuana Zoning Map detailing the few remaining areas in the City permitted for medical marihuana licenses based on the current zoning ordinance. He further noted there was only one applicant during the 2019 application window.

Councilmember Knapp asked about the sale or transfer of a business or a facility and what happens with the license in that instance. Deputy City Manager Herringa answered with medical marihuana the licenses are directly tied to both the applicant, as well as the location. Mayor Randall noted the presence of language regarding licensing in the draft in response to Councilmember Knapp. Mayor Randall then inquired if there were only two more permissible locations in the City based on the zoning map. Deputy City Manager Carroll responded that presumably, that was the case. Mr. Carroll further stated that the zoning code does not have a provision for recreational marihuana but that amending the zoning code at the same time as introducing the recreational/adult-use marihuana ordinance would be the cleanest route. Attorney Policella noted that she supported

adopting the police powers portion of the adult-use marihuana ordinance first before moving into the zoning ordinance.

City Manager La Margo asked Deputy City Manager Carroll regarding the timeline for implementing the proposed ordinance noting a potential month delay. Deputy City Manager Carroll responded that the Planning Commission review is needed first which would delay Council action by approximately two months.

Councilmember Burns asked about certain new types of licenses allowed by the Michigan Medical Marihuana Act that do not require an initial medical marihuana license. Attorney Policella advised against permitting such types, stating that Council could prohibit these new types or permit them but then zero them out.

Mayor Pro Tem Pearson asked Interim Director Forth to elaborate on the microbusiness provision in the State language. Director Forth noted that microbusinesses are much like microbreweries and would make marihuana businesses similar to a hookah lounge or a festival such as Hash Bash. Mayor Pro Tem Pearson noted microbusinesses seem to be more hometown based and asked if any hometown medical marihuana operators exist currently. Deputy City Manager Carroll responded that they could be allowed but there would be complications. Mayor Pro Tem Pearson asked if a micro-business could be included in the proposed ordinance as he likes to promote local business. Deputy City Manager Carroll asked Attorney Policella about potential legal complications should City Council want to include micro-businesses in the proposed ordinance. Attorney Policella responded that this would create a problem with microbusinesses as it is a retail facility with all three types in one location and zoning would be an issue due to neighbors with odor concerns. Attorney Policella also noted that recreational require separate zoning for microbusinesses.

Councilmember Reid asked if the City could limit the microbusinesses to a local owner versus a franchise owner. Attorney Policella responded that the legal language for micro businesses at the state level was created with the intent to be local only. However, the State has found in practice that the owner cannot supply the required funding. She stated that several franchisees have already created plans and the industry is starting to blossom in a way the State did not desire. Attorney Policella said regulating would be legally difficult as it would require interviews and then the process would appear biased.

Mayor Pro Tem Pearson highlighted prior City history relating to the Home Occupation Ordinance concerning caregivers and inquired how this may relate to the proposed ordinance. Mayor Randall asked if caregivers can sell marihuana. Attorney Policella responded that the MMA expressly prohibits caregivers to sell and the State is already finding this to be a problem. Mayor Pro Tem Pearson asked Attorney Policella if people can circumvent the law concerning freebies. Attorney Policella responded that the MMA does not allow the transfer of cash or the practice of trading for a product, but that anyone can give or get a sample. Councilmember Urban noted the Home Occupation Ordinance does not allow on-site consumption and stated he has no interest in promoting it.

Mayor Randall asked Attorney Policella if the City's current review structure with the City Manager as the administrator of the Medical Marihuana Ordinance is typical for other jurisdictions. Attorney Policella responded that there is currently no typical structure. Councilmember Reid inquired whether there was one mechanism more favorable than others regarding the City Manager adjudicating marihuana licensees versus the Council. Attorney Policella responded that the best possible option is avoiding the need to make decisions entirely, but noted that the current draft ordinance circumvents any type of merit-based system.

Deputy City Manager Carroll noted that the proposed adult-use ordinance is based on the current practice but states that the City Administration is open to transferring that power to City Council should they desire.

Mayor Randall asked Attorney Policella how marihuana business in Michigan was faring financially. Attorney Policella responded that it is not going well, noting the shortage of marihuana in

the state to meet the demand and the resulting explosion of the black market. She further stated that people will begin seeking the product through the black market if the limits become too strict and relayed that the temporary pause in licensing at the state level did not help.

Mayor Pro Tem Pearson stated he agrees with allowing eight licenses in the City in light of the current population statistics and stated that the creation of the original Medical Marihuana Ordinance was not set in stone. He stated the current proposed proposal is also flexible.

Councilmember Burns asked for clarification regarding the zoning code for adult use. Attorney Policella responded that the State cannot overly limit zoning under the Home Rule Act and the oversight is given to the municipalities. She highlighted the 1,000-foot buffer with schools under the MMA unless a municipality has its own provision that is similar or less restrictive. She noted that marihuana remains a Schedule I drug that is prohibited in the federal Drug-Free School Zones.

Councilmember Burns then inquired about the proposed application fee in the new ordinance in light of the existing fees in the medical marihuana ordinance. Deputy City Manager Carroll responded that the application fee for adult use remains \$5,000.

Mayor Pro Tem Pearson asked about the state law for keeping medical and recreational uses separate. Attorney Policella confirmed that facilities are required to keep medical and adult-use enterprises separate, include location, sales, and inventory.

Councilmember Urban noted that adult-use marihuana remains in the regulatory phase and is not statutory yet. Attorney Policella confirmed that the current state regulations have a sunset clause of May 1, 2020. Councilmember Urban then asked why the City is not waiting for the adoption of state rules to ensure the proposed City ordinance aligns with the state. Attorney Policella responded that the proposed ordinance is not expected to conflict.

Councilmember Ford noted the New York City Medallions case and expressed concern regarding the liability with the City creating limits that could result in anti-trust or inflation. Attorney Policella responded that marihuana remains a federally regulated substance, which would prevent such instances.

Councilmember Urban asked if the City can limit the number of sales per day more than the State. Attorney Policella responded that the City cannot.

Mayor Randall noted the lateness of the hour and asked Attorney Policella whether she had any additional comments. Attorney Policella responded that she did not. Mayor Randall then acknowledged the citizen present asked if he had any comments. Jevin Weyenberg thanked City Council and Attorney Policella for their efforts and noted that this was an important community issue concerning safety and choice. Mr. Weyenberg noted there is an urgency to raise the standard of the marihuana product in the community and that demand is currently exceeding the product. He stated that the Lake Effect retail location always has their door open if someone wanted to discuss further or view the facility.

Mayor Randall asked Chief Arnold his opinion on the proposed ordinance. The chief responded that his department would support any City Council decision.

Mayor Pro Tem Pearson noted the City's current stance based on the November 2018 election which had 19 precincts voting in support for medical marihuana. The Mayor then asked about the next steps. Councilmember Urban noted the prior process that Council supported had delayed any additional action until June.

City Manager La Margo requested clarification from Council regarding next steps and asked if it was Council's direction for the City Administration to pursue the process as currently drafted. Councilmembers responded in the affirmative and directed the City Manager to proceed as proposed.

ADJOURNMENT: Mayor Randall adjourned the meeting at 6:59 p.m.

Erica L. Eklov, City Clerk

DRAFT

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 25, 2020

The Regular Meeting was called to order by Mayor Patricia Randall at 7:05 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 Joe La Margo, City Attorney Randy Brown and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence in honor of sowing the seeds of love and peace in the Portage community.

Following the moment of silence, the City Council and audience recited the Pledge of Allegiance with the assistance of Cub Scout Troop 255 of St. Catherine's Parish.

PROCLAMATION: Mayor Randall issued a proclamation recognizing May 1, 2020, as Global Love Day. Mayor Randall noted this was a national organization request for recognition and asked Councilmember Knapp to read the proclamation.

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. Motion by Burns, seconded by Knapp, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Burns, seconded by Knapp, to approve the minutes of the Regular Meeting of February 11, 2020, and Pre-Council Meeting of February 24, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 25, 2020: Motion by Burns, seconded by Knapp, to approve the Accounts Payable Register of February 25, 2020. Upon a roll call vote, motion carried 7 to 0.

ADOPTION OF BOND RESOLUTION (NEW MONEY): Motion by Burns, seconded by Knapp, to adopt the: Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2020, in the amount of \$8,400,000; and Resolution approving the Undertaking to Provide Continuing Disclosure by the City of Portage for Capital Improvement Bonds, Series 2020. Upon a roll call vote, motion carried 7 to 0.

ADOPTION OF REFUNDING BOND RESOLUTION: Motion by Burns, seconded by Knapp, to adopt the: Bond Resolution authorizing the sale of Capital Improvement Refunding Bonds, Series 2020, in the amount not to exceed \$5,190,000 to refund Capital Improvement Refunding Bond Series 2012, Capital Improvement Bond Series 2011, and Capital Improvement Bond Series 2010; and Resolution approving the Undertaking to Provide Continuing Disclosure by the City of Portage for Capital Improvement Refunding Bonds, Series 2020. Upon a roll call vote, motion carried 7 to 0.

MAJOR & LOCAL STREET PAVING BUDGET AMENDMENTS: Motion by Burns, seconded by Knapp, to approve budget amendments in the amounts of \$225,000 in the Major Streets Fund and \$325,000 in the Local Streets Fund to increase 2020 pavement applications and authorize the City Manager to sign all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

GRAIN ELEVATOR ROOF REPLACEMENT: Motion by Burns, seconded by Knapp, to approve a contract in the amount of \$52,700 to Innovative Sheet Metals to replace the roof at the Grain Elevator in the Celery Flats Historical Area and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Burns, seconded by Knapp, to receive the minutes of the Youth Advisory Committee of January 13, 2020; Planning Commission of January 23, 2020; and, Human Services Board of February 6, 2020. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED: Motion by Burns, seconded by Knapp, to receive the Materials Transmitted of February 11, 2020. Upon a roll call vote, motion carried 7 to 0.

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

PETITIONS AND STATEMENTS OF CITIZENS: Frank Plodzick of 6251 Date Street asked City Council to revise the Winter Parking Ordinance noting issues he has experienced with family and visitors needing space to park in the street and receiving citations despite time restrictions and lack of snow plowing conditions. He provided a draft ordinance revision for review.

Mark Prichard of 8523 South Westnedge Avenue stated he had three issues to relay to City Council. He had concerns with wildlife management in the city, homelessness options regarding a lack of shelters in the City of Portage and personal issues with community policing, asking for a diverse police force to match a diverse population.

Mayor Randall thanked both for their comments and noted that the City Administration would be reaching out in the following days.

COUNCIL COMMITTEE REPORTS: Councilmember Knapp provided an update on the Kalamazoo County Public Art Commission (KCPAC). She noted that KCPAC had recently received several presentations from organizations about art in the community, including from Bike Friendly Kalamazoo and David Rose of the Four Corners Project. She noted next month KCPAC would be receiving a presentation from the city's own Kathleen Hoyle regarding Portage.

Mayor Pro Tem Pearson provided an update on the Austin Lake Governmental Lake Board (ALGLB). He relayed information from the ALGLB regarding an update on the Austin Lake Aeration Project.

Councilmember Reid provided an update on the Kalamazoo County Environmental Health Advisory Council (KCEHAC). She relayed that KCEHAC received a presentation from the Kalamazoo County Health and Community Services Department that included an update on PFAS, as well as several other updates on the Department's recent projects and efforts. Councilmember Reid stated that the next KCEHAC meeting is scheduled for April 8th that should include the election of officers.

Motion by Reid, seconded by Burns to approve the Council Committee Reports as provided. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns noted his attendance at two recent city events, including the February 21 Black History Month event at the Air Zoo and the February 23 Winter Blast Marathon. He noted that the Winter Blast event had great weather and received a surprise visit from Governor Whitmer. Councilmember Burns offered a reminder of the March 10, 2020 Primary Election and the availability of absentee voting. He also

noted an upcoming Portage Public Schools bond proposal and an associated online citizen survey from March 16-27. He relayed that the Portage Community Center is offering free tax season help for low-income residents.

Councilmember Ford echoed the mention of tax season, noting the effect of the Consumers Price Index.

Councilmember Reid praised the February 18 Strategic Planning Session and noted that she looks forward to continuing the process. Councilmember Reid relayed that she had enjoyed the city's Black History Month event, but had missed the Winter Blast Marathon due to scheduling conflicts. She further reminded everyone of the March 10th election that includes a millage proposal for the Central County Transportation Authority.

Councilmember Knapp also mentioned the Black History Month event, thanking Dr. Romeo Phillips for organizing and the Youth Advisory Committee for assisting. She relayed that a design open house for the Portage Senior Center is scheduled for February 27. Councilmember Knapp closed by welcoming the new Police Division K9 who was named Riggs after an online citizen poll.

City Manager La Margo echoed prior comments on the Winter Blast Marathon. He then praised recent efforts by the Fire and Police Division staff for going above and beyond the call of duty.

Mayor Pro Tem Pearson echoed the Council and City Manager comments, offering praise.

Mayor Randall noted the seven various Council meetings that had occurred since the last Regular Meeting and thanked staff for their attendance and efforts. She noted a public survey available related to the Portage Public Schools bond proposal and relayed that she is exploring the availability for a hard copy option. The Mayor relayed that annual property tax assessments had recently been mailed and noted the upcoming March Board of Review.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:41 p.m.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM MARCH 10, 2020

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 (remotely), Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance were City Manager Joe La Margo, City Attorney Randy Brown and Deputy City Manager/ Recording Secretary Mike Carroll.

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs.

Following the moment of silence, the City Council and audience recited the Pledge of Allegiance, as directed by members of Boy Scout Troop 287. At the request of the Mayor, troop members informed the Council of their activities towards becoming Eagle Scouts.

PROCLAMATION: Mayor Randall issued a proclamation recognizing the 18th Annual March for Meals Month. Mayor Randall invited Abbie Finn of Meals on Wheels to read the proclamation. After reading the proclamation, Ms. Finn shared details about Meals on Wheels in general, and the two delivery routes contained in Portage in particular. Ms. Finn shared a story wherein their volunteers discovered a client who had fallen in his home the evening before and needed medical assistance that might not have been summoned but for their volunteers' alertness.

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. Councilmember Reid requested Item A.7, Final Condominium for Pennridge Trail #1, be removed from the Consent Agenda. Motion by Ford, seconded by Reid, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Ford, seconded by Reid, to approve the Meeting Summary of the Regular Meeting of February 25, 2020, and Pre-Council Meeting of March 9, 2020. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER: Motion by Ford, seconded by Reid, to approve the Accounts Payable Register of March 10, 2020. Upon a roll call vote, motion carried 7 to 0.

RAMONA PARK PARKING LOT PAVING – BID TABULATION: Motion by Ford, seconded by Reid, to accept the low bid in the amount of \$123,900 from Wyoming Asphalt to provide repairs to the Ramona Park parking lots and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PARKING LOT ASPHALT OVERLAYS - BID TABULATION: Motion by Ford, seconded by Reid, to award a contract in the amount of \$76,725 to Michigan Paving & Materials Company for the Department of Public Works parking lot asphalt overlay and parking lot expansion, 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.

FARR ASSOCIATES AMENDED CONTRACT: Motion by Ford, seconded by Reid, to approve an amended contract with Farr Associates in an amount not to exceed \$51,500 for the Lake Center District Area Placemaking and Connectivity Study and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PUBLIC STREET VACATION - GLADYS STREET (WEST PORTION) AND NORTH/SOUTH SERVICE DRIVE: Motion by Ford, seconded by Reid, to accept the Resolution No. 20-2 for the city to vacate its interest in the west approximate 416-feet of the former Gladys Street public right of way subject to retention of a permanent utility easement; and the service drive that extends north/south from the former Gladys Street to the new or realigned Gladys Street. The vacation and discontinuance of property shall not take effect until the property subject to the purchase and sale agreement between the city and 6405 SW, LLC is transferred by an executed deed. Upon a roll call vote, motion carried 7 to 0.

AMENDMENT TO THE CODE OF ORDINANCES - PERSONNEL RULES: Motion by Ford, seconded by Reid, to accept for first reading the proposed City of Portage Ordinance amending Article 3, Officers and Employees, of Chapter 2, Administration, Section 2-87 Personnel Rules and consider final adoption on March 24, 2020. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Ford, seconded by Reid, to receive the minutes of the Historic District Commission of November 6, 2019; Senior Citizen Advisory Board of January 15, 2020; Planning Commission of February 20, 2020; and, Human Services Board of February 20, 2020. Upon a roll call vote, motion carried 7 to 0.

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

ADDITION OF RESOLUTION: Motion by Pearson, seconded by Urban, to add the Resolution for a Temporary Moratorium for Certain Development Activities within the Lake Center District, contained in the Materials Transmitted, to the Agenda as Item E.1. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

GREENSPIRE PLANNED DEVELOPMENT (3413 WEST CENTRE AVENUE AND 8546 SHIRLEY COURT): Mayor Randall opened the Public Hearing for Greenspire Planned Development. Interim Director Forth advised that AVB & Hinman were seeking an amendment to: reclassify 8.5 acres of commercial to mixed-use (residential & commercial), and to add approximately 316 apartment units from the currently approved 704 units to 1020. Interim Director Forth noted density would increase from 8.45 units per acre to just over 11 units per acre. Interim Director Forth advised LandUse USA and Tracy Cross & Associates both feel that this location would be favorable for such a mixed-use development. Interim Director Forth stated the Planning Commission unanimously approved the amendment and staff recommends it as well.

Mayor Randall and Councilmembers Reid and Knapp asked questions of Interim Director Forth. Greg Dobson of AVB fielded questions from Mayor Randall and Councilmembers Reid and

Burns and spoke of the 50-year history of Greenspire and the relationship they have built with their neighbors.

Motion by Pearson, seconded by Reid, to close the public hearing. Upon a roll call vote, motion carried 7 to 0. Motion by Pearson, seconded Burns to approve the Tentative Plan Amendment for Greenspire Planned Development, 3413 West Centre Avenue and 8546 Shirley Court, subject to the four conditions contained in the January 17, 2020 Department of Community Development staff report. Upon a roll call vote, motion carried 7 to 0.

REGULAR BUSINESS:

PENNRIDGE TRAIL #1 FINAL CONDOMINIUM SUBDIVISION: Councilmember Reid indicated her concern about the amount of ingress/egress (one exit) for the project. Interim Director Forth explained the first phase and the potential second phase, along with the history of the discussions on access. The current plan is for an emergency access easement on and through the parcel to the north. Mayor Randall and Councilmember Urban inquired further about the easement being a locked gated driveway and their concerns about its maintenance. Interim Director Forth indicated that the limit for one exit is 30 units. The agreement in place is that prior to the 31st building permit being issued, the emergency access driveway would have to be constructed. Brian Wood of Allen Edwin fielded further questions from the Council about the access easement. He indicated that he spent several months with the property owner to the north, and with the City, to draft the easement to allow the emergency access. Interim Director Forth did mention there are other emergency access drives in the City, but none that he can recall that would be maintained by an association.

In response to a question by Councilmember Burns, Interim Director Forth indicated that Greenspire had one entry/exit for many more units than being proposed here, up until the light at Cooley was installed. Forth further explained the difficulty of this particular parcel, with the Eliason Preserve to one side and railroad tracks to the other side of this property. Mayor Randall explained that since this project initially came before the Council, there has been a new fire marshal, new interim director of Community Development, and new City Administration. City Manager La Margo also expressed concerns about emergency access and offered to sit down with his team to see if there would be a better alternative. Mayor Pro Tem Pearson inquired of Mr. Wood if he could bring back to staff the figures regarding how much maintenance of the emergency access would cost each homeowner in the development.

After conferring with the City Attorney, it was determined that rather than vote to approve or reject this plan, an adjournment of the issue would be appropriate. Motion by Reid, seconded by Pearson to adjourn the matter until April 14, 2020, and refer to the Administration for further report. Councilmember Ford stated he felt these issues had already been addressed by Council and that homeowners' associations are commonly called upon to maintain infrastructure such as this access road. Upon a roll call vote, motion carried 6 to 1 (Ford).

LAKE CENTER DISTRICT TEMPORARY MORATORIUM: City Manager La Margo described how the City had engaged a consultant to conduct visioning/strategic planning exercises, with the involvement of area stakeholders, for the Lake Center District. Allowing unrestricted development prior to the conclusion of this process could be problematic. Deputy City Manager Carroll further explained there was a provision for relief, should this moratorium cause legal difficulties for developers/property owners. Motion by Urban, seconded by Pearson, to adopt Resolution 20-3 to establish a temporary moratorium for certain development activities within the Lake Center District area. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns advised that he and Mayor Pro Tem Pearson attended a Central County Transportation Authority meeting wherein they learned the committee had received a clean financial audit. They also had the first reading of a remote attendance policy, which was modeled after the City of Portage's policy. The Executive Director also spoke to the authority about the sanitation procedures in place on the buses due to the coronavirus.

Motion by Ford, seconded by Reid, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITIZENS: Mr. Gary Drill of Larkspur Lane addressed the Council, requesting how the improvements being discussed in the Lake Center District were going to be paid for, and whether that was an appropriate function of government. Mr. La Margo explained that this was a budgeted part of the Capital Improvement Plan and the governmental rationale for developing the area. Mayor Randall also indicating that this area was long overdue for improvement, as other areas of the City had received attention in recent years. Mayor Pro Tem Pearson also explained that this area had been identified as needing attention 24 years ago.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban stated that the action the City Council took (and that the Council encouraged the County to take) to inform the President that Portage would accept refugee families into the city has helped. An Afghan refugee family arrived a couple of weeks ago, supported by Bethany Christian Services and Portage Chapel Hill United Methodist Church. They were attending multiple cultural and educational activities. Residents were encouraged to welcome the family into our community. Mayor Randall thanked Councilmember Burns for his efforts on this front as well.

Councilmember Reid recognized Senior Deputy Fire Chief Podgorski, who is retiring as of March 27th, after 18 years of service to the City, and Barb Janicke, who retired from the City Clerk's office February 28th after 38 years of service. She also advised that a lot of events are being canceled (conferences, etc.) to reduce contact because of the coronavirus, and asked everyone to take proper precautions.

Councilmember Burns reminded everyone it is Election Day. He congratulated the City Clerk for running a good election. Also, a reminder that the Portage Public School Board was considering the construction of school(s) and was seeking community input on their website.

Councilmember Ford thanked the City Clerk and the Deputy City Managers for exhibiting great teamwork on this election season. Congratulations to Michigan State Spartans for third straight Big 10 championship in men's basketball.

City Manager La Margo noted that the City staff has increased its efforts to sanitize all commonly touched surfaces in city buildings. He also advised Standard & Poor's confirmed our credit rating of AA+ and indicated the city's financial position improved from "Strong" to "Very Strong". He gave thanks to the Council for reducing debt without increasing millages. Kudos to the City Clerk and both Deputy City Managers for pitching in this week, over the weekend and late at night, working through this election season.

Mayor Pro Tem Pearson eulogized Dr. Russell Mohney, a longtime pillar of the community.

Mayor Randall also mentioned that Dr. Mohney was a special friend of hers and a great steward of the City. The School District website will have a public survey available on their website, beginning March 20th. Hard copies will also be available at the School Administration Building. The Senior Center Cabinet had a meeting today. \$4.2 million has been raised so far. Bryce was chosen as

the Architects, and AVB was chosen to construct the Center. A target of an additional \$1.3 million is hoped to be raised. Groundbreaking should be late summer, and construction completed by Thanksgiving 2021. Mayor Randall further commented on the Pennridge Trail action taken tonight. She explained the difficulty of coming in midstream on a project, especially in light of the tremendous amount of change at City Hall. She felt it best to take a step back, to make sure the Council “gets it right”.

The Mayor thanked all of those who worked so hard to make the election season run smoothly and all staff for wearing many hats.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:36 p.m.

Michael F. Carroll, Deputy City Manager

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MARCH 24, 2020**

Mayor Patricia Randall, via the conference line, called the meeting to order at 8:02 a.m. Councilmembers Chris Burns, Lori Knapp, Claudette Reid and Mayor Pro Tem Jim Pearson also joined via the conference phone line. Councilmembers Richard Ford and Terry Urban were absent with excuse. Also in attendance were City Manager Joseph La Margo, Deputy City Manager Mike Carroll, Deputy City Manager Adam Herringa (via conference phone line) and City Clerk Erica Eklov.

Mayor Randall began by reviewing the agenda and asked if anyone would be present to read the Fair Housing Month Proclamation. City Clerk Eklov responded that it was planned to be a representative of the Fair Housing Center, but City Clerk Eklov had since requested the representative to not attend in light of the new COVID-19 health concerns. City Clerk Eklov offered to read the proclamation instead and Mayor Randall agreed.

With regard to Item A.3, Councilmember Reid asked for clarification regarding the Abonmarche, Consultants flat fee. She wanted to know how the city will know when Abonmarche exceeds the fee or time threshold. Councilmember Knapp highlighted specific language in the letter from Abonmarche attached to the agenda item that stated any additional services would be billed separately.

With regard to Item A. 6, Councilmember Reid inquired as to why the County Treasurer's Office was offering the proposed services, at no cost and for what benefit. Mayor Pro Tem Pearson agreed and expressed questioned whether the service had a fee involved. City Manager La Margo stated he would further research and respond.

With regard to Item A. 8, Councilmember Reid asked what mechanism the vendor would utilize to remove the invasive species at the parks. She stated she thought the city has been trying to avoid herbicide treatments. City Manager La Margo stated he would further research and respond.

With regard to Item A. 9, Councilmember Reid inquired about language related to maintaining existing trees and vegetation within the proposed subdivision phase. She asked how the city might strengthen its position to prevent clear-cutting. Deputy City Manager Carroll responded that the city ordinances currently lack provisions to prevent clear-cutting in proposed developments, but that the City Administration was working to bolster those ordinances going forward. He noted that the current developer of the Copperleaf subdivision has already clear-cut the newest phase and the city cannot go back and request remediation. However, Deputy City Manager Carroll relayed that the Community Development Department will not be issuing any building permits for the development until the developer provides sufficient replacement of trees per parcel. Councilmember Reid noted that the Copperleaf Condominium Subdivision is a Planned Development (PD) and stated there should have been language in the PD regarding vegetation for the city. City Manager La Margo responded that such requirements should have been in the original PD, but was not. He further noted that the City Administration will ensure Planned Developments will account for this issue in the future. Mayor Randall inquired whether this was the final phase of the Copperleaf Condominium

Subdivision. City Manager La Margo responded that he believed it was but would further research and respond.

With regard to Item A. 13, Councilmember Reid requested the number of contracts that were between \$40,000 and \$75,000 compared to the total number of contracts from 2019 for reference. City Manager La Margo stated he had those numbers available and would provide them to Council in the Pre-Council Meeting responses.

With regard to Item A. 14, Councilmember Reid asked whether the proposed resolution authorizing the City Manager to temporarily make purchases and approve contracts up to \$4 million in the absence of the City Council during a state of emergency was truly necessary in light of the recent Executive Order from the Governor regarding remote meetings. City Manager La Margo responded that the resolution may not be essential but the City Administration desired the resolution as a safeguard due to the quickly evolving situation with the COVID-19 pandemic. He stated that as long as City Council can continue business as needed, then the resolution would not be necessary. However, the Council could find it cannot achieve a quorum or future Council meetings could be canceled then it could be required, otherwise the resolution will not be activated. City Manager La Margo noted the dollar amount was calculated based on the next 60 days of city projects currently planned that would require attention. Mayor Randall asked when the resolution is slated to expire. City Manager La Margo responded that the resolution will expire with the May 12 City Council Meeting or whenever regular City Council Meetings resume in the event meetings are canceled.

With regard to Item A. 15, Mayor Randall confirmed that City Council can schedule the Board and Commission Interview session for May 26th now, but can reschedule at a later date if needed due to the current emergency situation.

With regard to Item A. 18, Councilmember Reid inquired whether all of the meetings listed in the Calendar of Meetings would be taking place in light of the COVID-19 measures. City Manager La Margo responded that any non-essential Board and Commission meetings would be canceled through April 13th.

With regard to Item C.1, Mayor Randall inquired if a presentation was planned and what was expected of City Council. Deputy City Manager Carroll noted that the Kalamazoo County Office of Emergency Management was simply looking to present its current plan and seek support from the local municipalities. City Manager La Margo noted that this item had previously gone before Council several years prior and Portage was one of the few municipalities to support the matter. He stated that Portage would likely support the plan again this time. Following discussion by Council, the City Clerk was instructed to alter the recommended action to accept the presentation as a gesture of support for the proposed plan from the Kalamazoo County Office of Emergency Management.

ADJOURNMENT: Following a summary of the meeting, Mayor Randall adjourned the meeting at 8:34 a.m.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approve the Accounts Payable Register of March 24, 2020, as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period March 1, 2020 through March 14, 2020 and notes \$196,189.67 in automated clearing house payments, \$1,629,860.06 in paper checks and \$97,279.06 in auto-pay payments for a grand total of \$1,923,328.79.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of March 24, 2020

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/01/2020 to 3/14/2020

Page 1 of 6

Check type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
03/06/2020	12821(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES	97,236.35
03/06/2020	12822(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	3,162.51
03/06/2020	12823(A)	BATTERIES PLUS	LIGHT BULBS FOR CITY HALL	89.88
03/06/2020	12824(A)	BELL EQUIPMENT COMPANY	PLOW MAINTENANCE	523.93
03/06/2020	12825(A)	BYHOLT INC.	2NS SAND DELIVERY	780.18
03/06/2020	12826(A)	C C I SOUTH, INC.	CABLING WORK	461.68
03/06/2020	12827(A)	C D W GOVERNMENT, INC.	EPSON OMNILINK RECEIPT PRINTER	701.23
03/06/2020	12828(A)	C M P DISTRIBUTORS, INC.	MISC POLICE SUPPLIES	1,025.00
03/06/2020	12829(A)	CARLETON EQUIPMENT CO.	EQUIPMENT SERVICES	320.93
03/06/2020	12830(A)	CHARTER COMMUNICATIONS	CABLE TV	149.98
03/06/2020	12831(A)	CLEAN EARTH ENVIRONMENTAL SERV	ZYLMAN AVE LIFT STATION BYPASS	10,323.50
03/06/2020	12832(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING SVC/FEB 2020	97.95
03/06/2020	12833(A)	DEER CONTRACTING & LANDSCAPE	BLOCK WALL REPAIRS	220.00
03/06/2020	12834(A)	EVERETT, CHIP	FIRE TRAINING SUPPLIES	169.99
03/06/2020	12835(A)	EXTREME POWER EQUIPMENT, INC.	EQUIPMENT REPAIRS/MAINT	873.55
03/06/2020	12836(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,263.08
03/06/2020	12837(A)	FIRE SERVICE MANAGEMENT	FIRE PPE CLEANING	2,332.99
03/06/2020	12838(A)	GLEESING, KEVIN	STAFF & COMMAND SCHOOL WK 2	225.00
03/06/2020	12839(A)	GOODYEAR TIRE & RUBBER COMPANY	FIRE APPARATUS MAINT	193.00
03/06/2020	12840(A)	GORDON WATER SYSTEMS	BREWER RENTAL & WATER W/COOLER	107.20
03/06/2020	12841(A)	GRIFFIN PEST SOLUTIONS, INC.	ANNUAL PEST CONTROL	80.00
03/06/2020	12842(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	9,220.49
03/06/2020	12843(A)	HOLCOMB, JOSHUA	CLASS INSTRUCTOR PMT UKULELE	1,296.00
03/06/2020	12844(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	2,826.99
03/06/2020	12845(A)	IP CONSULTING, INC.	3 WALL MOUNTED HEADSETS	300.28
03/06/2020	12846(A)	J & J LAWN SERVICE, INC.	MOWING SERVICES	8,980.00
03/06/2020	12847(A)	KEHOE, EDWARD J	CLASS INSTRUCTOR PMT TAI CHI AND CH	500.00
03/06/2020	12848(A)	KENDALL ELECTRIC, INC.	LIGHT BULBS	23.64
03/06/2020	12849(A)	KLOSTERMAN DISTRIBUTING	MPIR CONCESSIONS	91.23
03/06/2020	12850(A)	KUSHNER & COMPANY, INC.	COBRA & FSA ADMINISTRATION	303.46
03/06/2020	12851(A)	LAWSON PRODUCTS, INC	FLEET MAINTENANCE SUPPLIES	1,421.83
03/06/2020	12852(A)	LOWE'S HOME CENTER	SUPPLIES	34.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/01/2020 to 3/14/2020

Page 2 of 6

Check Date	Check	Vendor Name	Description	Amount
03/06/2020	12853(A)	MARANA GROUP	METER SERVICE	273.00
03/06/2020	12854(A)	MEJEUR ELECTRIC LLC	ELECTRICAL WORK/CONFERENCE ROOMS	309.00
03/06/2020	12855(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	282.51
03/06/2020	12856(A)	O'BOYLE-COLWELL-BLALOCK & AS.	LAKEVIEW PARK CONCEPT PLAN	633.96
03/06/2020	12857(A)	OFF THE CUFF CATERING	CITY COUNCIL DINNER 1/14/20 MEETINGS	155.00
03/06/2020	12858(A)	ONSTAFF USA INC	TEMP EMPLOYEE SERVICES	9,450.91
03/06/2020	12859(A)	PHILLIPS, KIMBERLY	REIMBURSE FOR PROG SUPPLIES	122.99
03/06/2020	12860(A)	POWERDMS, INC.	FIRE SOFTWARE	619.92
03/06/2020	12861(A)	PROFESSIONAL BUILDING SERVICES LLC	BUILDING CLEANING SVCS	4,077.77
03/06/2020	12862(A)	RIDGE AUTO NAPA	VEHICLE MAINTENANCE	152.32
03/06/2020	12863(A)	VOID		0.00 V
03/06/2020	12864(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	127.64
03/06/2020	12865(A)	S B F ENTERPRISES, INC.	REAL PROP ASSESSMENT MAILING SVC	1,880.07
03/06/2020	12866(A)	SEVERANCE ELECTRIC COMPANY, INC	POWDER COAT STREET NAME SIGNS	11,544.12
03/06/2020	12867(A)	SNELL, DEBRA	CLASS INSTRUCTOR PMT	576.00
03/06/2020	12868(A)	STEELE, DANA	FIRE ADMIN TRAINING	79.31
03/06/2020	12869(A)	TERMINAL SUPPLY CO.	SAFETY LIGHTS FOR EQUIP	507.30
03/06/2020	12870(A)	VANDENBRINK, BRIAN	STAFF & COMMAND SCHOOL WK2	225.00
03/06/2020	12871(A)	WARNER NORCROSS & JUDD LLP	LEGAL FEES & RETAINER FEES	103.00
03/06/2020	12872(A)	WEST MICHIGAN INT'L LLC	MAINTENANCE SUPPLIES	899.05
03/06/2020	12873(A)	WEST MICHIGAN STAMP & SEAL, INC	NAME PLATE/NAME BADGE	70.00
03/06/2020	12874(A)	WOLVERINE LAWN SERVICE, INC.	SNOW REMOVAL SERVICES	7,441.00
03/06/2020	12875(A)	MCMILLAN, BRANDON	ADVANCE/NARCOTICS ENFORCEMENT/TR	140.00
03/06/2020	12876(A)	MOORE, LARRY	FIRE MARSHAL SUPPLIES	169.99
03/06/2020	12877(A)	REYNHOUT, BRENT	ADVANCE/NARCOTICS ENFORCEMENT/TR	90.00
03/13/2020	12878(A)	C T S TELECOM, INC.	DEDICATED FIBER OPTIC CIRCUIT	325.00
03/13/2020	12879(A)	ONSTAFF USA INC	TEMP EMPLOYEE SERVICES	10,507.86
03/13/2020	12880(A)	RUPLE, MARY	REIMB/KALAMAZOO SOCIAL MEDIA	91.10
Total ACH Transactions:				196,189.67

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/01/2020 to 3/14/2020

Page 3 of 6

Check Date	Check	Vendor Name	Description	Amount
Check type: Paper				
03/04/2020	312724	KALAMAZOO COUNTY BROWNFIELD AUTH	WINTER BROWNFIELD DISTRIBUTION '19	97,093.03
03/04/2020	312725	KALAMAZOO COUNTY TREASURER	2020 DOG LICENSE COLLECTIONS	5,895.00
03/06/2020	312726	10TH DISTRICT COURT	OUT OF COUNTY BOND	100.00
03/06/2020	312727	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	574.70
03/06/2020	312728	ALLEN EDWIN HOME BUILDERS LLC	OP PLUMBING PERMIT	125.00
03/06/2020	312729	ASMUS, MICHAEL & WENDY	TRIP REFUND CELTIC WOMAN	200.00
03/06/2020	312730	AT&T	RADIO CIRCUITS	2,661.48
03/06/2020	312731	BESTEMAN, CARL	TRIP REFUNDS TAMING OF SHREW	290.00
03/06/2020	312732	BRAZEAL DENNARD CHORALE	BRAZEAL DENNARD CHORALE PERF	6,000.00
03/06/2020	312733	BWMS TRAINING	DISINFECTION BASICS TRAINING	165.00
03/06/2020	312734	C A L E A	ANNUAL CONTINUATION FEE	4,515.00
03/06/2020	312735	CAPITOL STRATEGIES, LLC	LEGISLATIVE TACTICS & STRATEGIES	7,000.00
03/06/2020	312736	CARTRIDGE WORLD	INK CARTRIDGES	1,859.44
03/06/2020	312737	CINTAS CORP.	UNIFORM RENTAL	23.55
03/06/2020	312738	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	304,103.57
03/06/2020	312739	CITY OF PORTAGE	BD PAYMENT REFUND	2,826.18
03/06/2020	312740	CMS COMMUNICATIONS, INC.	CISCO 8811 IP PHONE	303.91
03/06/2020	312741	CORNERSTONE OFFICE SYSTEMS	FOLDING MACHINE REPAIR	125.00
03/06/2020	312742	COSTAR REALTY INFORMATION, INC.	COMM REAL ESTATE DATABASE	367.23
03/06/2020	312743	CREATIVE CIVIC SOLUTIONS LLC	COMM DEV CONSULTATION/MCLAUGHLIN	14,000.00
03/06/2020	312744	DELOOF CONSTRUCTION, INC.	REPAIR GARBAGE ENCLOSURE	2,045.50
03/06/2020	312745	DEVON TITLE AGENCY	TITLE WORK - SPRINKLE@MEREDITH	1,408.00
03/06/2020	312746	DUNIGAN BROTHERS, INC.	LIFT STATION RENOVATION-EMILY DR/CORA	328,474.30
03/06/2020	312747	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	2,127.77
03/06/2020	312748	FALCON ROAD MAINTENANCE EQUIPMENT	PATCH BUGGY REPAIRS	1,031.67
03/06/2020	312749	FIRE FINDINGS LLC	FIRE MARSHAL TRAINING	750.00
03/06/2020	312750	FLIERS UNDERGROUND SPRINKLING	PUMP MAINTENANCE	1,822.45
03/06/2020	312751	GORDON FOOD SERVICE	MPPIR CONCESSIONS	152.96
03/06/2020	312752	GREATER KALAMAZOO COMMUNITY SVC	EXPO SPONSORSHIP/EXHIBIT TAB	250.00
03/06/2020	312753	HALL BUILDERS LLC	NEW FIRE STATION #2 CONSTRUCTION	286,095.82
03/06/2020	312754	HALT FIRE, INC.	FIRE APPARATUS MAINT	1,460.58
03/06/2020	312755	HIRSCH, JOSEPH	AMPHITHEATRE REFUND	30.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/01/2020 to 3/14/2020

Page 4 of 6

Check Date	Check	Vendor Name	Description	Amount
03/06/2020	312756	HOFER, DAVID	CDBG CRAWLEY 2824 ROLLING HILL ROOF	1,900.00
03/06/2020	312757	HOME DEPOT	PARKS MAINTENANCE	1,172.98
03/06/2020	312758	VOID		0.00 V
03/06/2020	312759	HOYLE, KATHLEEN	PURE MI GOVERNORS CONF/TOURISM	179.70
03/06/2020	312760	J & J LOCKSMITHS	LOCK REPAIR	684.00
03/06/2020	312761	JORGENSEN FORD SALES, INC.	POLICE VEHICLES	126,914.67
03/06/2020	312762	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE OCFE TRAINING	1,500.00
03/06/2020	312763	KALAMAZOO COUNTY DRAIN COMMISSIONER	KALAMAMZOO CO DRAIN COMM AUTH	52,481.13
03/06/2020	312764	KALAMAZOO COUNTY HEALTH & COMMUNITY	HAZARDOUS WASTE DISPOSAL	20.05
03/06/2020	312765	KALAMAZOO COUNTY LAND BANK	KALAMAMZOO CO LAND BANK '19 TAX DIST	3,336.33
03/06/2020	312766	KELLY, ANNA	CLASS REFUND	30.00
03/06/2020	312767	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER CONTRACT/COMM SVC	364.00
03/06/2020	312768	KRUSE, BARBARA	TRIP REFUND TURANDOT OPERA	150.00
03/06/2020	312769	M M R M A	INS PREMIUM FIRST HALF 2020/21	249,676.00
03/06/2020	312770	MACALLISTER MACHINERY CO., INC.	DOZER RENTAL INSURANCE	175.35
03/06/2020	312771	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	75.00
03/06/2020	312772	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR/MAINT	2,979.33
03/06/2020	312773	MICHIANA LAND SERVICES	EASEMENT SERVICES	1,192.42
03/06/2020	312774	MICHIGAN MUNICIPAL LEAGUE	FUTURE ON-LINE JOB ADS	344.04
03/06/2020	312775	MICHIGAN SECRETARY OF STATE	RENEWAL TABS & PLATES	195.00
03/06/2020	312776	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SVC	569.50
03/06/2020	312777	MITCHELL1	MITCHELL1 SUBSCRIPTION	1,728.00
03/06/2020	312778	MLIVE MEDIA GROUP	JAN KALAMAZOO GAZETTE NOTICES	1,038.43
03/06/2020	312779	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,103.14
03/06/2020	312780	VOID		0.00 V
03/06/2020	312781	VOID		0.00 V
03/06/2020	312782	PIPEK INFRASTRUCTURE SERVICES	SEWER SERVICES - EVERGREEN STREET	2,750.10
03/06/2020	312783	QUADMED, INC.	FIRE OPS SUPPLIES	110.00
03/06/2020	312784	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATERIALS	27.75
03/06/2020	312785	ROSE STREET ADVISORS, LLC	COMPENSATION ANALYSIS PROJECT	1,000.00
03/06/2020	312786	SEELYE FORD, INC.	VEHICLE MAINTENANCE	338.92
03/06/2020	312787	SHERMAN TOOL / CORNWELL TOOLS	SHOP TOOLS	225.85
03/06/2020	312788	SHI INTERNATIONAL CORP.	FUJITSU FI-7160 DOC SCANNER	977.60

ACCOUNTS PAYABLE REGISTER

Page 5 of 6

Check Dates From: 3/01/2020 to 3/14/2020

Check Date	Check	Vendor Name	Description	Amount
03/06/2020	312789	SKILES, BARRY	DAMAGED MAILBOX REIMB	44.00
03/06/2020	312790	SNYDER, MARY CATHERINE	REFUND OF CEMETERY PLOT	650.00
03/06/2020	312791	SOIL & MATERIALS ENGINEERS,INC	ENGINEERING SERVICES	190.00
03/06/2020	312792	SOUTHWEST MICHIGAN LIVING LLC	ADVERTISING - SML MAGAZINE	2,188.00
03/06/2020	312793	SPARTAN NASH	OP FINAL UTILITY BILL	499.80
03/06/2020	312794	SPC SPECIALTY PRODUCTS, LLC	AQUA PATCH	3,500.00
03/06/2020	312795	ST. REGIS CULVERT, INC.	TRUCK MAINTENANCE	2,400.00
03/06/2020	312796	STATE OF MICHIGAN	SOR REGISTRATON FEES	570.00
03/06/2020	312797	STATE OF MICHIGAN	STATE OF MI LAND BANK SCHOOL AID	468.60
03/06/2020	312798	STATE OF MICHIGAN (EGLE)	COMPOST FACILITY REGISTRATION	600.00
03/06/2020	312799	STATE SYSTEMS RADIO, INC	MISC RADIO REPAIRS	43.00
03/06/2020	312800	SUNBELT RENTALS, INC.	CHIPPER RENTAL	325.00
03/06/2020	312801	TARGETSOLUTIONS LEARNING LLC	FIRE SOFTWARE	2,950.00
03/06/2020	312802	THRYV, INC.	YELLOW PAGES AD PAYMENT	52.28
03/06/2020	312803	TIMBER RIDGE SKI AREA	SKI/SNOWBOARD LESSONS	1,800.00
03/06/2020	312804	UNITED PARCEL SERVICE	UPS WEEKLY	22.55
03/06/2020	312805	VANGUARD FIRE & SUPPLY CO., INC.	VANGUARD FIRE SUPPLY	225.00
03/06/2020	312806	VARNUM, RIDDERING, SCHMIDT & H	LEGAL SERVICES RENDERED	3,249.50
03/06/2020	312807	VERIZON WIRELESS	CELLULAR TELEPHONES	2,802.18
03/06/2020	312808	WEST MICHIGAN OFFICE INTERIORS	OFFICE CHAIR	349.00
03/06/2020	312809	WIGHTMAN	ENGINEERING SVC/MILHAM PED BRIDGE	2,108.75
03/06/2020	312810	WILLIAMS & WORKS	ENGINEERING SVC/CENTER, WESTNEDGE	1,050.00
03/06/2020	312811	WILLIAMS ASSOCIATES ARCHITECTS, LTD	FIRE-NEW STATION 2	8,547.98
03/06/2020	312812	FARR ASSOCIATES AND URBAN DESIGN PC	URBAN PLANNING & DESIGN SVC	5,925.00
03/13/2020	312813	AT&T	ELECTRONIC COMMUNICATIONS	13,718.46
03/13/2020	312814	BLUE CROSS/BLUE SHIELD OF MICH	BCBSM INSURANCE	43,088.22
03/13/2020	312815	SMITH, DANIEL LEE	ART CLASS INSTRUCTOR PMT	328.09
03/13/2020	312816	USPS	REFILL POSTAGE METER	5,000.00
03/13/2020	312817	VERIZON WIRELESS	WIRELESS SERVICE	48.22
Total Paper Checks:				1,629,860.06

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/01/2020 to 3/14/2020

Page 6 of 6

Check Date	Check	Vendor Name	Description	Amount
Check Type: Auto-Pay Payment				
03/02/2020		CONSUMERS ENERGY	GAS-ELECTRIC	123.14
03/05/2020		CONSUMERS ENERGY	GAS-ELECTRIC	55,711.03
03/09/2020		CONSUMERS ENERGY	GAS-ELECTRIC	1,404.57
03/10/2020		CONSUMERS ENERGY	GAS-ELECTRIC	10,441.80
03/12/2020		CONSUMERS ENERGY	GAS-ELECTRIC	26,536.93
03/13/2020		CONSUMERS ENERGY	GAS-ELECTRIC	3,061.59
			Total Auto-Pay Payments:	97,279.06
			Grand Total:	1,923,328.79

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: South Westnedge Avenue Traffic Signal System Upgrade Project - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED:

1. Award a construction contract to Severance Electric Co., Inc. in the not-to-exceed amount of \$715,762.21 for the South Westnedge Avenue Traffic Signal System Upgrade Project,
2. amend a contract with Abonmarche Consultants, Inc. in the amount of \$66,940 for construction engineering services

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

The FY 2019-2020 Capital Improvement Program budget includes funding for the upgrade of traffic signals on South Westnedge Avenue at the intersections of Idaho Avenue/Dawnlee Avenue and Mall Drive. The project includes replacement of obsolete mast arms and upgrades to the signal controller and pedestrian signals. This project will be completed this summer in coordination with the South Westnedge Avenue Reconstruction project.

On March 12, 2020, only two proposals were received for the traffic signal system upgrade. A limited number of companies exist that are able to perform the specialized work. The lowest bid in the amount of \$715,762.21 was submitted by Severance Electric Co., Inc., of Kalamazoo, MI. Severance Electric has successfully completed many signal installations for the city and is the current traffic signal maintenance vendor.

Abonmarche Consultants, Inc. of Benton Harbor, MI, is the firm that completed the design engineering of the traffic signals for this project and is very familiar with the City of Portage traffic signal control system. As such, staff requested a proposal from Abonmarche for construction engineering services for the project. Abonmarche submitted a proposal in the amount of \$66,940, which staff has reviewed and found to be appropriate for the work to be completed.

It is recommended that City Council award a contract to Severance Electric Co., Inc. in the not-to-

exceed amount of \$715,762.21 for the South Westnedge Avenue Traffic Signal System Upgrade Project, amend a contract with Abonmarche Consultants, Inc. in the amount of \$66,940 and authorize the City Manager to execute all documents related to the contracts on behalf of the city.

FUNDING: FY 2019-2020 Capital Improvement Program budget

Attachments:

1. 2020 Traffic Signal Replacement & Interconnection - Bid Tabulation
2. 2020 Traffic Signal Replacement & Interconnection - Abonmarche Proposal

BID TABULATION
2020 TRAFFIC SIGNAL REPLACEMENT & INTERCONNECTION

<u>Bidder</u>	<u>Bid</u>
Severance Electric Co., Inc. 4140 Rollridge Avenue Kalamazoo, MI 49004	\$715,762.21
J. Ranck Electric, Inc. 1993 Gover Parkway Mt. Pleasant, MI 48858	\$1,027,690.25

March 13, 2020

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

RE: 2020 Traffic Signal Replacement and Interconnection Project
Proposal for Construction Phase Services

Dear Ms. Gwin:

Abonmarche is pleased to present this proposal for Construction Administration, Inspection, Testing and Staking services for the 2020 Traffic Signal Replacement and Interconnection project. The project consists of the following improvements:

Traffic signal replacement/modernization

- S. Westnedge Avenue at Idaho Avenue/Dawnlee Avenue
- S. Westnedge Avenue at Mall Drive/Gladys Street
- Lovers Lane at Romence Road Parkway

Traffic signal ITS Improvements/Interconnection

- Shaver Road at West Centre Avenue
- Shaver Road at West Melody Avenue
- Shaver Road at Meijer Entrance

Bids were received on March 12, 2020, with Severance Electric Co. confirmed as the low bidder at \$715,762.21. Per the project progress clause, work will begin at the Shaver Road/Meijer entrance and West Melody Avenue intersections on April 20th due to railroad flagging operations. This work is expected to be completed by May 31st. On July 6th work will commence at the S. Westnedge/Idaho/Dawnlee intersection and will be complete by August 30th. Work at the other intersections will begin on July 20th and will be complete by October 2nd.

We anticipate that our services during the construction phase of this project will include the following tasks:

1. Coordination and attendance at a Pre-Construction Meeting with the contractor, city staff, utility companies. This will include preparation and distribution of meeting minutes.
2. Construction Inspection and Testing as necessary per City of Portage requirements including required bolt tightening testing for mast arm standards.

3. Attendance at bi-weekly Progress Meetings with the contractor and city staff to discuss progress to-date, upcoming work, and items of concern and/or coordination
4. Field Engineering and Construction Coordination
5. Field Manager Administration and tracking of pay items
6. Preparation of work orders and contract modifications
7. Review and recommendation for approval of Pay Estimates
8. Construction Staking
9. Review and addressing citizen complaints
10. City of Portage project close out paperwork including a final walk through meeting, distribution of a punch list and follow through on outstanding items of work
11. Preparation of record drawings in mylar and electronic format

Please note that this does not include any special in-plant testing requirements such as mast arm fabrication and weld inspection.

Our fees to complete the above Scope of Services are proposed as a lump sum amount not to exceed \$66,940. Additional services beyond those described above will be billed on a time and materials basis at our standard hourly rates.

Thank you for the opportunity to continue working on this exciting project. Your signature in the space provided below or issuance of a Purchase Order/contract amendment will serve as authorization to proceed with this portion of the project. If you have any questions, please feel free to contact me at 269-926-4550 or tdrews@abonmarche.com.

Sincerely,

ABONMARCHE



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

cc: Daniel Dombos, PE, Abonmarche

Authorized By

Date



TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Spring Mill & Fill - Bid Tabulation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Award a contract in the amount of \$596,278.26 to Michigan Paving & Materials Co., for spring mill and fill asphalt repairs to major and local street sections and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Fiscal Year 2019-2020 Major & Local Streets budget includes funding for spring mill and fill repairs to major and local streets where surface asphalt is in poor condition. Scheduled for repair are nine streets, totaling more than three miles in length at the following locations:

- Wendy Lane (Charter Avenue – Dead End)
- Joy Avenue (Wendy Lane – Julie Drive)
- Andrea Lane (Charter Avenue – Dead End)
- Charter Avenue (Oakland Drive – Primrose Lane)
- Primrose Lane (Schuring Road – Royal Oak Avenue)
- Gladys Street (South Westnedge Avenue – Newport Road)
- Newport Road (Gladys Street – East Milham Avenue)
- East Milham Avenue (South Sprinkle Road – City Limit)
- Mandigo Avenue (Autumn View – East Shore Drive)

Invitations to bid on this project were sent to nine area contractors, and on March 5, 2020, two bids were received to perform the work. The lowest bid was submitted by Michigan Paving & Materials Co., of Kalamazoo, Michigan, in the amount of \$596,278.26. Michigan Paving has successfully completed several street repair projects for the city.

It is recommended that City Council award a contract to Michigan Paving & Materials Co. in the amount of \$596,278.26 for spring mill and fill asphalt repairs of major and local street sections and authorize the City Manager to execute all documents related to these actions on behalf of the city.

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

Attachments: 1. Spring Mill & Fill - Bid Tabulation

**2020 SPRING MILL FILL
BID TABULATION**

Grand Total

Michigan Paving and Materials
2300 Glendenning Road
Kalamazoo, MI 49001

\$596,278.26

Rieth - Riley Construction Co. Inc.
911 Hatfield Avenue
Kalamazoo, MI 49001

\$794,251.68

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Pine View Water Tank Wet Interior Recoating - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to Seven Brothers, Inc., in the not-to-exceed amount of \$297,800 for the wet interior recoating of the Pine View Water Tank, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The FY 2019-20 Capital Improvement Program budget includes funds for renovating and painting the wet interior of the Pine View Water Tank. The project includes removal of the existing wet interior paint, repair of any deteriorated areas, repainting of the wet interior with a three-part epoxy coating system, and replacement of the cathodic protection system.

On March 13, 2020, bids were received from five contractors for renovating and painting the wet interior of the Pine View Water Tank. The lowest bid of \$297,800 was submitted by Seven Brothers Painting, Inc., of Shelby Township, MI. Seven Brothers Painting is an experienced water tank painting contractor and has successfully completed many similar projects.

It is recommended that City Council award a contract to Seven Brothers Painting, Inc., in the not-to-exceed amount of \$297,800, and authorize the City Manager to execute all documents related to the contract. If approved, work is scheduled to begin in late April 2020 and be completed in early June 2020.

FUNDING: Sufficient funds are available in the FY 2019-20 Water Capital Improvement Program Budget to cover the cost of the renovation and painting project, as well as the engineering services related to the interior recoating of the Pine View Water Tank.

Attachments: 1. Bid Tabulation - Pine View Water Tank

BID TABULATION
PINE VIEW WATER TANK WET INTERIOR RECOATING

<u>Bidder</u>	<u>Bid</u>
Seven Brothers Painting, Inc. 50805 Rizzo Drive Shelby Township, MI 48315	\$297,800
L.C. United Painting Co., Inc. 3525 Barbara Drive Sterling Heights, MI 48310	\$319,000
L & T Painting Company, Inc. 50502 Hunters Creek Trail Shelby Township, MI 48317	\$322,350
M.K. Painting, Inc. 4157 Seventh Street Wyandotte, MI 48192	\$382,000
TMI Coatings, Inc. 3291 Terminal Drive St. Paul, MN 55121	\$475,000

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Invasive Species Removal Services - Proposal Tabulation

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

ACTION RECOMMENDED: Award a contract in the amount of \$257,205 to Cardno, Inc. for Invasive Species Removal in Bishop's Bog, West Lake Nature Preserve, Eliason Nature Reserve, and Schrier Park, and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Invasive Species Removal Professional Services program is a six-year program aligned with the findings and recommendations of the Portage Parks Invasive Species Management Plan developed by the Kalamazoo Nature Center in 2018. The plan includes identification of invasive plant species, mapping, and recommendations to remove, mitigate, suppress and monitor invasive plant species. The entire Portage Park system was evaluated resulting in a recommendation to focus initially on four parks, which were selected based on their high ecological quality and significance, and the most invasive species removal needed. The four parks are Bishop's Bog, West Lake Nature Preserve, Eliason Nature Reserve, and Schrier Park.

On February 6, 2020, four bids were received to perform the identified removal services, with one bidder, Wildlife & Wetlands Solutions, withdrawing due to lack of staff labor hours to conduct the project work. The lowest bid was an alternate bid submitted by Cardno, Inc., of West Olive, MI, in the amount of \$208,575. The submission of an alternate bid is permissible under the terms of the bid document. Due to the significantly lower alternate bid, interviews were conducted with the two lowest bidders, Cardno and the Kalamazoo Nature Center, by a team consisting of city staff and a representative from the City of Portage Environmental Board. It was determined that the lower alternate bid by Cardno was primarily due to a different approach in invasive removal utilizing more mechanical means. The team unanimously recommended Cardno, due to the completeness of the firm's proposal, the level of reporting capability, inclusion of permitting, and staff expertise and experience. In addition, the Cardno bid offered a mechanical means of removal versus hand pulling and cutting, resulting in reduced labor hours and overall cost. Cardno has successfully worked on many other Michigan county, city and township invasive species removal projects, and for the Michigan Cooperative Invasive Species Management Area (CISMA) agencies.

Due to the significantly lower bid, the City of Portage negotiated additional work of \$48,630 for an enhanced monitoring program in each of the four parks listed above to provide a current baseline, Floristic Quality Index (FQI), to measure the native plant quality and invasive density to provide more accurate assessments of the control efforts in the four parks. The success of the invasive removal program can be tracked by an increase in the FQI. As part of the project, reports will be submitted to the city annually for six years with enhanced photo monitoring records to evaluate the progress of the efforts in each of the four parks before approval is given to proceed the subsequent year.

It is recommended that City Council award a contract to Cardno, Inc. in the amount of \$257,205 for professional invasive species removal services for Bishop's Bog, West Lake Nature Preserve, Eliason Nature Reserve, and Schrier Park and authorize the City Manager to execute all documents related to these actions on behalf of the city.

FUNDING: Fiscal Year 2019-2029 CIP for a total of \$327,000 over six years:

- 2019/20, \$120,000
- 2020/21, \$68,000
- 2021/22, \$54,000
- 2022/23, \$30,000
- 2023/24, \$30,000
- 2024/25, \$25,000

Attachments:

1. Cardno FQI Photo Monitoring Program
2. Invasive Species Eradication Program - Proposal Tabulation

03/12/2020

Kathleen Hoyle
7900 South Westnedge Avenue,
Portage, MI 49002
City of Portage

Cardno

11181 Marwill Avenue
West Olive, Michigan 49460
USA

Phone 616 847 1680
Fax 616 847 9970
www.cardno.com

Dear Kathleen,

Thank you for your continued interest in Cardno's restoration services. Please see the pricing for additional tasks below.

Potential scope change items

Included in the pricing table are both restoration practices and enhanced monitoring. The restoration practices are priced on a per acre basis, as actual quantities are unknown at this point in time. Above all else, Cardno recommends focusing on targeting early detection and rapid response species for the state of Michigan with the additional funds. These species are typically new to a given area and have relatively small populations, making it easier to eliminate the species from the area. The second priority that we recommend are targeting areas that will restore high quality/rare habitat types. These areas can be identified through additional monitoring efforts by our consultants.

Enhanced monitoring will begin by Cardno conducting a baseline assessment of each area to be treated for invasive species. The baseline assessment will be conducted by establishing transects across the property which will be used in subsequent site investigations to monitor the success of the invasive species control. A representative number of quadrats will be set out over each transect to collect data from a representative sample of the total property. The data collected will be analyzed and a list will be generated of the types of invasive species occupying the property, their relative density, and diversity. A Floristic Quality Index will be calculated for each property. The Floristic Quality Index provides a metric to measure the native quality of the property. After invasive species treatments, this Floristic Quality Index should have a higher rating every year indicating less invasive species and more native species occupying the property. A baseline assessment report and map will be provided to the City of Portage. The map will provide Cardno with the ability to accurately assess the invasive species control needed for each property.

On an annual basis, Cardno will treat the invasive species and then towards the end of the growing season, a monitoring inspection of the property will be conducted using the same transects and quadrats established in the baseline assessment. The FQI will be collected and an annual report will be provided to the City of Portage to show the success of the invasive species control at each property. Included in the annual report will be a description of the number of native species present, absolute



03/12/2020

cover of natives versus invasives, FQI ratings, future recommendations, and a map showing the progression of native plants dominating the property and invasive populations decreasing.

Alternate Bid Items	Unit	Qty.	Unit Cost	Total
Basal/Foliar Herbicide Application	AC	-	\$1,050.00	-
Cut-Stump Herbicide Application	AC	-	\$1,250.00	-
Cut-Stump Herbicide Application and Chip Brush	AC	-	\$2,950.00	-
Marshmaster Initial Herbicide Application	AC	-	\$215.00	-
Marshmaster Follow-Up Herbicide Application	AC	-	\$125.00	-
Marshmaster Wetland Mowing	AC	-	\$170.00	-
West Lake Nature Preserve Enhanced Monitoring	LS	1.00	\$9,940.00	\$9,940.00
Bishop's Bog Enhanced Monitoring	LS	1.00	\$16,570.00	\$16,570.00
Eliason Reserve Enhanced Monitoring	LS	1.00	\$12,540.00	\$12,540.00
Schrier Park Enhanced Monitoring	LS	1.00	\$9,580.00	\$9,580.00

If you would like to move forward with either of the estimates, please contact me at erik.palm@cardno.com or at (989) 412-0316 and we will send you a professional services agreement or change of scope request. Do not hesitate to call with questions.

Sincerely,

Erik Palm
Field Operations Lead
for Cardno
Email: erik.palm@cardno.com

INVASIVE SPECIES ERADICATION PROGRAM
PROPOSAL TABULATION

	Base Proposal Amount	Alternate Proposal Amount
Wildlife & Wetlands Solutions 5211 US 131 South Boardman, MI 49680	\$320,200.00	NA
Kalamazoo Nature Center 7000 N. Westnedge Avenue Kalamazoo, MI 49009	\$326,933.00	NA
Cardno, Inc. 11181 Marwill Avenue West Olive, MI 49460	\$327,000.00	\$208,575.00
PLM Land & Lake Management 8865 100th Street Alto, MI 49302	\$327,000.00	NA

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Approve an amended contract with LandUse USA.

SUPPORTING PERSONNEL: Chris Forth, Acting Director of Community Development

ACTION RECOMMENDED: Approve an amended contract with LandUse USA in an amount not to exceed \$53,999 to complete a residential market analysis for the City of Portage and authorize the City Manager to execute all documents related to the contract on behalf of the city.

On February 20, 2020, the City Manager administratively approved a contract under \$40,000 with LandUse USA to complete a Commercial, Retail and Residential Market Analysis for the Lake Center District (LCD) area. The data collected from this study is a necessary component of the Placemaking and Connectivity planning study being completed by Farr Associates for the LCD area and will provide important supporting information that will assist in formulation of the concept design options prepared by Farr Associates.

Given recent discussions involving proposed housing developments in the City of Portage, including mixed-use, high-density and workforce developments, for example, it is both prudent and fiscally responsible to extend the contract with LandUse USA to include a complete residential analysis for the entire City of Portage. While LandUse USA is in the process of collecting data for the LCD area study, it can expand the geographic boundary to include the remaining portion of the city. The information obtained regarding the local housing market will enable the City Council and the City Administration to formulate data-driven land use planning decisions related to residential land use goals.

While three separate consulting firms are currently completing land use planning studies in the city (Farr Associates, LandUse USA and CIB Planning/Gibbs Planning Group, that is completing a city-wide retail market analysis), the principal partners in these firms know one another and are coordinating efforts and sharing information. When these special studies and plans are completed, the information can be incorporated into the update of the Comprehensive Plan, which is scheduled to be completed during FY 2020-21, which will result in additional cost savings.

The cost to expand the residential market analysis city-wide is \$14,000. By amending the current contract, the city would realize a substantial cost savings. If contracted separately, the estimated cost for a city-wide residential market analysis would be approximately \$40,000. It is recommended that

City Council approve an amended contact with LandUse USA in an amount not to exceed \$53,999 to include a city-wide residential market analysis for the City of Portage and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available in the Portage Road Reconstruction project in the FY 2017-2018 Capital Improvement Program budget.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Kalamazoo County Treasurer Adjusted Tax Liability - Contract

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approve a contract allowing the Kalamazoo County Treasurer to collect adjusted PRE tax liabilities when denied after September 14 of the current year on behalf of the City of Portage, and authorize the City Manager to sign the agreement with Kalamazoo County.

Following a Principal Residence Exemption (PRE) denial by the State of Michigan, the City of Portage Treasurer is responsible for issuing an adjusted tax bill and collecting any adjusted tax liability for the current tax year. However, calculating and collecting such adjusted tax liability can be difficult and administratively burdensome, particularly for adjustments affecting units billing PRE on the current year summer bill. The Kalamazoo County Treasurer is well situated, with respect to both administrative and technological capacity, to calculate and collect adjusted tax liability following PRE denial. Furthermore, centralized collection by the Kalamazoo County Treasurer of adjusted tax liability following PRE denial can greatly reduce complexity during annual delinquent tax settlement with the City of Portage.

The Kalamazoo County Treasurer is offering to provide the service for the City of Portage and other local units at no cost. Before taking effect, state law requires that the agreement be approved by the governing body of the city and by the board of county commissioners for the county. The Kalamazoo County Board of Commissioners approved the agreement and authorized the Kalamazoo County Treasurer to execute the contract on behalf of the county at the March 4, 2020, board meeting. It is recommended that City Council approve the agreement and authorize the City Manager to sign the agreement with the county to allow this service.

FUNDING: N/A

Attachments:

1. Contract to collect Denied PRE Portage City- revised
2. County approval of PRE Denial collection agreement

AGREEMENT TO ACT AS COLLECTING UNIT

This Agreement, effective as of March 1, 2020, between the Kalamazoo County Treasurer whose address is 201 W Kalamazoo Ave, Kalamazoo, MI 49007 (the “**County Treasurer**”) and Portage City, a Michigan public body corporate, whose address is 7900 S. Westnedge Ave, Portage, MI 49002, (the “**Local Unit**”).

Background

- A. Where applicable, an owner of real property is entitled to a principal residence exemption (“PRE”) pursuant to MCL 211.7cc.
- B. In some cases, a property upon which a PRE has been claimed becomes ineligible and thus that PRE is denied, resulting in an adjustment to the real property tax liability owed upon that property.
- C. PRE denial in the Local Unit may originate with the Assessor of the Local Unit pursuant to MCL 211.7cc(6), or with the Michigan Department of Treasury pursuant to MCL 211.7cc(8).
- D. Following PRE denial, the Treasurer of the Local Unit is responsible for issuing an adjusted tax bill and collecting any adjusted tax liability for the current tax year.
- E. However, calculating and collecting such adjusted tax liability can be difficult and administratively burdensome, particularly for adjustments affecting units billing PRE on the current year summer tax bill.
- F. The County Treasurer is well situated, with respect to both administrative and technological capacity, to calculate and collect any adjusted tax liability following PRE denial.
- G. Furthermore, centralized collection by the County Treasurer of adjusted tax liability following PRE denial can greatly reduce complexity during annual delinquent tax settlement with the Local Unit.
- H. It is therefore mutually beneficial to both parties for the County Treasurer to calculate and collect adjusted PRE tax liabilities on behalf of the Local Unit when a PRE is denied after September 14 of the current year.

Accordingly, in consideration of the mutual promises stated in this Agreement, and for other valuable consideration, the parties agree as follows:

1. Local Unit’s Obligation Upon Denial. Upon denial of a PRE, whether pursuant to MCL 211.7cc(6) or (8), the assessor for the Local Unit shall, within seven (7) days of denial, notify the County Treasurer of such denial.

2. Assumption of Collection Duties. Upon receipt of notice of denial pursuant to paragraph 1, the County Treasurer shall, within the timeframe and as further prescribed by MCL 211.7cc(6) and (8), issue a corrected tax bill for the property upon which the PRE was denied and assume collection responsibilities for such adjusted tax liability.

3. Settlement. The County Treasurer shall distribute any adjusted tax liability collected pursuant to this Agreement in the manner required by MCL 211.7cc. The County Treasurer shall remit to the Local Unit at the time of annual settlement any portion of the adjusted tax liability which was collected by the County Treasurer pursuant to this Agreement during that year and to which the Local Unit is entitled. However, the County Treasurer shall be entitled to retain any portion of the adjusted tax liability constituting real property tax administration fees assessed pursuant to MCL 211.44 and collected by the County Treasurer under this Agreement.

4. Withdrawal. Either party may withdraw from this Agreement upon sixty (60) days' written notice to the other party. Withdrawal is deemed effective sixty (60) days from the date upon which notice is received by the non-withdrawing party. However, withdrawal from this Agreement shall be prospective only. The terms of this Agreement shall survive withdrawal with respect to any adjusted tax liability for which the County Treasurer has previously assumed collection responsibilities, until such time as that adjusted tax liability has been collected and distributed in accordance with this Agreement, or otherwise extinguished or nullified pursuant to applicable law.

5. No Third Party Beneficiary Rights: This Agreement shall not be construed as conferring any rights, including any third party beneficiary rights, to any person or entity of any kind that is not a party hereto.

6. Entire Agreement. This Agreement supersedes all prior agreements between the parties with respect to its subject matter, and constitutes a complete and exclusive statement of the terms of the agreement between the parties with respect to its subject matter.

7. Waiver. Any waiver is only valid to the extent expressly set forth in writing by the party waiving such right. No waiver by either party of any right under this Agreement shall constitute a subsequent or continuing waiver of such right or any other rights under this Agreement.

8. Headings. The headings of this Agreement are for convenience of reference and shall not form part of, or affect the interpretation of, this Agreement.

9. Counterparts. This Agreement may be executed in one or more counterparts, each of which is deemed an original but all of which together shall constitute one agreement.

10. Electronic Signatures. A signed copy of this Agreement transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

To evidence the parties' agreement to this Agreement, each party has executed and delivered it on the date indicated next to that party's signature.

Kalamazoo County Treasurer

Dated

Mary Balkema

Portage City

Dated

By: _____

Its: _____



KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

BOARD AGENDA REQUEST FORM

PROPOSED FOR BOARD MEETING OF: March 5, 2020
DEPARTMENT: Treasurer
PREPARED BY: Megan Buwalda
SUBJECT: Request to authorize the County Treasurer to sign contracts to collect adjusted PRE tax liabilities when denied after September 14 of the current year on behalf of local units

SPECIFIC ACTION REQUESTED:

Request to authorize the County Treasurer to sign contracts to collect adjusted PRE tax liabilities when denied after September 14 of the current year on behalf of local units

DESCRIPTION OF ACTION (dollar amount, purpose):

Following a PRE denial by the State of Michigan, the treasurer for the Local Unit is responsible for issuing an adjusted tax bill and collecting any adjusted tax liability for the current tax year. However, calculating and collecting such adjusted tax liability can be difficult and administratively burdensome, particularly for adjustments affecting units billing PRE on the current year summer bill. The County Treasurer is well situated, with respect to both administrative and technological capacity, to calculate and collect adjusted tax liability following PRE denial. Furthermore, centralized collection by the County Treasurer of adjusted tax liability following PRE denial can greatly reduce complexity during annual delinquent tax settlement with the Local Unit.

Local units would include: Comstock Twp, Kalamazoo Twp, Schoolcraft Twp, Pavilion Twp, Parchment City, Portage City.

TIME FRAME OF ACTION:

ASAP upon approval

FUNDING SOURCE & BUDGET CHANGES:

(Federal, State, or Local)

PERSONNEL IF REQUIRED:

n/a

NEW OR RENEWAL:

New

ANY OTHER PERTINENT INFORMATION:

PROCUREMENT INFORMATION:

CONTACT PERSON:

Megan Buwalda, Chief Deputy Treasurer, 269-384-8135

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Final Preliminary Condominium Subdivision: Copperleaf Phase 5

SUPPORTING PERSONNEL: Chris Forth, Acting Director of Community Development

ACTION RECOMMENDED: Approve the Final Preliminary Condominium Subdivision (detailed engineering plans) for Copperleaf Phase 5, 3800 West Milham Avenue.

City Council approved the Preliminary Condominium Subdivision for the fifth phase of Copperleaf on October 1, 2019. The developer, Westview Capital, LLC, is now requesting that City Council approve engineering design and construction plans that include the following public improvements:

- Phase 5 will be accessed through a northerly/westerly extension of Paxton Court and a westerly extension of Candler Court. Islands and other improvements proposed within the public street right-of-way will be owned and maintained by the condominium association with appropriate maintenance and indemnification agreements provided to the city.
- Four-foot-wide concrete sidewalks will be constructed along both sides of the Paxton Court extension (including the bulb of the cul-de-sac) and along the north side of the Candler Court extension. Additionally, the 8-foot-wide asphalt recreational path will be extended from Phase 3 to the Harbors West Park. Construction of this recreational path extension as part of Phase 5 will provide a complete pedestrian connection from West Milham Avenue to Harbors West Park, consistent with the approved PD tentative plan for this development.
- As discussed during the review and approval phase of the Preliminary Condominium Subdivision for Phase 5 and consistent with Section 42-808 (Preservation of Natural Features, Landscaping and Screening), efforts will be made to ensure buffering/screening is provided between lots 136-143 and lots 156-157, and Interstate-94. As shown on the engineering plans, the asphalt recreational path extension will occur within the common, open-space area located in the same space. The developer will carefully locate and construct this path to minimize removal of existing tree and natural vegetation within the common, open-space area. Additionally, existing trees located along the northern portions of these lots will be preserved. The Department of Community Development will evaluate the adequacy of the buffering/screening located between these residential lots and the highway before and after construction of the path,

to determine whether supplemental buffering/screening will need to be installed by the developer to satisfy this subdivision regulation requirement.

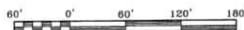
- The sanitary sewer system will consist of 8-inch-diameter sewer mains and individual laterals constructed to service each lot in accordance with City of Portage requirements.
- The water system will consist of 8-inch-diameter ductile iron mains and 1¼-inch services to each individual lot. The proposed system will connect to the existing water main located in Summersong Court, Paxton Court and Candler Court within Phase 4 of the development.
- Storm water will be collected and conveyed to an existing infiltration basin located in the middle portion of the overall property and constructed with Phase 1. Storm water related piping and structures located within the public streets will be owned and maintained by the city, while the infiltration basin is owned and maintained by the condominium association. The condominium association documents as well as maintenance and indemnification agreements will be revised to include Phase 5, as may be necessary.

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

FUNDING: Not applicable

Attachments: 1. Final Preliminary Condominium Plans

SITE DATA:
 -ZONING OF PROPERTY = "PD"
 -PHASE FIVE AREA = 16.12 ACRES
 -# OF UNITS IN PHASE FIVE = 38
 -DENSITY WITHIN PHASE FIVE = 2.36 UNITS/ACRE
 -DENSITY WITHIN PHASES ONE THRU FOUR = 2.99 UNITS/ACRE
 -DENSITY WITHIN PHASES ONE THRU FIVE = 2.82 UNITS/ACRE
 -DENSITY WITHIN PHASES ONE THRU FIVE = 166 UNITS / 58.96 ACRES



NOTE: THESE PLANS ARE INTENDED FOR CITY REVIEW RELATIVE TO FINAL APPROVAL AND ACCEPTANCE OF DETAILED ENGINEERING PLANS BY COUNCIL AS OUTLINED IN CITY OF PORTAGE'S LAND DEVELOPMENT REGULATIONS.

ZONING & SETBACK INFORMATION:
 -ZONING OF PROPERTY = "PD"
 -MINIMUM WIDTH OF FRONT SETBACK = 60'
 -REQUIRED FRONT SETBACK = 25'
 -REQUIRED REAR SETBACK = 5'
 -REQUIRED SIDE SETBACK = 5'
 (MINIMUM 15' BETWEEN DWELLINGS)
 -MAXIMUM UNIT COVERAGE = 30%

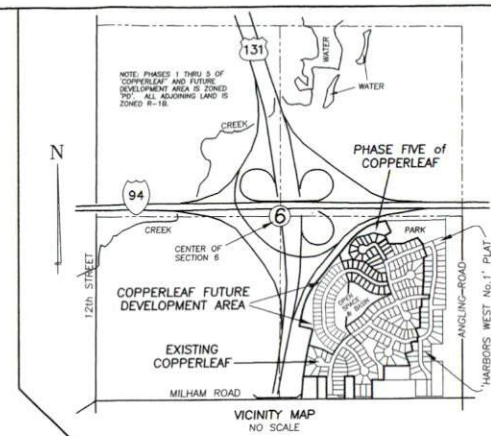
* NOTE: FRONT SETBACK IS ONLY 15' ON LONG SIDE OF CORNER UNITS.

FIRE DEPT. NOTES

- 1) COMMERCIAL BUILDING CONSTRUCTION SHALL NOT COMMENCE UNTIL FIRE HYDRANTS ARE OPERABLE AND AN ALL READER ROAD SURFACE IS IN PLACE.
- 2) THE FIRE FLOW FOR EACH BUILDING IS 1000 GPM FROM ONE HYDRANT WITHIN 400' OF ALL PORTIONS OF THE BUILDING. THIS FLOW IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING BASEMENT FOR THAT BUILDING. SQUARE FEET. THE MINIMUM FIRE FLOW WILL BE BASED ON THE SIZE AND TYPE OF CONSTRUCTION FOR THAT BUILDING.
- 3) FIRE APPARATUS ACCESS ROADS LESS THAN 26.0' WIDE SHALL BE POSTED ON BOTH SIDES AS A FIRE LANE.
- 4) NO PARKING SIGNS SHALL BE INSTALLED AS REQUIRED BY THE CITY.
- 5) TEMPORARY STREET LIGHTS SHALL BE PROVIDED AS REQUIRED BY THE FIRE DEPARTMENT.
- 6) WIDTH OF APPROVED STREET SHALL BE A MINIMUM OF 26.0 FEET (BETWEEN BACK OF CURBS).
- 7) AN ELECTRICAL COPY OF THE APPROVED SITE PLAN SHALL BE PROVIDED TO THE FIRE DEPARTMENT (SPEE FORMAT).



72 HOURS
 BEFORE YOU BID
 CALL MISS DICK
 1-800-482-7171



GENERAL NOTES

- 1) PROPERTY IS CURRENTLY ZONED "PD".
- 2) PUBLIC WATER MAIN SHALL BE AN 8" DUCTILE IRON MAIN WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CITY OF PORTAGE. WATER SERVICES SHALL BE 1.25" HIGH COPPER AND SHALL EXTEND FROM WATER MAIN TO CURB BOX.
- 3) PUBLIC SANITARY SEWER SHALL BE 6" PVC SEWER WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CITY OF PORTAGE. SEWER LEADS SHALL BE 6" PVC AND SHALL EXTEND FROM MAIN TO SEWER RIDGE.
- 4) STORM WATER DISPOSAL SHALL BE THROUGH SOLE DRAIN STORM SEWER PIPE WITH POSITIVE COLLECT TO THE DISPOSAL AREA. SYSTEM SHALL COMPLY WITH CITY SPEC'S AND CITY OF PORTAGE STORMWATER DESIGN CRITERIA. PIPE SIZES SHALL BE MAINTAINED AND CONNECTIONS AT MANHOLES SHALL BE WITH A RUBBER BOOT.
- 5) STORM SEWER SHALL BE 12" DUCTILE IRON WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CITY OF PORTAGE. STORM SEWER SHALL BE 12" DUCTILE IRON WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CITY OF PORTAGE. STORM SEWER SHALL BE 12" DUCTILE IRON WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CITY OF PORTAGE.
- 6) ALL PUBLIC STREETS SHALL BE PUBLIC, PAVED, AND HAVE A MINIMUM WIDTH OF 32' FEET FROM EDGE OF PAVEMENT TO EDGE OF PAVEMENT (SEE BACKS OF CURBS).
- 7) STREET LIGHTS, STREET SIGNALS, AND INTERSECTION SIGNS SHALL BE INSTALLED.
- 8) SITE IS PERMANENTLY COVERED WITH TREES AND BRUSH.
- 9) ELEVATION DATUM IS U.S.S.L. DATUM AS PROMULGATED WITHIN THE CITY OF PORTAGE.
- 10) A SOIL EROSION AND SEDIMENTATION CONTROL PERMIT SHALL BE OBTAINED FROM THE CITY OF PORTAGE PRIOR TO ANY SITE GRADING ACTIVITIES.
- 11) SHOWN BASE MAP ON THIS SHEET BASED ON TOPOGRAPHIC MAP BY OTHERS.
- 12) PROPERTY DOES NOT CONTAIN ANY DESIGNATED WETLANDS OR FLOODPLAINS.
- 13) SHOWN STREET NAMES ARE SUBJECT TO CITY APPROVAL AND COUNTY APPROVAL.
- 14) MINIMUM HOLDING SIZES WITHIN THIS CONDOMINIUM ARE 1400 SQUARE FEET FOR A RANCH HOME AND 1800 SQUARE FEET FOR A TWO STORY HOME.
- 15) A MAINTENANCE AND RECONSTRUCTION AGREEMENT SHALL BE CREATED FOR THE LANDSCAPED AREA WITHIN THE CONDOMINIUM. THIS AGREEMENT SHALL BE INCLUDED IN THE MASTER DEED / CONDOMINIUM DOCUMENTS.

SHEET INDEX:

- 1) COVER SHEET
- 2) PLAN & PROFILE SHEET (PAXTON COURT)
- 3) PLAN & PROFILE SHEET (CANDLER COURT)
- 4) GRADING PLAN / EROSION CONTROL PLAN
- 5) CONSTRUCTION DETAILS & NOTES

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

CONSTRUCTION PLANS for PHASE FIVE OF 'COPPERLEAF'

NOTE: 'COPPERLEAF' IS A SITE CONDOMINIUM AND PLANNED DEVELOPMENT WITH CITY OF PORTAGE PUBLIC STREETS

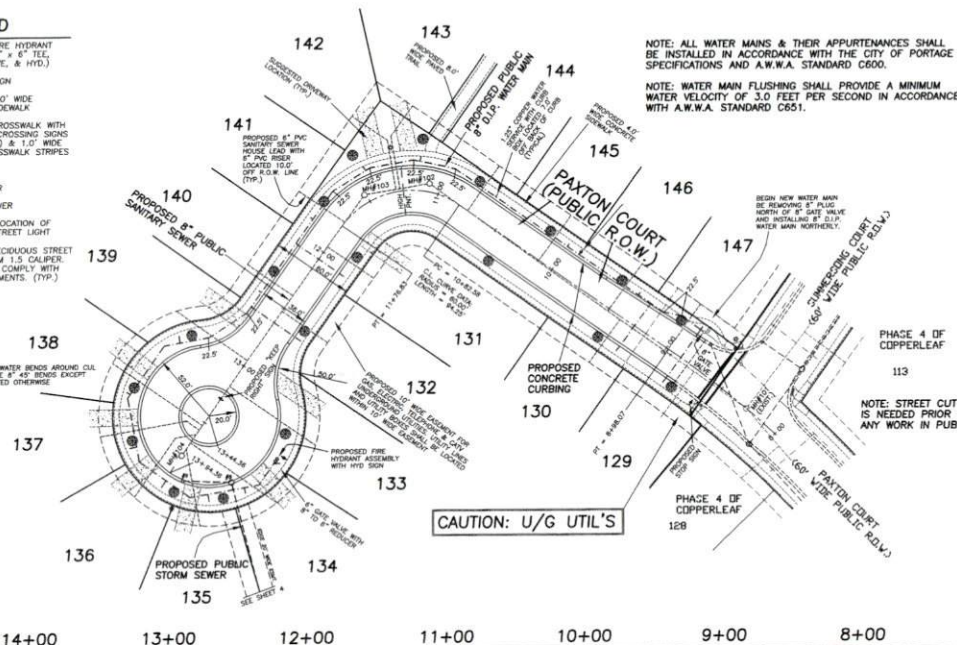
COVER SHEET Phase Five of 'COPPERLEAF'	DATE: 1/24/2020
	SHEET: 1
Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Milham Road - Portage, Michigan 49002 - Phone 269 344-6105 - Fax 269 344-5555	JOB NO.: 36273-5

SCALES:
PLAN VIEW: 1" = 40'
PROFILE: 1" = 40' HORIZ.
1" = 4' VERTICAL

LEGEND

- PROPOSED FIRE HYDRANT ASSEMBLY (6" x 6" TEE, 6" GATE VALVE, & HYD.)
- PROPOSED SIGN
- PROPOSED 4.0' WIDE CONCRETE SIDEWALK
- PROPOSED CROSSWALK WITH PEDESTRIAN CROSSING STRIPS (OF REQUIRED) & 1.0' WIDE PAINTED CROSSWALK STRIPES
- WATER MAIN
- STORM SEWER
- SANITARY SEWER
- SUGGESTED LOCATION OF PROPOSED STREET LIGHT
- PROPOSED DECIDUOUS STREET TREE MINIMUM 1.5 CALIPER. TREES SHALL COMPLY WITH CITY REQUIREMENTS. (TYP.)

NOTE: ALL WATER BENDS AROUND CUL DE SAC ARE 45° BENDS EXCEPT WHERE NOTED OTHERWISE.



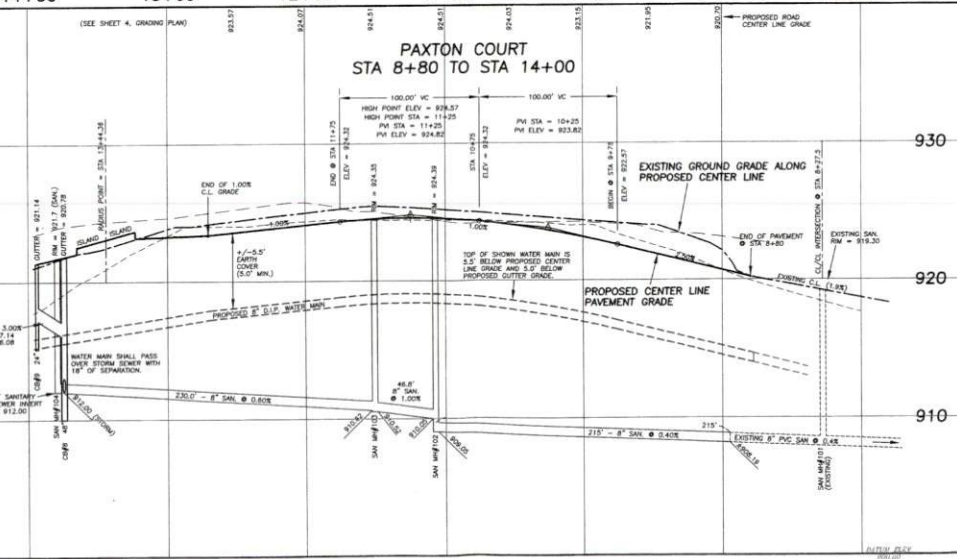
NOTE: ALL WATER MAINS & THEIR APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PORTAGE SPECIFICATIONS AND A.W.W.A. STANDARD C600.

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

- GENERAL NOTES:
- 1) LIGHT POLES AND ANY UTILITY POLE/BOX SHALL BE LOCATED AT LEAST 5.0 FEET OFF BACK OF CURB.
 - 2) STREET NAME SIGN SHALL BE AT LEAST 8" FROM TOP TO BOTTOM OF CURB. SIGN (A) PLACED AT STOP SIGN.
 - 3) ALL FURNISHED MATERIALS AND ALL TRAFFIC SIGNALS SHALL COMPLY WITH PORTAGE SPECIFICATIONS.
 - 4) U-CHANNEL POSTS REQUIRED FOR ALL SIGNS.
 - 5) CLEAR PASSAGE & VEHICULAR ACCESS SHALL BE MAINTAINED AS REQUIRED BY STATE LAW.
 - 6) FURNISHED SHALL BE OBTAINED FROM THE CITY OF PORTAGE AS REQUIRED.
 - 7) E.A.L.E. CONSTRUCTION PERMITS REQUIRED FOR BOTH PUBLIC WATER MAIN & PUBLIC SANITARY SEWER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 - 8) "NO PARKING" SIGN SHALL BE INSTALLED PRIOR TO THE CONSTRUCTION OF THE WATER MAIN. THE SIGN SHALL BE PLACED BETWEEN THE CURB AND THE SIDEWALK.
 - 9) FIVE INCH "STREET" FITTINGS SHALL BE USED ON FIRE HYDRANTS.
 - 10) FOR ON-SITE DWELLINGS, INDEPENDENT FOUNDATIONS SHALL COMPLY WITH BUILDING CODE REQUIREMENTS BASED ON TYPE OF SOIL PRESENT AND STABILITY OF SOIL.
 - 11) FOR ON-SITE DWELLINGS, REQUIRED RADON VENTING SYSTEM BELOW BASEMENT FLOOR SHALL, AS A PRECAUTION, BE PLUMBED TO ALSO BE A DRAINAGE SYSTEM DURING PERIODS OF HIGH CONDENSATES.
 - 12) ALL PROPOSED STREET LIGHTS SHALL COMPLY WITH CITY OF PORTAGE STANDARDS AND CONSUMERS ENERGY STANDARDS WITH RESPECT TO LOCATION AND LIGHT SPECIFICATION.
 - 13) ON-SITE SPEED LIMIT SHALL BE 25 MILES PER HOUR.
 - 14) UNDERGROUND GAS, ELECTRIC, TELEPHONE AND CABLE TV LINES SHALL BE DESIGNED BY UTILITY OWNERS AND SHALL NOT BE LOCATED IN PROPOSED STREET RIGHT-OF-WAY UNLESS UTILITY IS CROSSING STREET (SQUARE TO CENTER LINE).
 - 15) ALL-BUILT CONSTRUCTION PLANS SHALL BE SUBMITTED TO THE CITY UPON COMPLETION OF THE CONSTRUCTION PROJECT.
 - 16) PRIOR TO START OF CONSTRUCTION, PRELIMINARY CONSTRUCTION MEETING SHALL BE HELD AT CITY OF PORTAGE OFFICES.
 - 17) THE STORM SEWER PIPE MUST BE CLEANED DIRECTLY UPON COMPLETION.
 - 18) FIRE HYDRANT SIGN SHALL BE LOCATED 4.0 FEET FROM THE CENTER OF THE FIRE HYDRANT.
 - 19) IF A FIRE HYDRANT EXTENSION IS USED TO MAKE A HYDRANT, THE EXTENSION SHALL BE PAINTED THE SAME COLOR OF THE HYDRANT PER CITY OF PORTAGE SPECIFICATIONS.

CAUTION: U/G UTIL'S

PAXTON COURT STA 8+80 TO STA 14+00



NOTE: SEE CITY OF PORTAGE STANDARD DETAIL "SD-122". ALL EMBEDEDMENT MATERIAL FOR STORM SEWER PIPE AND SANITARY SEWER MAIN LINE PIPE SHALL BE PROPERLY COMPACTED TO 95% OF MAXIMUM. COMPACTING TESTING REQUIRED AND MATERIAL SAMPLES SHALL BE TAKEN AS REQUIRED BY THE CITY OF PORTAGE.

NOTE: WATER MAINS AND WATER SERVICES (WHERE CROSSING A SEWER LINE) SHALL PASS OVER OR UNDER SEWER LINE WHILE MAINTAINING 18" OF VERTICAL CLEARANCE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER.

NOTE: WATER MAINS AND WATER SERVICES (WHERE CROSSING A SEWER LINE) SHALL PASS OVER OR UNDER SEWER LINE WHILE MAINTAINING 18" OF VERTICAL CLEARANCE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER.

NOTE: WHERE WATER MAINS PASS NEAR A CATCH BASIN, THERE SHALL BE AT LEAST 18 INCHES OF HORIZONTAL SEPARATION BETWEEN THE EXTERIOR OF THE STORM SEWER STRUCTURE AND THE EXTERIOR OF THE WATER MAIN PIPE.

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

COVER OVER PIPE	REQUIRED JOINT PIPE
0' - 1.0'	CLASS IV OR V
1.1' - 9.9'	CLASS II
10' - 15.9'	CLASS III
16' - 22.9'	CLASS IV
23' - 33'	CLASS V

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

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



SCALES:
PLAN VIEW: 1" = 40'
PROFILE: 1" = 40' HORIZ.
1" = 4' VERTICAL

NOTE: ALL WATER MAINS & THEIR APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PORTAGE SPECIFICATIONS AND A.W.W.A. STANDARD C600.
NOTE: WATER MAIN FLUSHING SHALL PROVIDE A MINIMUM WATER VELOCITY OF 3.0 FEET PER SECOND IN ACCORDANCE WITH A.W.W.A. STANDARD C651.

LEGEND

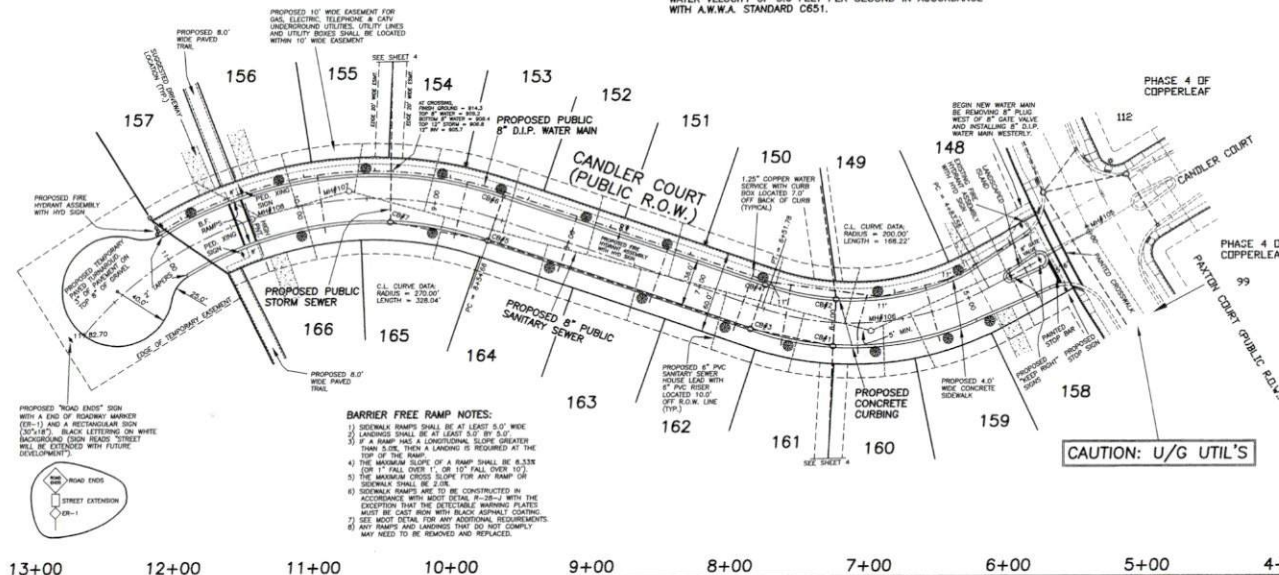
- PROPOSED FIRE HYDRANT ASSEMBLY (8" x 4" T.E., 6" GATE VALVE, & HYD.)
- PROPOSED SIGN
- PROPOSED 4.0' WIDE CONCRETE SIDEWALK
- PROPOSED CROSSWALK WITH PEDESTRIAN CROSSING SIGNS (IF REQUIRED) & 1.0' WIDE PAINTED CROSSWALK STRIPES
- WATER MAIN
- STORM SEWER
- SANITARY SEWER
- SUGGESTED LOCATION OF PROPOSED STREET LIGHT
- PROPOSED DECIDUOUS STREET TREES SHALL COMPLY WITH CITY REQUIREMENTS (TYP.)

NOTE: STREET CUT PERMIT IS NEEDED PRIOR TO DOING ANY WORK IN PAXTON COURT

NOTE: ALL SIDEWALK RAMPS (C) CURB) TO BE CONSTRUCTED IN ACCORDANCE WITH MOOT DETAIL R-28-J WITH THE EXCEPTION THAT THE DETECTABLE WARNING PLATES SHALL BE CAST IRON WITH A BLACK ASPHALT COATING.

NOTE: MAXIMUM SLOPE WITHIN LANINGS SHALL BE 2.0%. MAXIMUM RAMP CROSS SLOPE SHALL BE 2.0%. MAXIMUM SLOPE SHALL BE 16.7% ON LINES 16.28 MAX. RAMP WIDTH AT CURBING SHALL BE 5.0' MINIMUM.

CAUTION: U/G UTIL'S



GENERAL NOTES:

- 1) LIGHT POLES AND ANY UTILITY POLE/BOX SHALL BE LOCATED AT LEAST 5.0 FEET OFF BACK OF CURB.
- 2) STREET NAME SIGNS SHALL BE AT LEAST 8" FROM TOP TO BOTTOM OF ACTUAL SIGN (AS PLACED STOP SIGNS).
- 3) ALL PARKING MARKINGS AND ALL TRAFFIC SIGNS SHALL COMPLY WITH STANDARDS IN THE M.U.I.C.D. (CURRENT EDITION).
- 4) C-CHANNEL POSTS REQUIRED FOR ALL SIGNS.
- 5) SOI, EROSION & SEDIMENTATION CONTROL PERMIT SHALL BE OBTAINED AS REQUIRED BY STATE LAW.
- 6) RETAINED SHALL BE OBTAINED FROM THE CITY OF PORTAGE AS REQUIRED.
- 7) E.C.L. CONSTRUCTION PERMITS REQUIRED FOR BOTH PUBLIC WATER MAIN & PUBLIC SANITARY SEWER PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 8) NO PARKING THIS SIDE OF STREET SIGNS SHALL BE INSTALLED ALONG THE FIRE HYDRANT SIDE AND BETWEEN THE FIRE HYDRANTS ON THE HYDRANT SIDE OF THE STREET.
- 9) NO HIGH STOPPING FITTINGS SHALL BE USED ON FIRE HYDRANTS.
- 10) FOR ON-SITE DRAINAGE BOUNDARY LINES AND FOUNDATIONS SHALL COMPLY WITH BUILDING CODE REQUIREMENTS BASED ON TYPE OF SOIL, PRESENT AND STABILITY OF SOIL.
- 11) FOR ON-SITE DRAINAGE REQUIRED FROM VESTING SYSTEM RELIEF BASIN FLOOR SHALL AS A PRECAUTION BE PLUMBED TO ALSO BE A DRAINAGE SYSTEM DURING PERIODS OF HIGH WINDS/STORMS.
- 12) ALL PROPOSED STREET LIGHTS SHALL COMPLY WITH CITY OF PORTAGE STANDARDS AND CONSIDER EROSION STANDARDS WITH REGARD TO LOCATION AND LIGHT SPECIFICATION.
- 13) ON-SITE SPEED LIMIT SHALL BE 25 MPH PER HOUR.
- 14) UNIMPAVED SIDE, ELECTRIC TELEPHONE AND CABLE TV LINES SHALL BE DESIGNED BY UTILITY OWNERS AND SHALL NOT BE LOCATED IN PROPOSED STREET RIGHT-OF-WAY LINES.
- 15) UTILITY IS CROSSING STREET (SQUARE TO CENTER LINE).
- 16) ALL-BUILT CONSTRUCTION PLANS SHALL BE SUBMITTED TO THE CITY UPON COMPLETION OF THE ROADWAY PROJECT.
- 17) PRIOR TO START OF CONSTRUCTION, PRE-CONSTRUCTION MEETING SHALL BE HELD AT CITY OF PORTAGE OFFICES.
- 18) THE STORM SEWER PIPE MUST BE CLEANED DIRECTLY BEFORE INSTALLATION.
- 19) FIRE HYDRANT SIGNS SHALL BE LOCATED 4.0 FEET FROM THE CORNER OF THE FIRE HYDRANT.
- 20) IF A FIRE HYDRANT EXTENSION IS USED TO MAKE A HYDRANT, THE EXTENSION SHALL BE PAINTED THE SAME COLOR OF THE HYDRANT PER CITY OF PORTAGE SPECIFICATIONS.

BARRIER FREE RAMP NOTES:

- 1) SIDEWALK RAMPS SHALL BE AT LEAST 5.0' WIDE.
- 2) LANDINGS SHALL BE AT LEAST 8.0' BY 5.0'.
- 3) IF A RAMP HAS A LONGITUDINAL SLOPE GREATER THAN 3.0%, THEN A LANDING IS REQUIRED AT THE TOP OF THE RAMP.
- 4) THE MAXIMUM SLOPE OF A RAMP SHALL BE 8.33% (1" FALL OVER 1.0" ON 10' FALL OVER 10').
- 5) THE MAXIMUM CROSS SLOPE FOR ANY RAMP OF SIDEWALK SHALL BE 2.0%.
- 6) CONSTRUCTED IN ACCORDANCE WITH MOOT DETAIL R-28-J WITH THE EXCEPTION THAT THE DETECTABLE WARNING PLATES MUST BE CAST IRON WITH BLACK ASPHALT COATING.
- 7) SEE MOOT DETAIL FOR ANY ADDITIONAL REQUIREMENTS.
- 8) ANY RAMPS AND LANDINGS THAT DO NOT COMPLY MAY NEED TO BE REMOVED AND REPLACED.

13+00 12+00 11+00 10+00 9+00 8+00 7+00 6+00 5+00 4+00

NOTE: WHERE WATER MAINS PASS NEAR A CATCH BASIN, THERE SHALL BE AT LEAST 18 INCHES OF HORIZONTAL SEPARATION BETWEEN THE EXTERIOR OF THE STORM SEWER STRUCTURE AND THE EXTERIOR OF THE WATER MAIN PIPE.

NOTE: WATER MAINS AND WATER SERVICES (WHERE CROSSING A SEWER LINE) SHALL PASS OVER SEWER LINE WHILE MAINTAINING 18" OF VERTICAL CLEARANCE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER.

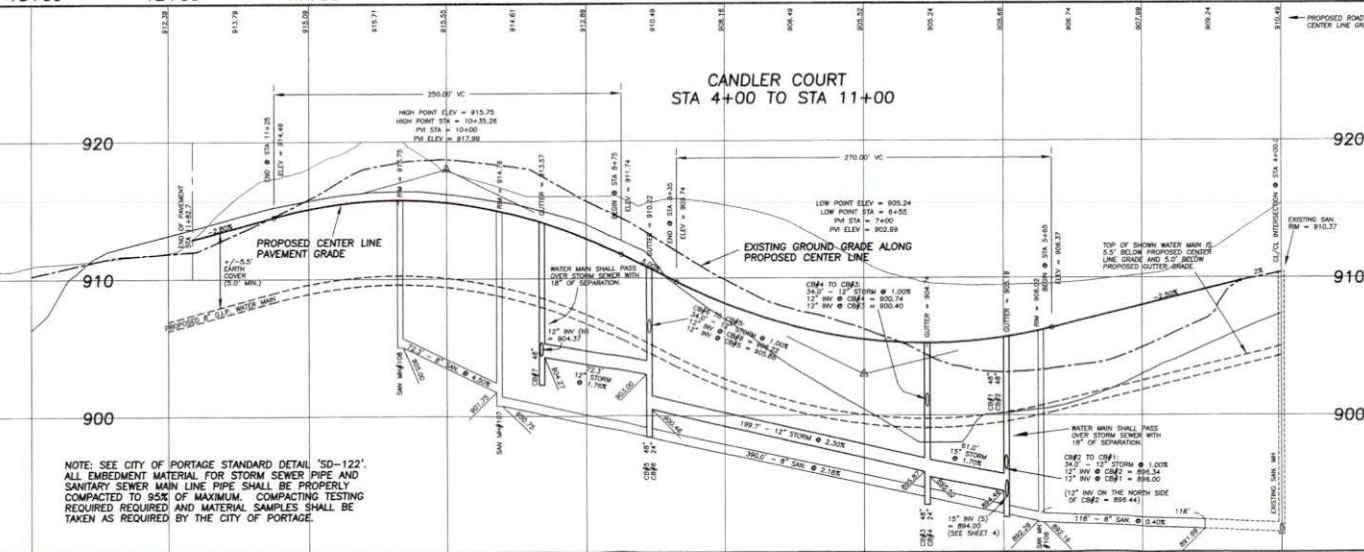
NOTE: ALL STORM SEWER PIPE THAT IS LARGER THAN 24" DIAMETER SHALL BE REINFORCED CONCRETE PIPE PER CITY OF PORTAGE SPEC'S (ASTM C-76). 24" DIAMETER PIPE AND SMALLER MAY BE H.D.P.E. OR R.C.P. EXCEPT ANY STORM PIPE WITH 3.0' OF COVER OR LESS SHALL BE R.C.P. PIPE (ASTM C-76). SEE BELOW REQUIREMENTS FOR R.C.P.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

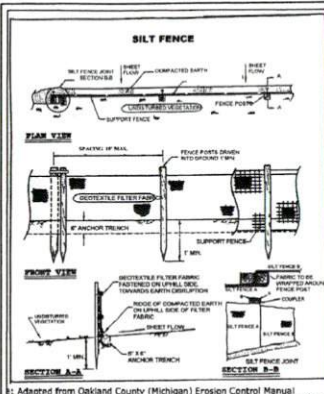
COVER OVER PIPE
CLASS N OR V
CLASS II
CLASS III
CLASS IV
CLASS V

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

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

NOTE: SEE CITY OF PORTAGE STANDARD DETAIL "SD-122". ALL EMBEDMENT MATERIAL FOR STORM SEWER PIPE AND SANITARY SEWER MAIN LINE PIPE SHALL BE PROPERLY COMPACTED TO 95% OF MAXIMUM. COMPACTING TESTING REQUIRED AND MATERIAL SAMPLES SHALL BE TAKEN AS REQUIRED BY THE CITY OF PORTAGE.





Adapted from Oakland County (Michigan) Erosion Control Manual

NOTE: All work must comply with the provisions of Part 91 of the Erosion and Sedimentation Control Act of the Natural Resources and Environmental Protection Act P.A. 451 of 1994, as amended, and as administered by the City of Portage.

NOTE: ALL EASEMENTS & AGREEMENTS FOR STORM SEWER PIPE AND BASIN SHALL BE GRANTED TO THE CITY OF PORTAGE BY THE DEVELOPER, IF NOT IF NOT ALREADY IN PLACE.

LEGEND

--- 888 --- EXISTING ELEVATION CONTOUR
--- 802 --- PROPOSED ELEVATION CONTOUR

ESTIMATED CONSTRUCTION SCHEDULE:

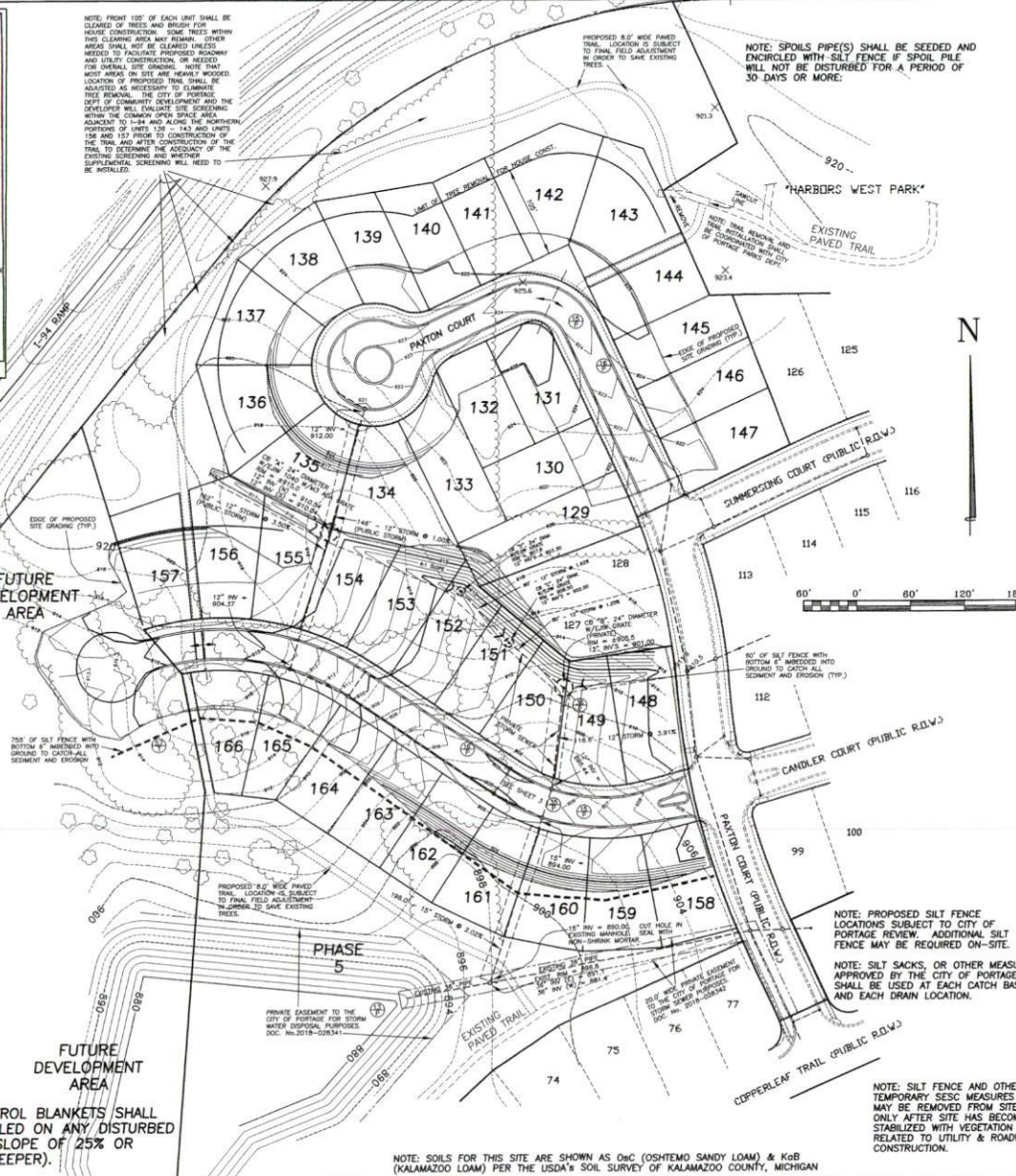
	04/28	05/20	06/20	07/27	08/20	09/20
CLEARING						
EXCAVATION						
STORM SEWER						
WATER MAIN						
CURBS & PAVING						
FINAL UTILITIES						
RESTORATION						

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

MICH. UNIFIED KEYING SYSTEM

- SEEDING (ALL DISTURBED AREAS)
- MULCHING (IF REQUIRED OR IF NECESSARY)
- REP. (RAP) (ON ALL STORM MAINS)
- PAVEMENT
- CONCRETE CURB
- STORM SEWER
- DRAINS/CATCH BASINS
- GEOTEXTILE SILT FENCE
- M.U.K.S. DESIGNATION
- TEMPORARY OR PERMANENT

NOTE: EROSION CONTROL BLANKETS SHALL BE PROPERLY INSTALLED ON ANY DISTURBED SLOPE THAT HAS A SLOPE OF 25% OR STEEPER (4:1 OR STEEPER).



GENERAL NOTES

- CONTRACTOR SHALL NOTIFY MISS DIO AT 1-800-482-7171 72 HOURS PRIOR TO START OF CONSTRUCTION.
- LOCATIONS OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST ON THIS SITE WHICH ARE NOT SHOWN ON THESE PLANS. CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE AND PROTECT ALL UTILITIES ON SITE, WHETHER SHOWN ON THESE PLANS OR NOT.
- CONTRACTOR SHALL PROVIDE ALL SIGNS, FENCING, LIGHTS, BARRICADES, ETC. NECESSARY TO PROVIDE FOR PUBLIC SAFETY DURING CONSTRUCTION.
- REQUESTS FOR CONSTRUCTION STOPPING SHALL BE DIRECTED TO THE ENGINEER A MINIMUM OF 48 HOURS PRIOR TO THEIR ACTUAL ISSUANCE.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH ALL UTILITY COMPANIES FOR THE PROTECTION AND/OR RELOCATION OF EXISTING UTILITIES.
- ALL MATERIALS PLACED DURING CONSTRUCTION SHALL BE IN NEW CONDITION, SHALL BE FREE FROM DEFECTS AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY AND THEIR INSPECTOR, RECONSTRUCTION, AND THE CITY OF PORTAGE.
- ELEVATIONS SHOWN ON THESE PLANS ARE BASED ON UGGS DATA AS PROMULGATED WITHIN THE CITY OF PORTAGE.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTAGE CONTRACT CONDITIONS AND SPECIFICATIONS.
- A SOIL EROSION CONTROL PLAN MUST BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY GRADING ACTIVITIES.

CONSTRUCTION NOTES

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

WATER MAIN NOTES

- ALL 8" OR 10" WATER MAIN SHALL BE ANNEaled C-115, CLASS 50 DUCTILE IRON PIPE, ALL 12" WATER MAIN SHALL BE ANNEaled C-115, CLASS 50 DUCTILE IRON PIPE. ALL PIPE SHALL HAVE CORROSION LAMINATE AND SHALL BE INSTALLED ACCORDING TO THE CITY OF PORTAGE STANDARD SPECIFICATIONS (AVAILABLE AT THE CITY OF PORTAGE REGISTRY: www.portage.mn.gov).
- ALL WATER MAIN CONSTRUCTION SHALL BE SUBJECT TO INSPECTION BY THE CITY OF PORTAGE APPROVED INSPECTOR.
- MINIMUM 5.0' AND MAXIMUM 6.0' OF COVER OVER NEW WATER MAIN PIPE IS REQUIRED EXCEPT FINAL SITE GRADE IS COVERED.
- WATER SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL SD-115, TYPICAL SERVICE CONNECTIONS.
- WATER MAIN ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL SD-114, ACQUARY WALK LOCATION.
- WATER MAIN SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF PORTAGE STANDARD DETAIL SD-114, STANDARD WATER MAIN.

SANITARY SEWER NOTES

- ALL SANITARY SEWER PIPE SHALL BE 3000 PSI AND SHALL COMPLY WITH ASTM D 3033 OR ASTM D 3034.
- PIPE SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
- ALL SANITARY SEWER CONSTRUCTION, INCLUDING MANHOLES, LATERALS, MANHOLES, AND APPURTENANCES, SHALL CONFORM WITH THE CITY OF PORTAGE REQUIREMENTS AND SPECIFICATIONS AND SHALL BE SUBJECT TO THEIR INSPECTION.

PRIVATE UTILITY NOTES

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

STORM SEWER NOTES

- STORM SEWER PIPE SHALL BE EITHER CORRUGATED POLYETHYLENE (C.P.E.), REINFORCED CONCRETE (R.C.P.), OR OTHER TYPES MEETING MOET AND CITY OF PORTAGE APPROVAL.
- CORRUGATED POLYETHYLENE (C.P.E.) PIPE SHALL MEET THE REQUIREMENTS OF AASHTO M 294 TYPE 1 (C.P.E. WALL, SMOOTH INTERIOR, CORRUGATED OUTSIDE, NO PERFORATIONS). THE JOINTS SHALL BE WATER-TIGHT AND COMPLY WITH ASTM D 3212 (FANFOLD H-G, ADO H-12, OR EQUIVALENT).
- REINFORCED CONCRETE PIPE (R.C.P.) SHALL MEET THE REQUIREMENTS OF ASTM C 76. THE JOINTS SHALL BE WATER-TIGHT AND COMPLY WITH ASTM C 443.
- PRECAST CONCRETE JOINTS (FANFOLD OR FLIP SEAL) ARE REQUIRED AT EACH STORM SEWER PIPE JOINT IN ACCORDANCE WITH CITY OF PORTAGE REQUIREMENTS.
- PIPE CONNECTIONS AT ALL SOLID WALLED STRUCTURES SHALL BE MADE WITH A WATER-TIGHT RESILIENT CONNECTOR (RUBBER TYPE BOOT WITH STAINLESS STEEL BANDS, OR OTHER TYPE AS APPROVED BY CITY OF PORTAGE).
- STORM SEWER PIPE SHALL HAVE A MINIMUM OF 24 INCHES OF COVER.
- ALL STORM SEWER PIPE AND INSULATION SHALL COMPLY WITH CITY OF PORTAGE "CONSTRUCTION SPECIFICATIONS AND STANDARDS".
- ALL SOLID WALLED STRUCTURES SHALL HAVE CONCRETE BOTTOMS.
- DEFLECTION TESTS SHALL BE PERFORMED ON ALL FLEXIBLE PIPE. THE TEST SHALL BE CONDUCTED AFTER THE BACKFILL HAS BEEN PLACED AND PROCE TO INSTALLED AN APPROVED TESTING SURFACE, AND PIPE SHALL EXCEED A DEFLECTION OF FIVE (5) PERCENT. THE DEFLECTION TEST SHALL BE RUN USING A RIGID ROLL OF MANHOLE HAVING A DIAMETER EQUAL TO THE INSIDE DIAMETER OF THE PIPE. DEFLECTION SHALL BE CONDUCTED AFTER FINAL BACKFILL HAS BEEN IN PLACE FOR AT LEAST 100 DAYS.
- ALL PUBLIC STORM SEWER PIPE SHALL BE TELEVIEWED IN ACCORDANCE WITH SECTION 208.2.6 (TELEVIEWING) OF THE CITY SPECIFICATIONS.

SOIL EROSION CONTROL NOTES (SEE SHEET 5)

- ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (P.A. 481 OF 1994, AS AMENDED) AS ADMINISTERED BY THE CITY OF PORTAGE.
- CITY ENGINEER SHALL BE RESPONSIBLE FOR THE FOLLOWING:
 - REMOVAL OF EXISTING OR REMOVAL AT PROPERTY LINES WHERE EROSION COULD OCCUR.
 - PROTECTION OF ALL EXISTING AND NEWLY CONSTRUCTED STORM SEWER STRUCTURES, WHETHER ADJACENT TO THE SITE OR ON THE SITE.
 - MINIMIZATION OF TRACKING OF MATERIAL OFF-SITE.
 - SHEEPING AND CLEANING OF ADJACENT STREETS AS NECESSARY.
- OWNER SHALL OBTAIN SOIL EROSION CONTROL PERMIT FROM THE CITY OF PORTAGE.

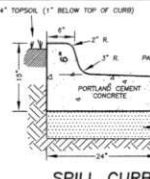
RESTORATION NOTES

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

STREET LIGHTS & STREET SIGNS

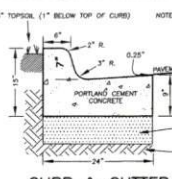
- RECORDING TREES AT PLANTING SHALL HAVE A MINIMUM CALIPER OF 1.5" AT 6" ABOVE THE ROOT BALL. A CLEAR SPACE OF 4 FEET AND A BURIAL BALL SIZE OF AT LEAST 12 INCHES THE CALIPER. PLANTING TREES SHALL INCLUDE SARGENT CHERRY, HAWK COTONEUTER, COLUMBIAN TREE MAPLE, REDWOOD, PACIFIC SLIMLEAF, REDWOOD MAPLE, AMERICAN AND EUROPEAN HORNBEAM, NATURAL TREE, MOUNTAIN SUGAR PINE, LILAC, & ORNAMENTAL, PEAR, CLEMATIS, AND REDWOOD CALIFORNIA PINE.
- STREET LIGHTS SHALL BE 8000 LUMEN, HIGH PRESSURE SODIUM VAPOR. DECORATIVE LIGHT POLES SHALL HAVE A HEIGHT OF 18 FEET. ALL LIGHT STANDARDS AND UTILITY POLES SHALL BE LOCATED AT LEAST 5 FEET OFF PROPOSED BACK OF CURB.

- ALL STREET MARKINGS AND TRAFFIC SIGNS MUST CONFORM TO THE STANDARDS SET FORTH IN THE CURRENT EDITION OF THE MODERN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES ("MANUAL-2").
- ALL STREET SIGNS SHALL CONFORM TO CITY OF PORTAGE PUBLISHED REQUIREMENTS. ALL SIGNS SHALL BE INSTALLED ON 3 POUND GALVANIZED H-CHANNEL POSTS AND SHALL HAVE A MINIMUM POST BURIED 24 INCHES. DISTANCE FROM BOTTOM OF SIGN TO GROUND SHALL BE 7 FEET. ANYTHING NOT SPECIFIED IN THESE PLANS SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.



SPILL CURB
NO SCALE

- CONCRETE SHALL BE MOIST CURED 35P OR 35S, AND MEET THE FOLLOWING REQUIREMENTS:
 - ALL AGGREGATES SHALL BE LIMESTONE OR SILAS MATERIAL.
 - EXTENDED AIR: 8 TO 10 PERCENT.
 - COMPRESSIVE STRENGTH AT 28 DAYS = 3500 P.S.I.
 - SLOPE = 1.5 TO 2 INCHES PER FOOT.
 - MODULUS OF RUPTURE AT 28 DAYS = 650 P.S.I.
 - MINIMUM PORTLAND CEMENT CONTENT = 5.50 HOURS PER CUBIC YARD.
- EXPANSION JOINTS SHALL BE PLACED AT SPACING POINTS AND UNIFORM INTERVALS OF NOT MORE THAN 100 FEET.
- PLANE OF WEARWEAR JOINTS SHALL BE PLACED AT UNIFORM INTERVALS OF TEN (10) FEET. IRREGULAR SECTIONS SHALL NOT BE LESS THAN EIGHT (8) FEET.
- CONCRETE SHALL BE CURED IN A MANNER APPROVED BY THE CITY OF PORTAGE.



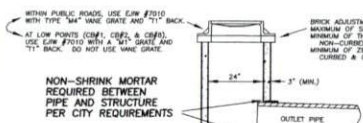
CURB & GUTTER
NO SCALE

- CONCRETE SHALL BE MOIST CURED 35P OR 35S, AND MEET THE FOLLOWING REQUIREMENTS:
 - ALL AGGREGATES SHALL BE LIMESTONE OR SILAS MATERIAL.
 - EXTENDED AIR: 8 TO 10 PERCENT.
 - COMPRESSIVE STRENGTH AT 28 DAYS = 3500 P.S.I.
 - SLOPE = 1.5 TO 2 INCHES PER FOOT.
 - MODULUS OF RUPTURE AT 28 DAYS = 650 P.S.I.
 - MINIMUM PORTLAND CEMENT CONTENT = 5.50 HOURS PER CUBIC YARD.
- EXPANSION JOINTS SHALL BE PLACED AT SPACING POINTS AND UNIFORM INTERVALS OF NOT MORE THAN 100 FEET.
- PLANE OF WEARWEAR JOINTS SHALL BE PLACED AT UNIFORM INTERVALS OF TEN (10) FEET. IRREGULAR SECTIONS SHALL NOT BE LESS THAN EIGHT (8) FEET.
- CONCRETE SHALL BE CURED IN A MANNER APPROVED BY THE CITY OF PORTAGE.
- SEE RELATED CITY OF PORTAGE STANDARD DETAIL SD-111, STANDARD CURB.



SIDEWALK
NO SCALE

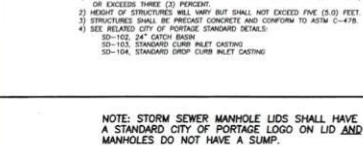
- CONCRETE SHALL BE MOIST CURED 35P OR 35S, AND MEET THE FOLLOWING REQUIREMENTS:
 - ALL AGGREGATES SHALL BE LIMESTONE OR SILAS MATERIAL.
 - EXTENDED AIR: 8 TO 10 PERCENT.
 - COMPRESSIVE STRENGTH AT 28 DAYS = 3500 P.S.I.
 - SLOPE = 1.5 TO 2 INCHES PER FOOT.
 - MODULUS OF RUPTURE AT 28 DAYS = 650 P.S.I.
 - MINIMUM PORTLAND CEMENT CONTENT = 5.50 HOURS PER CUBIC YARD.
- EXPANSION JOINTS SHALL BE PLACED AT SPACING POINTS AND UNIFORM INTERVALS OF NOT MORE THAN 100 FEET.
- PLANE OF WEARWEAR JOINTS SHALL BE PLACED AT UNIFORM INTERVALS OF TEN (10) FEET. IRREGULAR SECTIONS SHALL NOT BE LESS THAN EIGHT (8) FEET.
- CONCRETE SHALL BE CURED IN A MANNER APPROVED BY THE CITY OF PORTAGE.
- SEE RELATED CITY OF PORTAGE STANDARD DETAIL SD-111, STANDARD CURB.



24" STORM SEWER INLET
NO SCALE

- STRUCTURE SHALL HAVE A 2 FOOT SLOPE UNLESS SLOPE OF OUTLET PIPE EQUALS OR EXCEEDS THREE (3) PERCENT.
- HEIGHT OF STRUCTURES WILL VARY BUT SHALL NOT EXCEED FIVE (5) FEET.
- STRUCTURES SHALL BE PRECAST CONCRETE AND CONFORM TO ASTM C-478.
- SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
- SD-103, STANDARD CURB INLET CASTING.
- SD-104, STANDARD DROP CURB INLET CASTING.

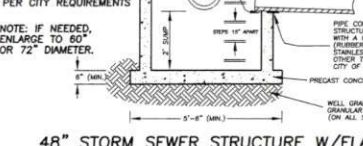
48" STORM SEWER STRUCTURE W/FLAT TOP



48" STORM SEWER STRUCTURE W/FLAT TOP
NO SCALE

- MANHOLE STRUCTURES SHALL NOT HAVE A SLUMP AND SHALL REQUIRE E-1000 CASTING WITH CITY OF PORTAGE LOGO PER CITY STANDARDS.
- HEIGHT OF STRUCTURES WILL VARY.
- STRUCTURES SHALL BE PRECAST CONCRETE AND CONFORM TO ASTM C-478.
- SOME STRUCTURES MAY HAVE TO BE ENLARGED TO ACCOMMODATE PIPES AND RESILIENT CONNECTORS. STRUCTURE DIMENSIONS FOR LARGER DIAMETER STRUCTURES SHALL CONFORM TO ASTM C-478.
- MANHOLE STEPS SHALL BE E-1000 OR EQUIVALENT.
- MANHOLE STEPS SHALL BE IN PLACE TO INSURE STEPS ARE LOCATED UNDER OPENING. TOP STEP SHALL BE NO MORE THAN 24 INCHES FROM TOP OF CASTING. BOTTOM STEP SHALL BE NO MORE THAN 24 INCHES FROM BOTTOM OF STRUCTURE.
- SEE RELATED CITY OF PORTAGE STANDARD DETAILS.
- SD-101, STANDARD 48" DRAINAGE STRUCTURE.
- SD-103, STANDARD CURB INLET CASTING.
- SD-104, STANDARD DROP CURB INLET CASTING.
- SD-105, STANDARD MANHOLE STEP.

UTILITY TRENCH DETAIL



UTILITY TRENCH DETAIL
NO SCALE

- LARGE ROCKS, Boulders, AND STONES OVER ONE (1) INCH IN DIAMETER SHALL BE REMOVED TO PROVIDE A CLEARANCE OF SIX (6) INCHES (MIN.) FROM
- ALL EXISTING AND BACKFILL MATERIALS SHALL BE FREE FROM FROZEN EARTH, ICE, OR OTHER MATERIALS WHICH IN THE OPINION OF THE ENGINEER, ARE UNDESIRABLE.
- PAVEMENT MATERIAL SHALL BE GRANULAR MATERIAL WITH MAXIMUM PARTICLE SIZE OF 1.5" COMPACTED TO SIDE OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR METHOD.
- BACKFILL MATERIAL UNDER PAVEMENT AREAS AND AREAS WITHIN TRENCH RELIEFENCE OF BACK OF CURB OR EDGE OF PAVEMENT SHALL BE GRANULAR MATERIAL COMPACTED TO SIDE OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR METHOD.
- BACKFILL MATERIAL FOR PIPE TRENCHES UNDER PAVEMENT AREAS AND AREAS OUTSIDE OF TRENCH SHALL BE GRANULAR MATERIAL WITH MAXIMUM PARTICLE SIZE OF 1.5" COMPACTED TO SIDE OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR METHOD.
- BACKFILL MATERIAL MAY BE PLACED, SPREAD, AND COMPACTED WITH EQUIPMENT OPERATED LONGITUDINALLY ALONG THE PIPE LINE. PAVING MATERIAL INTO THE TRENCH FROM THE SIDE WITHOUT LONGITUDINAL SPREADING AND COMPACTATION SHALL NOT BE ALLOWED.
- SEE RELATED CITY OF PORTAGE STANDARD DETAIL.
- SD-122, STANDARD TRENCH DETAIL.



72 HOURS BEFORE CALL MISS DIO
1-800-482-7171

ALSO SEE CITY OF PORTAGE STANDARD DETAIL SD-110.

CONTRACTOR SHALL VERIFY UNDERCUTTING PROVISIONS AND PRICES WITHIN 80.

NOTE: COMPACTED MATERIAL SHALL BE COMPACTED TO 95 PERCENT OF MAXIMUM UNIT WEIGHT AS DETERMINED BY THE MODIFIED PROCTOR METHOD.

CONSTRUCTION DETAILS & NOTES
PHASE 5 of 'COPPERLEAF'
PART OF THE S.E. 1/4 OF SEC. 6, T35, R11W, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN

Ingersoll, Watson & McMachen, Inc.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
1230 West Main Street - Portage, Michigan 49802 - Phone 269 344-6101 - Fax 269 344-6055

DATE: 1/24/2020
SHEET: 5
JOB NO: 36273-5

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Amendment to the Code of Ordinances – Section 35 of Chapter 38, Historical Preservation

SUPPORTING PERSONNEL: Chris Forth, Acting Director of Community Development

ACTION RECOMMENDED: Accept for first reading the proposed City of Portage Ordinance amending Section 35 of Chapter 38, Historical Preservation by removing 214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue from the district; revise the legal descriptions for 10234 East Shore Drive and 3821 West Milham Avenue; correct the tax identification number, and consider final adoption on April 14, 2020.

The proposed amendments to Section 35 of Chapter 38, Historical Preservation, would accomplish the following:

1. Remove three properties from the Historic District: 214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue. The structures at 214 Brown Avenue and 309 East Centre Avenue were razed in 2002 and 2000, respectively, and the structure at 1324 West Milham Avenue has been moved to the Celery Flats Historic area.
2. Revise the legal description for 10234 East Shore Drive by removing duplicate descriptions and combining the property into one description.
3. Revise the legal description for 3821 West Milham Avenue as a result of 17.3 acres being removed from the district to accommodate the StoryPoint Senior Living facility.
4. Complete minor clerical adjustments such as including the full tax identification number per parcel.

The Historic District Study Committee, as set out in Public Act 169 of 1970, reviewed the request and prepared a preliminary report. The Historic District Study Committee held a public hearing on November 6, 2019, at which time there was no opposition to the proposed amendments. The amendments were subsequently submitted to the State Historic Preservation Review Board (SHPRB) and the Planning Commission. The Commission reviewed the request on December 5, 2019 and has recommended approval of the proposed amendments. In a letter received on January 23, 2020 from the SHPRB, the Board had no comments. Subsequently, the SHPRB approved the final report and has

recommended approval of the Historic District amendments.

FUNDING: Not applicable

- Attachments:**
1. Historic District Commission meeting minutes dated November 6, 2019
 2. Historic District Commission final report dated November 6, 2019
 3. Planning Commission meeting minutes dated December 5, 2019
 4. Planning Commission transmittal dated March 12, 2020
 5. Department of Community Development report dated November 27, 2019
 6. Ordinance amendment (clean and highlight/strike versions)

City of Portage
Historic District Commission
Wednesday, November 6, 2019

Meeting Called to Order: 8:25 A.M.

Members Present: Duniphin, Lopez, Maytnier, vanLonkhuyzen, Grunert, Custer, Nemeth, Meyle.

Members Absent: Duniphin moved, seconded by Grunert, to excuse Commissioner Barton; motion passed 8-0.

Staff:

Guest(s):

Approval of Minutes: Custer moved, seconded by Nemeth, to approve the October 02, 2019 meeting minutes as submitted; motion approved 8-0.

Announcement: Nick Meyle was welcomed to the Historic District Commission as its newest member.

Old Business:

- a. Public Hearing: Ordinance Amendment; Legal Description Cleanup & Removal of Non-Historic Properties. Chairperson vanLonkhuyzen opened the public hearing. No resident/property owner present at the public hearing. With there being no further comment from the public at large nor from Commission members, Grunert moved, seconded by Nemeth, to approve the Final Report regarding the Historic District Modifications & clerical updates. Motion passed 8-0.

New Business:

Member Comments:

- a. Duniphin indicated Traditional Holiday is set for December 07, 2019, where a few volunteers will be needed to help staff one of the historic buildings.
- b. Duniphin informed the Commission that a letter was sent to the Portage Public Library inviting Steve Rossio – local historian – to attend the Commission meetings as a guest.

Adjournment: There being no further comments or business, vanLonkhuyzen adjourned the Historic District at 8:58 a.m.

Respectfully submitted,

Kyle Mucha

Kyle Mucha
Zoning & Codes Administrator

City of Portage, Michigan Historic District Study Committee

Historic District Modification Clerical review of established districts of Portage, Michigan

Final Report November 6, 2019

Introduction

It has come to the attention of the Portage Historic District Commission that clerical inaccuracies consist in many items listed on Sec. 38-35 – District established; boundaries of the local ordinance. The purpose of the study committee is to finalize removal and/or correction of the clerical inaccuracies listed in the corrected version of Sec. 38-35 provided as Attachment A.

Authority

The Local History Districts Act, being Act 169 of 1970 as amended; the City of Portage City Council resolution dated September 25, 2007 designating the Historic District Commission as the standing Historic District Study Committee, pursuant to MCL 399.214.

The Charge of the Committee

The committee is charged with reviewing the request and acting as set out in Public Act 169 of 1970. Specifically, the HDSC must:

1. Conduct a photographic inventory of resources within the existing historic district.
2. Conduct basic research of the historic district and the historic resources located within the district.
3. Determine the total number of historic and non-historic resources within the historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places.
4. Prepare a preliminary report that addresses at a minimum all of the following:
 - a. The charge of the committee.
 - b. The composition of the committee membership.
 - c. The historic district studied.
 - d. The boundaries for the historic district in writing and on maps.
 - e. The history of the historic district.
 - f. The significance of the district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
5. Transmit copies of the preliminary report for review and recommendation to the Portage Planning Commission, to the Michigan historical commission and to the state historic preservation review board.
6. Make copies of the preliminary report available to the public.

7. Hold a public hearing not less than 60 days after the transmittal of the preliminary report.
8. Following the public hearing, prepare and submit a final report with its recommendations and the recommendations, if any, of the Portage Planning Commission to the City Council. If the recommendation is to modify the historic district, the final report must include a draft of a proposed ordinance.

The Composition of Committee Membership

Voting Members

The HDSC is comprised of all members of the Portage Historic District Commission: Katie vanLonkhuyzen, Suzanne Nemeth, Fred Grunert, Jessie Dunipin, Martha Deming Maytnier, Mike Barton, Becky Lopez, Jeremy Custer and Nick Meyle.

Non-Voting Participants

City of Portage Staff Liaison: Kyle Mucha

Historic District Location

All historic district with property addresses located within the City of Portage will have some form of correction. The more significant changes are listed below:

214 Brown Avenue – razed in 2002.

309 East Centre – razed in 2000.

10234 East Shore Drive – previously listed as 3 separate property descriptions to be combined into one single description.

1324 W Milham – this historic building was relocated to Celery Flats Historic Area in 1993.

3821 West Milham – parcel was amended in 2015 which removed 17.31 acres from the district, legal description to be amended to reflect new property lines.

Written and Visual Boundaries of District

The description of the current historic district:

A complete revised list of corrections to Section 38-35 is attached as Appendix A. This list includes extending Property Tax ID No. of all Historic Districts to the full legal number. A few more significant corrections include properties that have been razed as well as property line corrections. Full legal descriptions of all affected properties are listed in Appendix A.

The History of the Historic District

All properties addressed by the study committee in Attachment A are considered historic based upon their own past and collected information. The necessary clerical changes will not change the history behind each property but instead provide a better legal description as well as a current listing of established districts going forward. The approval for said razed properties were prior to any current Commissioner's tenure and therefore valid reasoning for their loss cannot be supplied at this time.

The Significance of the District

All properties addressed in this report as part of the study committee are considered historic by our definition and therefore significant.

Recommendation

The City staff has gone through great measure to provide updated legal descriptions to the Historic District Commission Study Committee. Following the receipt of outlined changes in Attachment A, the Study Committee thoroughly reviewed each item and questioned as necessary. A public hearing will be held to allow interested residents/citizens to comment on the proposed changes. Per the Local Historic District Act (Act 169 of 1970) notification regulations, the property owners of 1324 West Milham Avenue & 309 East Centre Avenue have been noticed of the upcoming hearing.

It is therefore recommended that the changes in Attachment A be corrected to Section 38-35 in the ordinance and that action is **APPROVED**.



Legend

-  Removed From Historic District
-  Historic District

**3821 West Milham Avenue
Historic District**



1 inch = 150 feet
(61)



Portage Historic District

— 1324 W Milham



1 inch = 75 feet



Portage Historic District

— 309 E Centre Property Boundary

— 214 Brown Property Boundary



1 inch = 75 feet

PLANNING COMMISSION

December 5, 2019

The City of Portage Planning Commission meeting of December 5, 2019 was called to order by Chairman Corradini at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

PLEDGE OF ALLEGIANCE

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

IN ATTENDANCE

Michael West, Senior City Planner; Randy Brown, City Attorney; Kyle Mucha, Zoning & Codes Administrator.

ROLL CALL

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

APPROVAL OF MINUTES

Chairman Corradini referred the Commission to the November 7, 2019 meeting minutes contained in the agenda. A motion was made by Commissioner Baldwin, seconded by Commissioner Myer, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS

None.

PUBLIC HEARING

None.

NEW BUSINESS

1. Historic District Modifications and Ordinance Amendments. Mr. Mucha summarized the November 27, 2019 Department of Community Development staff report regarding staff initiated amendments to the historic district ordinance. Mr. Mucha indicated the proposed amendments constituted clean-up amendment to address parcel references and legal description inconsistencies within the current ordinances. Mr. Mucha provided a brief history of the five properties involved in the proposed amendments. Mr. Mucha stated that three properties (214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue) are proposed to be removed from the district since the historic structures were either demolished or removed back in 2002, 2000 and 1993, respectively. Mr. Mucha stated the other two properties (3821 West Milham Avenue and 10234 East Shore Drive) had recent historic district modifications approved in 2015, however, the legal descriptions were not properly removed/updated in the ordinance.

After a brief discussion, a motion was made by Commissioner Myer, seconded by Commissioner Baldwin, to recommend that the Historic District Modifications and Ordinance Amendments be approved. The motion was unanimously approved 7-0.

2. Farmland and Open Space Preservation Application: Robert and Charlene DeBoer, 5904 East O Avenue (Pavilion Township). Mr. West summarized the November 27, 2019 Department of Community Development staff report regarding a Farmland and Open Space Preservation Application received from Robert and Charlene DeBoer at 5904 East O Avenue in Pavilion Township. Mr. West stated that Michigan Public Act 116 affords adjacent communities located within three (3) miles of the subject property the opportunity to comment on the application. Mr. West indicated that staff has reviewed and supports the application as a mechanism to encourage farmland and open space preservation within rural areas and to discourage urban sprawl.

A motion was made by Commissioner Myer, seconded by Commissioner Pezzoli, to accept the Farmland and Open Space Preservation application for Robert and Charlene DeBoer, 5904 East O Avenue (Pavilion Township). The motion was unanimously approved 7-0.

3. January 2020 Planning Commission Meeting Schedule Change. Mr. West discussed the current Planning Commission meeting schedule for January 2020 being January 2nd and 16th (1st and 3rd Thursday) and suggested a change to January 9th and 23rd given the New Year holiday and the fact that there are five Thursdays in the month of January.

After a brief discussion, a motion was made by Commissioner Joshi, seconded by Commissioner Baldwin, to change the January 2020 Planning Commission meeting schedule from January 2nd and 16th, to January 9th and 23rd, 2020. The motion was unanimously approved 7-0.

STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Joshi encouraged area residents and citizens to consider serving as an election worker for the 2020 campaign cycle. Commissioner Joshi indicated they are paid positions and Kalamazoo County is seeking 250 area residents to assist as election workers, due to the anticipated high voter turnout for the 2020 election.

Chairman Corradini thanked city staff for the continued hard work as it relates to leaf pickup, and expressed gratitude that the workers are tackling leaf pickup in all weather conditions.

Chairman Corradini stated it is an honor, regardless of political affiliation, to have national leaders visit the City of Portage.

OLD BUSINESS

None.

7:17 p.m. – The Commission adjourned to City Hall Conference Room No. 1

7:21 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 1

NEW BUSINESS

1. 2019-2020 Neighborhood & Community Enhancement Program Applications. Mr. West summarized the November 27, 2019 Department of Community Development staff report regarding the Neighborhood & Community Enhancement Program. Mr. West provided a brief summary of the origins of the Neighborhood & Community Enhancement Program, the criteria for project eligibility (physical improvement on public property or on private property with an appropriate easement having a minimum project cost of \$10,000), the project evaluation criteria, and the role of the Planning Commission in reviewing the submitted applications. Mr. West stated a total of \$25,000 has been allocated in the FY 2019-2020 Capital Improvement Program (CIP). Mr. West then provided an overview of the five applications received for FY2019-2020: 1) Portage District Library Outdoor Drinking Water Fountain; 2) Woodlawn Drive Sanitary Sewer Lift Station Enhancements; 3) South Westnedge/Dawnlee Avenue Traffic Light and Signage; 4) Tattersall Road Traffic Calming; and 5) Operating Funds for the Environmental Board.

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: March 12, 2020
SUBJECT: Historic District Modifications and Ordinance Amendments

At the December 5, 2019 meeting, the Planning Commission reviewed the September 14, 2019 Department of Community Development report regarding the staff initiated amendments to the historic district ordinance intended to address parcel references and legal description inconsistencies within the current ordinance. Specifically, the proposed amendments would remove three properties from the historic district listing (214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue) and correct legal description inconsistencies involving two additional properties (3821 West Milham Avenue and 10234 East Shore Drive. No citizens spoke during the meeting and no written communications have been received.

After a brief discussion, the Planning Commission voted 7-0 to recommend that the Historic District Modifications and Ordinance Amendments be approved.

Sincerely,

A handwritten signature in blue ink that reads "Dan Corradini". The signature is stylized with a large "D" and a cursive "Corradini".

Dan Corradini
Chairman

TO: Planning Commission
FROM: Christopher Eorth, Acting Director of Community Development
SUBJECT: Historic District Modifications and Ordinance Amendments

DATE: November 27, 2019

Attached is a communication and report from the Portage Historic District Study Committee, involving a request from the City of Portage, Department of Community Development to remove three properties (214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue) from the historic district and that duplicate property listings and minor clerical errors involving two additional properties (3821 West Milham Avenue and 10234 East Shore Drive) be corrected. The report summarizes the request and provides important background information. The report was reviewed by the Historic District Commission and a public hearing was held on November 6, 2019. No public comment was received regarding the proposed historic district modifications and ordinance amendments. Following the public hearing, the Historic District Commission voted unanimously to recommend approval to City Council.

The proposed amendments would remove 214 Brown Avenue, 309 East Centre Avenue and 1324 West Milham Avenue from the historic district due to the historic structures either being razed or relocated. The historic structures at 214 Brown Avenue and 309 East Centre Avenue were demolished in 2002 and 2000, respectively, while the historic structure at 1324 West Milham Avenue (Stewart Manor) was relocated to the Celery Flats Historic Area in 1993. Additionally, legal descriptions contained in Chapter 38 – Historical Preservation for properties at 3821 West Milham Avenue and 10234 East Shore Drive contain inconsistencies that need to be corrected. In 2015, the historic district at 3821 West Milham Avenue was modified to remove 17 acres to facilitate the Story Point Assisted Living Facility; however, the original property legal description was not removed from the ordinance. Also in 2015, the historic district at 10234 East Shore Drive was modified to remove 1.17 acres to facilitate a residential home construction on Austin Lake; however, three separate legal descriptions remain in the ordinance, two of which need to be removed.

In accordance with the Local Historic Districts Act (Public Act 169 of 1970), the report is being forwarded to the Planning Commission for review and comment. The Planning Commission is advised to review this matter and, subject to any additional comments, staff advises the Planning Commission recommend that the Historic District Modifications and Ordinance Amendments be approved. At the conclusion of the Planning Commission review and comment, the information and recommendations will be forwarded to City Council for final action.

Attachment: Draft November 6, 2019 Historic District Commission meeting minutes
Communication and report from Portage Historic District Study Committee
Parcel boundary maps with district overlay
Highlight & Strike version of ordinance
Draft Ordinance with proposed changes

T:\COMMDEV\2019-2020 Department Files\Board Files\Planning Commission\Historic District Modifications\2019 11 27 Historic District Modification - Ordinance Amendment Memo.doc

CLEAN VERSION FOR PUBLICATION

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING SECTION 38-35 OF CHAPTER 38,
HISTORICAL PRESERVATION

THE CITY OF PORTAGE ORDAINS:

That Section 38-35 of Chapter 38, Historical Preservation, is hereby amended as follows:

Sec. 38-35. - District established; boundaries.

A historic district within the city is hereby created, which district shall include the following described lands and the structures situated thereon:

- (a) Property Address: 5029 Angling Road
Tax ID No. 03580-049-O

Legal Description:

HILL N BROOK VILLAGE LOT 49 & 50 EXC NELY 25 FT OF LOT 50 ALSO BEG AT NE COR LOT 44 TH S ON E LI SD LOT 57.60 FT TH SWLY 248.55 FT TO A PT ON W LI LOT 43 146.34 FT N OF SW COR TH N ALG SD W LI 11.43 FT TO NW COR SD LOT TH NELY ALG N LI SD LOT 67.39 FT TH CONT NELY ALG N LI LOT 44 190.19 FT TO PL OF BEG.

- (b) Property Address: 5260 Angling Road
Tax ID No. 00006-015-A

Legal Description:

SECTION 6-3-11 BEG AT A PT 132 FT S OF NE COR S $\frac{1}{2}$ NE $\frac{1}{4}$ SEC 6, TH S 198 FT TH W 233 FT, TH N 198 FT, TH E 233 FT TO P.O.B., EXC E 33 FT FOR HWY.

- (c) Property Address: 5719 Angling Road
Tax ID No. 00761-042-O

Legal Description:

SUPERVISORS PLAT OF BOYLANS ACRES #1 LOT 42 AND LOT 43. ALSO BEG AT SE COR SD LOT 43, TH N ALG E LI LOTS 43 AND 42 TO NE COR SD LOT 42, TH E 19 FT, TH S 75 FT, TH E 30 FT, TH S 10 FT, TH E 100 FT, TH S 85 FT, TH W 149 FT TO P.O.B.

- (d) Property Address: 6638 Angling Road
Tax ID No. 00007-286-O

Legal Description:

SEC 7-3-11 COM NE COR RECD PLAT OF HARBELLE ACRES TH N 33 DEG 25 MIN 40 SEC E 561.43 FT FOR PL OF BEG TH N 56 DEG 34 MIN 20 SEC W 233 FT TH N 33 DEG 25 MIN 40 SEC E 211.45 FT TH S 61 DEG 09 MIN 50 SEC E 200.64 FT TH S 56 DEG 34 MIN 20 SEC E 33 FT TH S 33 DEG 25 MIN 40 SEC W 227.51 FT TO PL OF

BEG. ALSO COM AT NE COR RECD PLAT OF HARBELLE ACRES TH N 33 DEG 25 MIN 40 SEC E 561.43 FT TH N 56 DEG 34 MIN 20 SEC W 328 FT FOR PL OF BEG TH S 56 DEG 34 MIN 20 SEC E 95 FT TH N 33 DEG 25 MIN 40 SEC E 211.45 FT TH N 61 DEG 09 MIN 50 SEC W TO A PT TH SWLY TO P.O.B., ALSO COM AT NE COR RECD PLAT OF HARBELLE ACRES, TH N 33 DEG 25 MIN 40 SEC E 789.44 FT TO P.O.B., TH N 56 DEG 34 MIN 20 SEC W 33 FT, TH N 61 DEG 09 MIN 50 SEC W 300.97 FT, TH N 33 DEG 25 MIN 40 SEC E 197.88 FT, TH SELY 129.99 FT, ALG A CURVE TO THE RIGHT WITH A RADIUS OF 227 FT, TH S 56 DEG 34 MIN 20 SEC E 210 FT TO CTR LI ANGLING RD, TH S 33 DEG 25 MIN 40 SEC W ALG SD CTR LI 210 FT TO P.O.B.

- (e) Property Address: 506 Bacon Avenue
Tax ID No. 00034-055-O

Legal Description:

SEC 34-3-11 W 8 R OF N 10 R of NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 34.

- (f) Property Address: 704 Bacon Avenue
Tax ID No. 04740-005-C

Legal Description:

LUDINGTON ACRES N 238 FT OF LOT 5.

- (g) Property Address: 515 East Centre Avenue
Tax ID No. 04200-003-O

Legal Description:

LAKEWOOD HOMES LOT 3.

- (h) Property Address: 903 East Centre Avenue
Tax ID No. 00015-465-O

Legal Description:

SEC 15-3-11 BEG AT S $\frac{1}{4}$ POST SEC 15 TH E 6 R TH N 40 R TH W 6 R TH S 40 R TO BEG EXC W 1 R OF S 30 R & W 2 R OF N 10 R FOR HWY.

- (i) Property Address: 1521 East Centre Avenue
Tax ID No. 00015-570-O

Legal Description:

SEC 15-3-11 BEG 21 R W OF SE COR SEC 15 TH W ON SEC LI 7 R TH N 80 R TH E 7 R TH S 80 R TO BEG.

- (j) Property Address: 7328 Garden Lane
Tax ID No., Part of 00015-170-O

Legal Description:

SEC 15-3-11 COM AT W $\frac{1}{4}$ POST SEC 15, TH E 650 FT TO THE E LI OF CONRAIL RR ROW TO P.O.B., TH NLY ALG SD ROW 812.85 FT TO THE S LI OF GARDEN LANE, TH S 74 DEG 55 MIN E 162.3 FT, THE S 24 DEG 43 MIN W 760 FT, TH W 190 FT TO P.O.B.

- (k) Property Address: 8009 Cox's Drive
Tax ID No. 00024-081-O

Legal Description:

SEC 24-3-11 COM AT NW COR SEC 24, TH S 132 FT TO P.O.B., TH CONT S TO NW COR OF S $\frac{3}{4}$ OF W $\frac{1}{2}$ OF NW $\frac{1}{4}$ SEC 24, TH E 420 FT, TH N TO N LI OF SD SEC, TH W 120 FT TH S 137 FT, TH W 199.39 FT, TH N 5 FT, TH W 100.61 FT TO P.O.B., RES COX DR AND CENTRE AVE FOR ROW.

- (l) Property Address: 2106 Forest Drive
Tax ID No. 00340-086-A

Legal Description:

AMES WEST LAKE PARK A PART OF LOT 86 DESC AS FOL BEG AT SE COR LOT 86 TH NELY ALG SELY LI SD LOT 188.71 FT TO NE COR LOT 86 TH WLY ALG NLY LI SD LOT 220 FT TH SLY 112.26 FT TO A PT IN SLY LI SD LOT 144 FT SWLY OF SE COR LOT 86 TH SELY ALG SLY LI SD LOT 144 FT TO PL OF BEG.

- (m) Property Address: 7706 Innisbrook Drive
Tax ID No. 09402-036-O

Legal Description:

WOODBIDGE HILLS #2 LOT 36.

- (n) Property Address: 2663 Mandigo Avenue
Tax ID No. 00035-145-Z

Legal Description:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 35 THAT IS 1810.00 FEET NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST OF THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST ON SAID SOUTH LINE 320.91 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 04 SECONDS EAST 200.88 FEET; THENCE NORTH 38 DEGREES 50 MINUTES 31 SECONDS EAST 202.44 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST PARALLEL WITH SAID SOUTH LINE 234.48 FEET; THENCE SOUTH 38 DEGREES 50 MINUTES 31 SECONDS WEST 108.48 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 04 SECONDS WEST 274.73 FEET TO SAID SOUTH LINE; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST ON SAID SOUTH LINE 101.59 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 25 SECONDS WEST 440.88 FEET TO

A POINT PREVIOUSLY DESCRIBED AS BEING 448 FEET NORTH OF SAID SOUTH SECTION LINE; THENCE NORTH 67 DEGREES 24 MINUTES 50 SECONDS EAST 654.53 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 04 SECONDS WEST 699.41 FEET TO THE POINT OF BEGINNING.

- (o) Property Address: 6825 Sprinkle Road
Tax ID No., Part of 12-115-D

Legal Description:

SEC 12-3-11 BEG 527 FT N OF S $\frac{1}{4}$ POST SEC 12, TH N 150 FT, TH E 300 FT, TH S 150 FT, TH W 300 FT TO P.O.B.

- (p) Property Address: 2027 East Milham Avenue
Tax ID No. 00002-050-O

Legal Description:

SEC 2-3-11 COM AT A PT 80 R E OF SW COR SEC 2 TH N 358.22 FT TH W 152 FT TH S 358.22 FT TH E 152 FT TO PL OF BEG.

- (q) Property Address: 4415 East Milham Avenue
Tax ID No. 00001-145-O

Legal Description:

SEC 1-3-11 COM S $\frac{1}{4}$ POST SEC 1 TH N 33 FT TH N 89 DEG 37 MIN 40 SEC E 1168.13 FT TO PL OF BEG TH N 138.73 FT TH E 93 FT TH S 138.73 FT TH S 89 DEG 37 MIN 40 SEC W 93 FT TO PL OF BEG.

- (r) Property Address: 1705 West Milham Avenue
Tax ID No. 00008-003-A

Legal Description:

SEC 8 & 9-3-11 BEG AT A POT 82.5 FT W OF NE COR SEC 8 TH E ALG N LI SECTIONS 8 & 9 A DISTANCE OF 165 FT TH S 297 FT TH W 165 FT TH N 297 FT TO PL OF BEG. EXC N 33 FT FOR HWY.

- (s) Property Address: 3221 West Milham Avenue
Tax ID No. 00008-250-O

Legal Description:

SEC 8-3-11 BEG N W COR SEC 8 TH E 283 FT TH S 240 FT TH W TO W LI SD SEC TH N ALG SD W LI 240 FT TO PL OF BEG. RES N & W 33 FT FOR HWY PURP.

- (t) Property Address: 8021 Oak Street
Tax ID No. 07200-113-O

Legal Description:

ROSE DALE SUBDIVISION LOTS 113 & 114 EXC S 5 FT OF LOT 114, ALSO INCLUDING THE W $\frac{1}{2}$ OF THE ABUTTING VACATED ALLEY.

- (u) Property Address: 5134 Oakland Drive
Tax ID No. 00005-010-O

Legal Description:

SEC 5-3-11 COM AT NE COR OF W $\frac{1}{2}$ NE $\frac{1}{4}$ SEC 5 TH S O DEG 32 MIN E 783 FT
FOR PL OF BEG TH S O DEG 32 MIN E 363 FT TH S 89 DEG 28 MIN W 313.5 FT TH
N O DEG 32 MIN W 363 FT TH N 89 DEG 28 MIN E 313.5 FT TO BEG.

- (v) Property Address: 5720 Oakland Drive
Tax ID No. 00005-085-A

Legal Description:

SEC 5-3-11 BEG AT A PT IN E LI W $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 5 1190 FT S OF EW $\frac{1}{4}$ LI SD SEC
TH W 283 FT TH N 200 FT TH W 113 FT TH S 432.64 FT TH E 113 FT TH N 100 FT
TH E 283 FT TH N 132.64 FT TO PL OF BEG. EXC E 33 FT FOR HWY.

- (w) Property Address: 6235 Oakland Drive
Tax ID No. 00008-110-O

Legal Description:

SEC 8-3-11 COM AT NW COR E $\frac{1}{2}$ NE $\frac{1}{4}$ SEC 8 TH S ALG W LI SD E $\frac{1}{2}$ 1320 FT FOR
PL BEG TH S ALG SD W LI 132 FT TH E 200 FT TH N 132 FT TH W 200 FT TO BEG.

- (x) Property Address: 7119 Oakland Drive
Tax ID No. 6060-009-O

Legal Description:

PERRY ACRES LOT #9.

- (y) Property Address: 7336 Garden Lane
Tax ID No., Part of 00015-170-O

Legal Description:

SEC 15-3-11 COM AT W $\frac{1}{4}$ POST SEC 15, THE E 960 FT TO P.O.B., TH N 24 DEG 43
MIN E 720 FT TO THE S LI OF GARDEN LANE, TH S 74 DEG 55 MIN E 100 FT, TH S
15 DEG 05 MIN W 672.41 FT, TH W 185 FT TO P.O.B.

- (z) Property Address: 703 East Osterhout Avenue
Tax ID No. 00034-120-O

Legal Description:

SEC 34-3-11 COM C $\frac{1}{4}$ POST SEC 34 TH W 551.46 FT FOR PL OF BEG TH N 720.52
FT TH W 194.54 FT TH S 720.52 FT TH E 194.54 FT TO PL OF BEG.

- (aa) Property Address: 922 West Osterhout Avenue
Tax ID No. 00033-120-O

Legal Description:

SEC 33-3-11 E 32 R OF W 66 R OF E ½ NW ¼ SEC 33.

(bb) Property Address: 5830 Portage Road
Tax ID No. 00002-065-O

Legal Description:

SEC 2-3-11 COM AT THE S ¼ POST OF SEC 2 TH N 4 DEG 22 MIN W ALG CTR LI OF PORTAGE ROAD 616.53 FT FOR P O B CONT N 34.12 FT TH N O DEG 24 MIN E 230 FT TH N 89 DEG 36 MIN W 330 FT TH S O DEG 24 MIN W 264 FT TH S 89 DEG 36 MIN E TO PL OF BEG.

(cc) Property Address: 10209 Portage Road
Tax ID No. 00035-025-O

Legal Description:

SEC 35-3-11 BEG AT PT 1000 FT N & 198 FT E OF W ¼ POST SEC 35 TH N 396 FT TH W TO CL PORTAGE RD TH NELY ALG SD CL 214 FT MOL TO S LI WETHERBEE AVE. TH E ALG SD S LI 717.6 FT TH S 331.78 FT TH SWLY 99.09 FT TH SWLY 204.66 FT TH S 89 DEG 57 MIN W 475.94 FT TO PL OF BEG.

(dd) Property Address: 904 Schuring Road
Tax ID No. 00016-405-O

Legal Description:

SECTION 16, TOWN 3 SOUTH, RANGE 11 WEST: BEGINNING AT CENTER ¼ POST SECTION 16, THENCE WEST 90 FT, THENCE NORTH 120 FT, THENCE EAST 90 FT, THENCE SOUTH 120 FT TO PLACE OF BEGINNING.

(ee) Property Address: 6869 Sprinkle Road
Tax ID No., Part of 12-115-D

Legal Description:

SEC 12-3-11 BEG 327 FT N OF S ¼ POST SEC 12, TH N 200 FT, TH E 300 FT, TH S 200 FT, TH W 300 FT TO P.O.B.

(ff) Property Address: 9844 Sprinkle Road
Tax ID No. 00025-190-O

Legal Description:

SEC 25-3-11 BEG AT PT 429 FT N OF SE COR SEC 25 TH N ALG E LI SD SEC 178.57 FT TH W 639.12 FT TH S 11 DEG E 182.17 FT TH E 602.95 FT TO PL OF BEG. RES E 33 FT FOR HWY.

(gg) Property Address: 2112 Vanderbilt Avenue
Tax ID No. 00029-105-O

Legal Description:

SEC 29-3-11 BEG N $\frac{1}{4}$ POST SEC 29 TH S ALG NS $\frac{1}{4}$ TO CTR LI VANDERBILT RD
TH E ALG SD CTR LI 1065 FT FOR PL OF BEG TH CONT E 255 FT TH N 343 FT TH
W 262 FT TH S 34 FT TH E 7 FT TH S 309 FT TO PL OF BEG.

- (hh) Property Address: 7719 South Westnedge Avenue
Tax ID No. 00015-275-O

Legal Description:

SEC 15-3-11 W 150 FT OF N 1000 FT E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ & ALL THAT PART OF N 1000
FT OF W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ LYING ELY OF NYC RR ROW ALSO BEG AT A PT IN W LI SD
SEC 66 R N OF SW COR SD SEC TH E 660 FT TH N 551 FT TH W 458 FT TO ELY LI
NYC RR ROW TH SWLY ALG SD ROW TO INTERSECTION WITH S WESTNEDGE
AVE TH S ALG W LI SD SEC TO PL OF BEG.

- (ii) Property Address: 8643 South Westnedge Avenue
Tax ID No. 00022-250-O

Legal Description:

SEC 22-3-11 BEG IN W LI SEC 22 AT A PT 931.5 FT S OF W $\frac{1}{4}$ POST SD SEC TH S
ALG W LI SD SEC 149.25 FT TH E PAR TO E & W $\frac{1}{4}$ LI SD SEC 561 FT TH N PAR TO
W LI SD SEC 149.25 FT TH W 561 FT TO PL OF BEG RES W 33 FT FOR HWY
PURPOSES.

- (jj) Property Address: 9426 South Westnedge Avenue
Tax ID No. 00028-022-O

Legal Description:

SEC 28-3-11 COM E $\frac{1}{4}$ POST SEC 28 TH N 160 FT FOR PL OF BEG, TH W 163 FT
TH N 170 FT TH E 163 FT TH S 170 FT TO PL OF BEG. RES E 33 FT FOR HWY.

- (kk) Property Address: 10401 South Westnedge Avenue
Tax ID No. 00034-080-O

Legal Description:

SEC 34-3-11 BEG AT PT 165 FT N OF W $\frac{1}{4}$ POST SEC 34 TH E PAR EW $\frac{1}{4}$ LI 629.63
FT TH N 555.57 FT TH W TO W LI SD SEC TH S ALG W LI SD SEC 555.52 FT TO PL
OF BEG.

- (ll) Property Address: 10234 East Shore Drive
Tax ID No. 36-020-O

Legal Description:

THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SEC 36-3-11 EXC THE SW $\frac{1}{2}$ OF THE SE $\frac{1}{4}$.

THE N $\frac{1}{2}$ OF THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SEC 36-3-11.

THAT PORTION OF THE S $\frac{1}{2}$ OF THE NE $\frac{1}{24}$ OF THE SE $\frac{1}{4}$ OF SEC 36-3-11 LYING
ELY OF THE FORMER WLY ROW LI OF THE GR & IN RR CO.

THE S ½ OF THE NE ¼ OF SEC 36-3-11 EXC: PART OF THE NE ¼ OF SEC 36-3-11: COM AT THE S ¼ POST OF SD SEC 36; TH N 00 DEG 00 MIN 00 SEC E ON THE N & S ¼ LI SD SEC 36 A DIS OF 2,640.06 FT TO THE CTR OF SD SEC 36; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 619.52 FT TO POB OF THE LAND HEREIN DESCRIBED; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 105.34 FT TO THE CTR LI OF THE AUSTIN LAKE OUTLET CHANNEL; TH S 37 DEG 41 MIN 59 SEC E ON SD CTR LI 88.33 FT TO THE N EDGE OF PAVEMENT ON EAST SHORE DRIVE; TH S 56 DEG 15 MIN 14 SEC W 52.19 FT TO THE SE COR OF LOT 1, SUNNY HEIGHTS; TH S 58 DEG 41 MIN 43 SEC W ON THE SLY LI OF SD LOT 1 A DIS OF 12.43 FT TO THE POB. EXC PART OF THE NE ¼ OF SEC 36-3-11: COM AT THE S ¼ POST OF SD SEC 36, TH N 00 DEG 00 MIN 00 SEC E ON THE N & S ¼ LI OF SD SEC 36 A DIS OF 2,640.06 FT TO THE CTR OF SD SEC 36; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 619.52 FT TO THE SELY LI OF LOT 1, SUNNY HEIGHTS; TH N 58 DEG 41 MIN 43 SEC E ON THE SELY LI OF SAID LOT 1 A DIS OF 12.43 FT TO THE SE COR OF SD LOT 1; TH N 56 DEG 15 MIN 14 SEC E 52.19 FT TO A POINT ON THE NLY EDGE OF PAVEMENT OF EAST SHORE DRIVE & POB; TH N 37 DEG 41 MIN 59 SEC W ON THE CTR LI OF THE AUSTIN LAKE OUTLET CHANNEL 88.33 FT TO SD N & S ¼ LI; TH N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 43.88 FT TO AN INTERMEDIATE TRAVERSE LI; TH N 42 DEG 30 MIN 58 SEC E ON SD INTERMEDIATE TRAVERSE LI 172.13 FT TO A MEANDER COR; TH S 46 DEG 20 MIN 20 SEC E 156.64 FT TO THE NLY EDGE OF PAVEMENT OF SD EAST SHORE DRIVE; TH S 52 DEG 58 MIN 04 SEC W 220.00 FT TO POB. ALSO ALL THAT LAND LYING BETWEEN SD INTERMEDIATE TRAVERSE LI, THE N & S ¼ LI OF SD SEC 36 EXTENDED TO THE WATER'S EDGE OF AUSTIN LAKE, THE WATER'S EDGE OF AUSTIN LAKE & A LI EXTENDING N 46 DEG 20 MIN 20 SEC W FROM SD MEANDER CORNER. ALSO EXCEPTING PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 46° 20' 20" WEST 156.64 FEET TO MEANDER CORNER "A"; THENCE NORTH 45° 43' 24" EAST ON A MEANDER LINE 117.49 FEET TO MEANDER CORNER "B"; THENCE SOUTH 54° 26' 09" EAST 176.46 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 46° 20' 20" WEST FROM SAID MEANDER CORNER "A", AND A LINE EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B".

CONTAINING 0.52 OF AN ACRE MORE OR LESS. ALSO EXCEPTING PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET; THENCE NORTH 52° 34' 03" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 54° 26' 09" WEST 176.46 FEET TO MEANDER CORNER "B"; THENCE NORTH 26° 31' 24" EAST ON A MEANDER LINE 121.54 FEET TO MEANDER CORNER "C"; THENCE SOUTH 58° 53' 12" EAST 232.80 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTHWESTERLY 63.16 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 47° 37' 34" WEST 63.12 FEET; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 79.84 FEET TO THE POINT OF BEGINNING.

ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B", AND A LINE EXTENDING NORTH 58° 53' 12" WEST FROM SAID MEANDER CORNER "C". CONTAINING 0.65 OF AN ACRE MORE OR LESS. SUBJECT TO A 15.00 FOOT WIDE BUILDING RESTRICTION LYING ADJACENT TO AND PARALLEL WITH THE NORTHEASTERLY LINE OF THE ABOVE DESCRIBED PARCEL.

(mm) Property Address: 3821 West Milham Avenue
Tax ID No. 00007-025-A

Legal Description:

THAT PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 POST OF SECTION 7, T. 3 S., R. 11 W., CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE SOUTH 89° - 42' - 49" EAST ALONG THE NORTH LINE OF SAID SECTION, 868.34 FEET FOR THE PLACE OF BEGINNING OF THE LAND HEREINAFTER DESCRIBED; THENCE CONTINUING SOUTH 89° - 42' - 49" EAST ALONG SAID NORTH LINE, 77.75 FEET TO THE WEST LINE OF THE HOMESTEAD OF PORTAGE NORTH, AS RECORDED IN LIBER 42 OF PLATS ON PAGE 16, KALAMAZOO COUNTY RECORDS, THENCE SOUTH 00° - 02' - 20" EAST THEREON, 745.00 FEET; THENCE SOUTH 89° - 57' - 40" WEST, PERPENDICULAR TO SAID WEST LINE, 233.00 FEET; THENCE NORTH 00° - 02' -

20" WEST PARALLEL WITH SAID WEST LINE, 518.35 FEET; THENCE NORTH 18° - 54' - 25" EAST, 77.00 FEET; THENCE NORTH 00° - 02' - 20" WEST PARALLEL WITH SAID WEST LINE, 95.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST MILHAM AVENUE; THENCE SOUTH 89° - 42' - 49" EAST THEREON, 130.32 FEET; THENCE NORTH 0° - 05' - 48" WEST PARALLEL WITH THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION, 60.00 FEET TO THE PLACE OF BEGINNING. CONTAINED 3.70 ACRES.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Patricia M. Randall

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

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

Adam Herringa, City Clerk

Z:\JODY\PORTAGE\ORDINANCES\ZONING\Historic District 38-35 Cleanup CLEAN.docx

HIGHLIGHT & STRIKE VERSION

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING SECTION 38-35 OF CHAPTER 38,
HISTORICAL PRESERVATION,

THE CITY OF PORTAGE ORDAINS:

That Section 38-35 of Chapter 38, Historical Preservation, is hereby amended as follows:
Sec. 38-35. - District established; boundaries.

A historic district within the city is hereby created, which district shall include the following described lands and the structures situated thereon:

(a) Property Address: 5029 Angling Road
Tax ID No. 03580-049-O

Legal Description:

HILL N BROOK VILLAGE LOT 49 & 50 EXC NELY 25 FT OF LOT 50 ALSO BEG AT NE COR LOT 44 TH S ON E LI SD LOT 57.60 FT TH SWLY 248.55 FT TO A PT ON W LI LOT 43 146.34 FT N OF SW COR TH N ALG SD W LI 11.43 FT TO NW COR SD LOT TH NELY ALG N LI SD LOT 67.39 FT TH CONT NELY ALG N LI LOT 44 190.19 FT TO PL OF BEG.

(b) Property Address: 5260 Angling Road
Tax ID No. 00006-015-A

Legal Description:

SECTION 6-3-11 BEG AT A PT 132 FT S OF NE COR S $\frac{1}{2}$ NE $\frac{1}{4}$ SEC 6, TH S 198 FT TH W 233 FT, TH N 198 FT, TH E 233 FT TO P.O.B., EXC E 33 FT FOR HWY.

(c) Property Address: 5719 Angling Road
Tax ID No. 00761-042-O

Legal Description:

SUPERVISORS PLAT OF BOYLANS ACRES #1 LOT 42 AND LOT 43. ALSO BEG AT SE COR SD LOT 43, TH N ALG E LI LOTS 43 AND 42 TO NE COR SD LOT 42, TH E 19 FT, TH S 75 FT, TH E 30 FT, TH S 10 FT, TH E 100 FT, TH S 85 FT, TH W 149 FT TO P.O.B.

(d) Property Address: 6638 Angling Road
Tax ID No. 00007-286-O

Legal Description:

SEC 7-3-11 COM NE COR RECD PLAT OF HARBELLE ACRES TH N 33 DEG 25 MIN 40 SEC E 561.43 FT FOR PL OF BEG TH N 56 DEG 34 MIN 20 SEC W 233 FT TH N 33 DEG 25 MIN 40 SEC E 211.45 FT TH S 61 DEG 09 MIN 50 SEC E 200.64 FT TH S 56 DEG 34 MIN 20 SEC E 33 FT TH S 33 DEG 25 MIN 40 SEC W 227.51 FT TO PL OF BEG. ALSO COM AT NE COR RECD PLAT OF HARBELLE ACRES TH N 33 DEG 25 MIN 40 SEC E 561.43 FT TH N 56 DEG ;b2; 34 MIN 20 SEC W 328 FT FOR PL OF BEG TH S 56 DEG 34 MIN 20 SEC E 95 FT TH N 33 DEG 25 MIN 40 SEC E

211.45 FT TH N 61 DEG 09 MIN 50 SEC W TO A PT TH SWLY TO P.O.B., ALSO COM AT NE COR RECD PLAT OF HARBELLE ACRES, TH N 33 DEG 25 MIN 40 SEC E 789.44 FT TO P.O.B., TH N 56 DEG 34 MIN 20 SEC W 33 FT, TH N 61 DEG 09 MIN 50 SEC W 300.97 FT, TH N 33 DEG 25 MIN 40 SEC E 197.88 FT, TH SELY 129.99 FT, ALG A CURVE TO THE RIGHT WITH A RADIUS OF 227 FT, TH S 56 DEG 34 MIN 20 SEC E 210 FT TO CTR LI ANGLING RD, TH S 33 DEG 25 MIN 40 SEC W ALG SD CTR LI 210 FT TO P.O.B.

(e) Property Address: 506 Bacon Avenue
Tax ID No. 00034-055-O

Legal Description:

SEC 34-3-11 W 8 R OF N 10 R of NE ¼ NW ¼ SEC 34.

(f) Property Address: 704 Bacon Avenue
Tax ID No. 04740-005-C

Legal Description:

LUDINGTON ACRES N 238 FT OF LOT 5.

Property _____ Address: _____ 214 _____ Brown _____ Avenue
Tax ID No. 1480-002-O

Legal Description:

~~CLARENCE PLAT LOT 2 & 3. com~~

Property _____ Address: _____ 309 _____ East _____ Centre _____ Avenue
Tax ID No. 00015-345-O

Legal Description:

~~K15-33 SEC 15-3-11 BEG AT A PT 591.32 FT E OF SW COR SEC 15 TH N 165 FT, TH E 72.82 FT, TH N 594 FT, TH E 150 FT, TH S 759 FT, TH W 220.67 FT TO P.O.B. RES S 43 FT FOR HWY PURPOSES. EXC N 333 FT.~~

(g) Property Address: 515 East Centre Avenue
Tax ID No. 04200-003-O

Legal Description:

LAKEWOOD HOMES LOT 3.

(h) Property Address: 903 East Centre Avenue
Tax ID No. 00015-465-O

Legal Description:

SEC 15-3-11 BEG AT S ¼ POST SEC 15 TH E 6 R TH N 40 R TH W 6 R TH S 40 R TO BEG EXC W 1 R OF S 30 R & W 2 R OF N 10 R FOR HWY.

(i) Property Address: 1521 East Centre Avenue
Tax ID No. 00015-570-O

Legal Description:

SEC 15-3-11 BEG 21 R W OF SE COR SEC 15 TH W ON SEC LI 7 R TH N 80 R TH E 7 R TH S 80 R TO BEG.

(j) Property Address: 7328 Garden Lane
Tax ID No., Part of 00015-170-O

Legal Description:

SEC 15-3-11 COM AT W $\frac{1}{4}$ POST SEC 15, TH E 650 FT TO THE E LI OF CONRAIL RR ROW TO P.O.B., TH NLY ALG SD ROW 812.85 FT TO THE S LI OF GARDEN LANE, TH S 74 DEG 55 MIN E 162.3 FT, THE S 24 DEG 43 MIN W 760 FT, TH W 190 FT TO P.O.B.

(k) Property Address: 8009 Cox's Drive
Tax ID No. 00024-081-O

Legal Description:

SEC 24-3-11 COM AT NW COR SEC 24, TH S 132 FT TO P.O.B., TH CONT S TO NW COR OF S $\frac{3}{4}$ OF W $\frac{1}{2}$ OF NW $\frac{1}{4}$ SEC 24, TH E 420 FT, TH N TO N LI OF SD SEC, TH W 120 FT TH S 137 FT, TH W 199.39 FT, TH N 5 FT, TH W 100.61 FT TO P.O.B., RES COX DR AND CENTRE AVE FOR ROW.

Property _____ Address: _____ 10234 _____ East _____ Shore _____ Drive
Tax ID No. ~~36-020-O~~

Legal Description:

~~SEC 36-3-11 S $\frac{1}{2}$ NE $\frac{1}{4}$ AND N $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 36 EXC PENN RR ROW.~~

(l) Property Address: 2106 Forest Drive
Tax ID No. 00340-086-A

Legal Description:

AMES WEST LAKE PARK A PART OF LOT 86 DESC AS FOL BEG AT SE COR LOT 86 TH NELY ALG SELY LI SD LOT 188.71 FT TO NE COR LOT 86 TH WLY ALG NLY LI SD LOT 220 FT TH SLY 112.26 FT TO A PT IN SLY LI SD LOT 144 FT SWLY OF SE COR LOT 86 TH SELY ALG SLY LI SD LOT 144 FT TO PL OF BEG.

(m) Property Address: 7706 Innisbrook Drive
Tax ID No. 09402-036-O

Legal Description:

WOODBIDGE HILLS #2 LOT 36.

(n) Property Address: 2663 Mandigo Avenue
Tax ID No. 00035-145-Z

Legal Description:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 35 THAT IS 1810.00 FEET NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST OF THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST ON SAID SOUTH LINE 320.91 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 04 SECONDS EAST 200.88 FEET; THENCE NORTH 38 DEGREES 50 MINUTES 31 SECONDS EAST 202.44 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST PARALLEL WITH SAID SOUTH LINE 234.48 FEET; THENCE SOUTH 38 DEGREES 50 MINUTES 31 SECONDS WEST 108.48 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 04 SECONDS WEST 274.73 FEET TO SAID SOUTH LINE; THENCE NORTH 89 DEGREES 20 MINUTES 36 SECONDS WEST ON SAID SOUTH LINE 101.59 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 25 SECONDS WEST 440.88 FEET TO A POINT PREVIOUSLY DESCRIBED AS BEING 448 FEET NORTH OF SAID SOUTH SECTION LINE; THENCE NORTH 67 DEGREES 24 MINUTES 50 SECONDS EAST 654.53 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 04 SECONDS WEST 699.41 FEET TO THE POINT OF BEGINNING.

(o) Property Address: 6825 Sprinkle Road
Tax ID No., Part of 12-115-D

Legal Description:

SEC 12-3-11 BEG 527 FT N OF S ¼ POST SEC 12, TH N 150 FT, TH E 300 FT, TH S 150 FT, TH W 300 FT TO P.O.B.

(p) Property Address: 2027 East Milham Avenue
Tax ID No. 00002-050-O

Legal Description:

SEC 2-3-11 COM AT A PT 80 R E OF SW COR SEC 2 TH N 358.22 FT TH W 152 FT TH S 358.22 FT TH E 152 FT TO PL OF BEG.

(q) Property Address: 4415 East Milham Avenue
Tax ID No. 00001-145-O

Legal Description:

SEC 1-3-11 COM S ¼ POST SEC 1 TH N 33 FT TH N 89 DEG 37 MIN 40 SEC E 1168.13 FT TO PL OF BEG TH N 138.73 FT TH E 93 FT TH S 138.73 FT TH S 89 DEG 37 MIN 40 SEC W 93 FT TO PL OF BEG.

Property Address: 1324 West Milham Avenue
Tax ID No. 3700-084-O

Legal Description:

~~SECTION 4, TOWN 3 SOUTH, RANGE 11 WEST: BEGINNING AT THE NORTHWEST CORNER OF LOT 87 PLAT OF HOMEACRES, THENCE EAST 100~~

~~FT, THENCE SOUTH 100 FT, THENCE WEST 100 FT, THENCE NORTH 100 FT TO
PLACE OF BEGINNING. RESERVING DRIVEWAY TO MILHAM RD.~~

(r) Property Address: 1705 West Milham Avenue
Tax ID No. 00008-003-OA

Legal Description:

SEC 8 & 9-3-11 BEG AT A POT 82.5 FT W OF NE COR SEC 8 TH E ALG N LI
SECTIONS 8 & 9 A DISTANCE OF 165 FT TH S 297 FT TH W 165 FT TH N 297 FT
TO PL OF BEG. EXC N 33 FT FOR HWY.

(s) Property Address: 3221 West Milham Avenue
Tax ID No. 00008-250-O

Legal Description:

SEC 8-3-11 BEG N W COR SEC 8 TH E 283 FT TH S 240 FT TH W TO W LI SD SEC
TH N ALG SD W LI 240 FT TO PL OF BEG. RES N & W 33 FT FOR HWY PURP.

Property Address: 3821 West Milham Avenue
Tax ID No. 00007-025-A

~~THAT PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7, TOWN-
SHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY,
MICHIGAN, DESCRIBED AS:~~

~~BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 7 THAT IS 868.34
FEET SOUTH 89° 42' 49" EAST OF THE NORTH QUARTER CORNER OF SAID
SECTION 7; THENCE SOUTH 89° 42' 49" EAST ON SAID NORTH LINE 77.75 FEET TO
THE WEST LINE OF "THE HOMESTEAD OF PORTAGE NORTH," ACCORDING TO THE
PLAT THEREOF AS RECORDED IN LIBER 42 OF PLATS, PAGE 16, KALAMAZOO
COUNTY RECORDS; THENCE SOUTH 00° 02' 20" EAST ON SAID WEST LINE 745.00
FEET; THENCE SOUTH 89° 57' 40" WEST PERPENDICULAR TO SAID WEST LINE
285.00 FEET; THENCE SOUTH 00° 02' 20" EAST PARALLEL WITH SAID WEST LINE
261.87 FEET; THENCE SOUTH 47° 07' 46" EAST 42.56 FEET TO THE NORTHERLY
RIGHT OF WAY LINE OF MCGILLICUDDY LANE; THENCE SOUTHWESTERLY 127.20
FEET ON SAID NORTHERLY RIGHT OF WAY LINE AND ON A 230.00 FOOT RADIUS
CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 27° 01' 34" WEST 125.59 FEET;
THENCE SOUTH 11° 10' 57" WEST ON SAID RIGHT OF WAY LINE 10.65 FEET TO THE
NORTH LINE OF THE SOUTH 165.00 FEET OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 89° 46' 18" WEST ON
SAID NORTH LINE 631.86 FEET TO THE NORTH AND SOUTH QUARTER LINE OF
SAID SECTION 7; THENCE NORTH 00° 05' 48" WEST ON SAID QUARTER LINE 745.80
FEET TO THE EASTERLY RIGHT OF WAY LINE OF HIGHWAY U.S. 131; THENCE
NORTH 09° 52' 01" EAST ON SAID EASTERLY RIGHT OF WAY LINE 359.76 FEET TO
THE SOUTH RIGHT OF WAY LINE OF WEST MILHAM AVENUE; THENCE SOUTH
89° 42' 49" EAST ON SAID SOUTH RIGHT OF WAY LINE 806.09 FEET; THENCE NORTH
00° 05' 48" WEST PARALLEL WITH SAID QUARTER LINE 60.00 FEET TO THE POINT
OF BEGINNING. CONTAINING 21.02 ACRES MORE OR LESS.~~

(t) Property Address: 8021 Oak Street
Tax ID No. 07200-113-O

Legal Description:

ROSE DALE SUBDIVISION LOTS 113 & 114 EXC S 5 FT OF LOT 114, ALSO INCLUDING THE W ½ OF THE ABUTTING VACATED ALLEY.

(u) Property Address: 5134 Oakland Drive
Tax ID No. 00005-010-O

Legal Description:

SEC 5-3-11 COM AT NE COR OF W ½ NE ¼ SEC 5 TH S O DEG 32 MIN E 783 FT FOR PL OF BEG TH S O DEG 32 MIN E 363 FT TH S 89 DEG 28 MIN W 313.5 FT TH N O DEG 32 MIN W 363 FT TH N 89 DEG 28 MIN E 313.5 FT TO BEG.

(v) Property Address: 5720 Oakland Drive
Tax ID No. 00005-085-~~OA~~

Legal Description:

SEC 5-3-11 BEG AT A PT IN E LI W ½ SE ¼ SEC 5 1190 FT S OF EW ¼ LI SD SEC TH W 283 FT TH N 200 FT TH W 113 FT TH S 432.64 FT TH E 113 FT TH N 100 FT TH E 283 FT TH N 132.64 FT TO PL OF BEG. EXC E 33 FT FOR HWY.

(w) Property Address: 6235 Oakland Drive
Tax ID No. 00008-110-O

Legal Description:

SEC 8-3-11 COM AT NW COR E ½ NE ¼ SEC 8 TH S ALG W LI SD E ½ 1320 FT FOR PL BEG TH S ALG SD W LI 132 FT TH E 200 FT TH N 132 FT TH W 200 FT TO BEG.

(x) Property Address: 7119 Oakland Drive
Tax ID No. 6060-009-O

Legal Description:

PERRY ACRES LOT #9.

(y) Property Address: 7336 Garden Lane
Tax ID No., Part of 00015-170-O

Legal Description:

SEC 15-3-11 COM AT W ¼ POST SEC 15, THE E 960 FT TO P.O.B., TH N 24 DEG 43 MIN E 720 FT TO THE S LI OF GARDEN LANE, TH S 74 DEG 55 MIN E 100 FT, TH S 15 DEG 05 MIN W 672.41 FT, TH W 185 FT TO P.O.B.

(z) Property Address: 703 East Osterhout Avenue
Tax ID No. 00034-120-O

Legal Description:

SEC 34-3-11 COM C ¼ POST SEC 34 TH W 551.46 FT FOR PL OF BEG TH N 720.52 FT TH W 194.54 FT TH S 720.52 FT TH E 194.54 FT TO PL OF BEG.

(aa) Property Address: 922 West Osterhout Avenue
Tax ID No. 00033-120-O

Legal Description:

SEC 33-3-11 E 32 R OF W 66 R OF E ½ NW ¼ SEC 33.

(bb) Property Address: 5830 Portage Road
Tax ID No. 00002-065-O

Legal Description:

SEC 2-3-11 COM AT THE S ¼ POST OF SEC 2 TH N 4 DEG 22 MIN W ALG CTR LI OF PORTAGE ROAD 616.53 FT FOR P O B CONT N 34.12 FT TH N O DEG 24 MIN E 230 FT TH N 89 DEG 36 MIN W 330 FT TH S O DEG 24 MIN W 264 FT TH S 89 DEG 36 MIN E TO PL OF BEG.

(cc) Property Address: 10209 Portage Road
Tax ID No. 00035-025-O

Legal Description:

SEC 35-3-11 BEG AT PT 1000 FT N & 198 FT E OF W ¼ POST SEC 35 TH N 396 FT TH W TO CL PORTAGE RD TH NELY ALG SD CL 214 FT MOL TO S LI WETHERBEE AVE. TH E ALG SD S LI 717.6 FT TH S 331.78 FT TH SWLY 99.09 FT TH SWLY 204.66 FT TH S 89 DEG 57 MIN W 475.94 FT TO PL OF BEG.

(dd) Property Address: 904 Schuring Road
Tax ID No. 00016-405-O

Legal Description:

SECTION 16, TOWN 3 SOUTH, RANGE 11 WEST: BEGINNING AT CENTER ¼ POST SECTION 16, THENCE WEST 90 FT, THENCE NORTH 120 FT, THENCE EAST 90 FT, THENCE SOUTH 120 FT TO PLACE OF BEGINNING.

(ee) Property Address: 6869 Sprinkle Road
Tax ID No., Part of 12-115-D

Legal Description:

SEC 12-3-11 BEG 327 FT N OF S ¼ POST SEC 12, TH N 200 FT, TH E 300 FT, TH S 200 FT, TH W 300 FT TO P.O.B.

(ff) Property Address: 9844 Sprinkle Road
Tax ID No. 00025-190-O

Legal Description:

SEC 25-3-11 BEG AT PT 429 FT N OF SE COR SEC 25 TH N ALG E LI SD SEC 178.57 FT TH W 639.12 FT TH S 11 DEG E 182.17 FT TH E 602.95 FT TO PL OF BEG. RES E 33 FT FOR HWY.

(gg) Property Address: 2112 Vanderbilt Avenue
Tax ID No. 00029-105-O

Legal Description:

SEC 29-3-11 BEG N $\frac{1}{4}$ POST SEC 29 TH S ALG NS $\frac{1}{4}$ TO CTR LI VANDERBILT RD
TH E ALG SD CTR LI 1065 FT FOR PL OF BEG TH CONT E 255 FT TH N 343 FT TH
W 262 FT TH S 34 FT TH E 7 FT TH S 309 FT TO PL OF BEG.

(hh) Property Address: 7719 South Westnedge Avenue
Tax ID No. 00015-275-O

Legal Description:

SEC 15-3-11 W 150 FT OF N 1000 FT E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ & ALL THAT PART OF N 1000
FT OF W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ LYING ELY OF NYC RR ROW ALSO BEG AT A PT IN W LI
SD SEC 66 R N OF SW COR SD SEC TH E 660 FT TH N 551 FT TH W 458 FT TO
ELY LI NYC RR ROW TH SWLY ALG SD ROW TO INTERSECTION WITH S
WESTNEDGE AVE TH S ALG W LI SD SEC TO PL OF BEG.

(ii) Property Address: 8643 South Westnedge Avenue
Tax ID No. 00022-250-O

Legal Description:

SEC 22-3-11 BEG IN W LI SEC 22 AT A PT 931.5 FT S OF W $\frac{1}{4}$ POST SD SEC TH S
ALG W LI SD SEC 149.25 FT TH E PAR TO E & W $\frac{1}{4}$ LI SD SEC 561 FT TH N PAR
TO W LI SD SEC 149.25 FT TH W 561 FT TO PL OF BEG RES W 33 FT FOR HWY
PURPOSES.

(jj) Property Address: 9426 South Westnedge Avenue
Tax ID No. 00028-022-O

Legal Description:

SEC 28-3-11 COM E $\frac{1}{4}$ POST SEC 28 TH N 160 FT FOR PL OF BEG, TH W 163 FT
TH N 170 FT TH E 163 FT TH S 170 FT TO PL OF BEG. RES E 33 FT FOR HWY.

(kk) Property Address: 10401 South Westnedge Avenue
Tax ID No. 00034-080-O

Legal Description:

SEC 34-3-11 BEG AT PT 165 FT N OF W $\frac{1}{4}$ POST SEC 34 TH E PAR EW $\frac{1}{4}$ LI
629.63 FT TH N 555.57 FT TH W TO W LI SD SEC TH S ALG W LI SD SEC 555.52
FT TO PL OF BEG.

(ll) Property Address: 10234 East Shore Drive
Tax ID No. 36-020-O

THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SEC 36-3-11 EXC THE SW $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ THEREOF.
THE N $\frac{1}{2}$ OF THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SEC 36-3-11.

THAT PORTION OF THE S ½ OF THE NE 1/24 OF THE SE ¼ OF SEC 36-3-11 LYING ELY OF THE FORMER WLY ROW LI OF THE GR & IN RR CO.

THE S ½ OF THE NE ¼ OF SEC 36-3-11 EXC: PART OF THE NE ¼ OF SEC 36-3-11: COM AT THE S ¼ POST OF SD SEC 36; TH N 00 DEG 00 MIN 00 SEC E ON THE N & S ¼ LI SD SEC 36 A DIS OF 2,640.06 FT TO THE CTR OF SD SEC 36; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 619.52 FT TO POB OF THE LAND HEREIN DESCRIBED; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 105.34 FT TO THE CTR LI OF THE AUSTIN LAKE OUTLET CHANNEL; TH S 37 DEG 41 MIN 59 SEC E ON SD CTR LI 88.33 FT TO THE N EDGE OF PAVEMENT ON EAST SHORE DRIVE; TH S 56 DEG 15 MIN 14 SEC W 52.19 FT TO THE SE COR OF LOT 1, SUNNY HEIGHTS; TH S 58 DEG 41 MIN 43 SEC W ON THE SLY LI OF SD LOT 1 A DIS OF 12.43 FT TO THE POB. EXC PART OF THE NE ¼ OF SEC 36-3-11: COM AT THE S ¼ POST OF SD SEC 36, TH N 00 DEG 00 MIN 00 SEC E ON THE N & S ¼ LI OF SD SEC 36 A DIS OF 2,640.06 FT TO THE CTR OF SD SEC 36; TH CONT N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 619.52 FT TO THE SELY LI OF LOT 1, SUNNY HEIGHTS; TH N 58 DEG 41 MIN 43 SEC E ON THE SELY LI OF SAID LOT 1 A DIS OF 12.43 FT TO THE SE COR OF SD LOT 1; TH N 56 DEG 15 MIN 14 SEC E 52.19 FT TO A POINT ON THE NLY EDGE OF PAVEMENT OF EAST SHORE DRIVE & POB; TH N 37 DEG 41 MIN 59 SEC W ON THE CTR LI OF THE AUSTIN LAKE OUTLET CHANNEL 88.33 FT TO SD N & S ¼ LI; TH N 00 DEG 00 MIN 00 SEC E ON SD N & S ¼ LI 43.88 FT TO AN INTERMEDIATE TRAVERSE LI; TH N 42 DEG 30 MIN 58 SEC E ON SD INTERMEDIATE TRAVERSE LI 172.13 FT TO A MEANDER COR; TH S 46 DEG 20 MIN 20 SEC E 156.64 FT TO THE NLY EDGE OF PAVEMENT OF SD EAST SHORE DRIVE; TH S 52 DEG 58 MIN 04 SEC W 220.00 FT TO POB. ALSO ALL THAT LAND LYING BETWEEN SD INTERMEDIATE TRAVERSE LI, THE N & S ¼ LI OF SD SEC 36 EXTENDED TO THE WATER'S EDGE OF AUSTIN LAKE, THE WATER'S EDGE OF AUSTIN LAKE & A LI EXTENDING N 46 DEG 20 MIN 20 SEC W FROM SD MEANDER CORNER. ALSO EXCEPTING PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 46° 20' 20" WEST 156.64 FEET TO MEANDER CORNER "A"; THENCE NORTH 45° 43' 24" EAST ON A MEANDER LINE 117.49 FEET TO MEANDER CORNER "B"; THENCE SOUTH 54° 26' 09" EAST 176.46 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 46° 20' 20" WEST FROM SAID MEANDER CORNER "A", AND A LINE EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B".

CONTAINING 0.52 OF AN ACRE MORE OR LESS. ALSO EXCEPTING PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE

SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET; THENCE NORTH 52° 34' 03" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 54° 26' 09" WEST 176.46 FEET TO MEANDER CORNER "B"; THENCE NORTH 26° 31' 24" EAST ON A MEANDER LINE 121.54 FEET TO MEANDER CORNER "C"; THENCE SOUTH 58° 53' 12" EAST 232.80 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTHWESTERLY 63.16 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 47° 37' 34" WEST 63.12 FEET; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 79.84 FEET TO THE POINT OF BEGINNING.

ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B", AND A LINE EXTENDING NORTH 58° 53' 12" WEST FROM SAID MEANDER CORNER "C". CONTAINING 0.65 OF AN ACRE MORE OR LESS. SUBJECT TO A 15.00 FOOT WIDE BUILDING RESTRICTION LYING ADJACENT TO AND PARALLEL WITH THE NORTHEASTERLY LINE OF THE ABOVE DESCRIBED PARCEL.

(mm) Property Address: 3821 West Milham Avenue

_____ Tax ID No. 00007-025-A

THAT PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE NORTH 1/4 POST OF SECTION 7, T. 3 S., R. 11 W., CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE SOUTH 89° - 42' - 49" EAST ALONG THE NORTH LINE OF SAID SECTION, 868.34 FEET FOR THE PLACE OF BEGINNING OF THE LAND HEREINAFTER DESCRIBED; THENCE CONTINUING SOUTH 89° - 42' - 49" EAST ALONG SAID NORTH LINE, 77.75 FEET TO THE WEST LINE OF THE HOMESTEAD OF PORTAGE NORTH, AS RECORDED IN LIBER 42 OF PLATS ON PAGE 16, KALAMAZOO COUNTY RECORDS, THENCE SOUTH 00° - 02' - 20" EAST THEREON, 745.00 FEET; THENCE SOUTH 89° - 57' - 40" WEST, PERPENDICULAR TO SAID WEST LINE, 233.00 FEET; THENCE NORTH 00° - 02' - 20" WEST PARALLEL WITH SAID WEST LINE, 518.35 FEET; THENCE NORTH 18° - 54' - 25" EAST, 77.00 FEET; THENCE NORTH 00° - 02' - 20" WEST PARALLEL WITH SAID WEST LINE, 95.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST MILHAM AVENUE; THENCE SOUTH 89° - 42' - 49" EAST THEREON, 130.32 FEET; THENCE NORTH 0° - 05' - 48" WEST PARALLEL WITH THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION, 60.00 FEET TO THE PLACE OF BEGINNING. CONTAINED 3.70 ACRES.

_____ Property Address: 10234 East Shore Drive

_____ Tax ID No. 00036-020-B

LEGAL DESCRIPTION - REMAINDER PARCEL:

~~PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET; THENCE NORTH 52° 34' 03" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 223.84 FEET; THENCE NORTHEASTERLY 63.16 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 47° 37' 34" EAST 63.12 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 58° 53' 12" WEST 232.80 FEET TO MEANDER CORNER "C"; THENCE NORTH 18° 59' 52" EAST ON A MEANDER LINE 258.41 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 89° 57' 20" EAST ON SAID NORTH LINE 349.98 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTH 30° 55' 35" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 231.03 FEET; THENCE SOUTH 31° 39' 46" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 93.38 FEET; THENCE SOUTHWESTERLY 109.83 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 37° 42' 52" WEST 109.61 FEET TO THE POINT OF BEGINNING.~~

~~ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 58° 53' 12" WEST FROM SAID MEANDER CORNER "C", AND THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 36.~~

~~CONTAINING 2.28 ACRES MORE OR LESS.~~

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

~~ASSUMED THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 TO BEAR NORTH 00° 00' 00" EAST.~~

~~(Code 1983, § 282.03; Ord. No. 093-02, 1-5-1993; Ord. No. 093-05, 5-11-1993; Amend. of 12-25-2007; Ord. No. 12-02, 2-28-2012; Ord. No. 15-04, 5-27-2015; Ord. No. 16-01, 1-26-2016; Ord. No. 18-08, 11-20-2018)~~

~~State Law reference—Designation of historic districts, MCL 399.203, MSA 5.3407(3).~~

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Liquor Permit for Starry Night Event

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

ACTION RECOMMENDED: Approve a Liquor Permit for the Starry Night event on May 16, 2020 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The "Starry Night" event will be hosted by Portage Parks & Recreation on Saturday, May 16. A drink truck will be provided by IHS Distributing for the sale of beer and wine, for which a liquor permit is required. As with previous events of where alcohol is served, the Department of Parks & Recreation, along with Public Safety – Police Division, have worked cooperatively to develop controls to ensure a safe and successful event. Wristbands will be issued to participants over 21 years of age. Park Rangers will assist in monitoring and patrolling location perimeters and limiting access to the main event entrances. City staff and Park Board members, at least 21 years of age, will serve the alcohol. City liability, as well as that of staff and volunteers, is covered under the city's insurance policy.

Approval by City Council of a Certified Resolution for a liquor permit is required. It is recommended that City Council approve a Liquor Permit for the Starry Night Event on May 16, 2020 and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: N/A

Attachments: 1. Starry Night Liquor Permit 051620



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

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: 49097
Contact name: Alyssa Milbeck	Phone: 2693249271	Email: milbecka@portagemi.gov
Alternate contact name: Peggy Napier	Phone: 2692072209	Email: napierp@portagemi.gov
1. Has the applicant organization previously received a Special License? ☒ Yes ☐ No 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.)		Leave Blank - MLCC Use Only
2. Has the applicant organization been established for one (1) year or longer? ☒ Yes ☐ No Date the applicant organization was established (month/day/year): _____		
3. Is the applicant organization a municipality? ☒ Yes ☐ No		

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

Address of event location: 7334 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? <i>It is strongly recommended that you submit the application as soon as you know the date of your event(s).</i> ☒ Yes ☐ 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? ☒ Yes ☐ 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) ☒ Yes ☐ No	
4. Is the event location within 500 feet of a church or school? If Yes, the church or school must consent to the event(s). (See Part 6 on Page 5) ☐ Yes ☒ No	
5. Is the event location outdoors or partially outdoors? ☐ Yes ☒ No If Yes, list the exact dimensions of the outdoor area: Submit a clear diagram of the outdoor service area with your application form. Describe type and height of the barrier that will be used to enclose the outdoor area: This is an indoor barn	
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: Employees will place wrist bands on those 21 and older at the one door that will be open for entrance. We will also have staff monitoring inside the building.	

7. Is the event location situated in or on state owned land, such as a state park or National Guard armory? If Yes, attach a copy of your documentary proof of approval to use the state owned land.	☐ Yes ☒ No
8. Is there an existing liquor licensee issued at the event location, such as a Class C or Club license? If Yes, the existing licensee must request to place its license in escrow during the event(s). (See Part 7 on Page 5)	☐ Yes ☒ No
9. Will the event(s) involve an auction of donated wine? 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.	☐ Yes ☒ 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	5/16/20	Describe event being held: Starry Night	
	Date		
	5:00 PM 10:00 PM		
	Start Time End Time		
		Special License will be used for: ☒ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☒ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☒ No	
2		Describe event being held:	
	Date		
	Start Time End Time		
		Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	
3		Describe event being held:	
	Date		
	Start Time End Time		
		Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	
4		Describe event being held:	
	Date		
	Start Time End Time		
		Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	
5		Describe event being held:	
	Date		
	Start Time End Time		
		Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	
6		Describe event being held:	
	Date		
	Start Time End Time		
		Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
		Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

12. Special license date information Continued from Page 2.

7	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

8	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

9	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

10	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

11	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ No	

12	Date		Describe event being held:	
			Special License will be used for: ☐ Beer & Wine Service ☐ Beer, Wine, & Spirit Service ☐ Wine Auction	
Start Time		End Time	Is this date a Sunday? ☐ Yes ☐ No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? ☐ Yes ☐ 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: <i>(per Special License requested)</i>	50.00	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.	Leave Blank - MLCC Use Only
x Number of Special Licenses:	1		
= Special License Fees: <i>MLCC Fee Code: 4008</i>	50.00		
+ Sunday Sales Permit (P.M.) Fees: <i>MLCC Fee Code: 4032</i>			
+ Sunday Sales Permit (A.M.) Fee: <i>MLCC Fee Code: 4033</i>			
= TOTAL FEES DUE:	50.00	Make checks payable to: State of Michigan	

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.

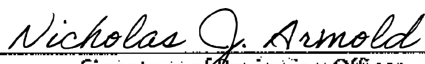
A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) 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 Kalamazoo	Acting in the County of Kalamazoo	
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 Kalamazoo	Acting in the County of Kalamazoo	
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? ☐ Yes ☒ 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? ☐ Yes ☒ 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.  Signature of Reviewing Officer 3.16.2020 Date	

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. Signature of Clergy Member or Superintendent Date	

***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. Signature of Authorized Signer for Licensee 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

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 City of Portage
(Name of Organization)

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

to be located at Hayloft Theatre - 7334 Garden Lane, Portage, Michigan 49002
(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

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

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



Michigan Department of Licensing and Regulatory Affairs
Finance and Administrative Services
Revenue Services

LARA Revenue Services **is not** a part of
the Michigan Liquor Control
Commission (see note below).

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: _____	☐ MasterCard ☐ Visa ☐ 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
☐ Inspection Fee(s):	_____	4036
☐ Special License Fee(s):	_____	4008
☐ Temporary Authorization Fee:	_____	4037
☐ License Renewal Fee(s):	_____	4004
☐ Manufacturer License(s):	_____	4038
☐ Wholesaler License(s):	_____	4085
☐ New Retailer License(s):	_____	4012
☐ Transfer Retailer License(s):	_____	4034
☐ Conditional License	_____	4012
☐ New Add Bar ☐ Transfer Add Bar:	_____	4012/4034
☐ Sunday Sales Permit (AM):	_____	4033
☐ Sunday Sales Permit (PM):	_____	4032
☐ 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.



Hayloft Theatre: 74.7 x 42 = 11,138.4 sq. feet

All guests will remain inside the Hayloft Theatre with alcoholic beverages

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Act 51 Mileage Certification

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Adopt the Resolution Accepting Newly Constructed Dedicated Streets as Public Streets.

The Annual Act 51 Mileage Certification Report requires that all streets constructed during the preceding calendar year be accepted for public use through the adoption of a resolution by the jurisdiction's governing body. In the case of new streets constructed within the confines of new residential development, although these streets are technically accepted through the plat approval process, Act 51 requires the governing body to adopt one inclusive resolution accepting these streets incorporated in the new development, which merely need to be listed in the resolution. This action certifies that the new streets conform to city specifications and can be dedicated for public use, which qualifies these streets for annual roadway maintenance funding in accordance with the provisions of Act 51, Public Act 1951, as amended.

Streets constructed and dedicated in the 2019 calendar year include:

- Oakland Farms Trail (Existing Oakland Farms Trail – Honey Creek Trail)
- Honey Creek Trail (Ashford Trail – Southerly Dead End Near Oakland Farms Trail)
- Ashford Trail (Existing Ashford Trail – Westerly Dead End Near Honey Creek Trail)
- Copper Leaf Trail (Existing Copper Leaf Trail – Bay Meadow Trail)
- Paxton Court (Copper Leaf Trail – Dead End at Cul-de-sac)
- Summersong Path (Paxton Court – Existing Summersong Path)
- Candler Court (Paxton Court – Dead End at Cul-de-sac)
- Paxton Court (Copper Leaf Trail – Northerly Dead End Near Summersong Path)
- Bluff Ridge Court (Lakeview Drive – Dead End at Cul-de-sac)
- Alten Street (Existing Alten Street – Burr Ridge Road)
- Burr Ridge Road (Alten Street – Existing Burr Ridge Road)
- Pennridge Drive (West Osterhout Avenue – Schrier Lane)
- Schrier Lane (Pennridge Drive – Dead End at Temporary Cul-de-sac)
- Lakeview Drive (Existing Lakeview Drive – Portage Road)

- Lakeview Court (Lakeview Drive – Cul-de-sac)
- Bunchberry Drive (Mullein Lane – Dead End)
- Boxwood Court (Bunchberry Drive – Cul-de-sac)
- Stryker Way (Lovers Lane – Portage Road)

With the certification of all the streets listed above, a total of 1.69 centerline miles of local streets and .87 mile of major streets will be added to the city street network, bringing the total centerline miles of local streets to 150.61 miles and the total centerline miles of major streets to 72.91 miles. A total of 223.52 centerline miles of streets will make up the City of Portage street system.

It is recommended that City Council adopt the Resolution accepting newly-constructed dedicated streets as public streets.

FUNDING: N/A

Attachments: 1. Act 51 Resolution - approved as to form

CITY OF PORTAGE

RESOLUTION ACCEPTING NEWLY CONSTRUCTED
PLATTED STREETS AS PUBLIC STREETS

At a regular meeting of the City Council for the City of Portage, Michigan, Kalamazoo County, Michigan, held at the City Hall on the 24th day of March 2020, at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

Resolution offered by: _____

Seconded by _____

WHEREAS, the City of Portage did on March 24, 2020 acquire title to streets listed in this resolution.

AND WHEREAS, it is necessary to furnish certain information to the State of Michigan to place these streets within the City of Portage's Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW, THEREFORE, IT IS RESOLVED: that the center line of said streets are described as:

BUNCHBERRY DRIVE

THE CENTERLINE OF BUNCHBERRY DRIVE (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF SAID SECTION 7 AND THE WEST LINES OF "ROBINSWOOD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, KALAMAZOO COUNTY RECORDS AND "ROBINSWOOD NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 05, KALAMAZOO COUNTY RECORDS, 924.32 FEET

(RECORDED AS 924.70 FEET) TO THE NORTH LINE OF WHISPERING MEADOWS NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 39, PAGE 05, KALAMAZOO COUNTY RECORDS; THENCE NORTH 85° 03' 20" WEST ON SAID NORTH LINE 467.64 FEET; THENCE NORTH 16° 31' 29" WEST ON SAID NORTH LINE 79.77 FEET; THENCE NORTH 81° 10' 10" WEST ON SAID NORTH LINE 78.17 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF BUNCHBERRY DRIVE (PUBLIC RIGHT OF WAY); THENCE NORTH 33° 20' 53" EAST ON SAID CENTERLINE 128.20 FEET; THENCE NORTHEASTERLY 124.53 FEET ON SAID CENTERLINE AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 40° 29' 00" EAST 124.21 FEET; THENCE NORTH 47° 37' 07" EAST ON SAID CENTERLINE 152.01 FEET; THENCE NORTHEASTERLY 173.40 FEET ON SAID CENTERLINE AND ON A 200.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 22° 46' 53" EAST 168.02 FEET; THENCE NORTH 02° 03' 21" WEST ON SAID CENTERLINE 159.35 FEET TO THE POINT OF ENDING OF SAID CENTERLINE OF BUNCHBERRY DRIVE. TOTAL LENGTH 737.49'

BOXWOOD COURT

THE CENTERLINE OF BOXWOOD COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 00° 10' 00" EAST ON THE EAST LINE OF SAID SECTION 7 AND THE WEST LINES OF "ROBINSWOOD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 26 OF PLATS, PAGE 14, KALAMAZOO COUNTY RECORDS AND "ROBINSWOOD NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 05, KALAMAZOO COUNTY RECORDS, 924.32 FEET (RECORDED AS 924.70 FEET) TO THE NORTH LINE OF WHISPERING MEADOWS NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 39, PAGE 05,

KALAMAZOO COUNTY RECORDS; THENCE NORTH 85° 03' 20" WEST SAID NORTH LINE 467.64 FEET; THENCE NORTH 16° 31' 29" WEST ON SAID NORTH LINE 79.77 FEET; THENCE NORTH 81° 10' 10" WEST ON SAID NORTH LINE 78.17 FEET TO THE CENTERLINE OF BUNCHBERRY DRIVE; THENCE NORTH 33° 20' 53" EAST ON SAID CENTERLINE 128.20 FEET; THENCE NORTHEASTERLY 124.53 FEET ON SAID CENTERLINE AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 40° 29' 00" EAST 124.21 FEET; THENCE NORTH 47° 37' 07" EAST ON SAID CENTERLINE 54.25 FEET; THENCE SOUTH 42° 22' 53" EAST 30.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF BOXWOOD COURT (PUBLIC RIGHT OF WAY); THENCE CONTINUING SOUTH 42° 22' 53" EAST ON SAID CENTERLINE 23.90 FEET; THENCE SOUTHEASTERLY 132.90 FEET ON SAID CENTERLINE AND ON A 230.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 58° 56' 08" EAST 131.06 FEET; THENCE SOUTHEASTERLY 69.15 FEET ON SAID CENTERLINE AND ON A 341.75 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 69° 41' 36" EAST 69.03 FEET; THENCE SOUTH 63° 53' 48" EAST ON SAID CENTERLINE 50.00 FEET TO THE POINT OF ENDING OF SAID CENTERLINE OF BOXWOOD COURT. TOTAL LENGTH 275.95 FEET

PAXTON COURT

CENTER LINE DESCRIPTION of PAXTON COURT (Public Roadway) within PHASE THREE of the "COPPERLEAF" SITE CONDOMINIUM

THE CENTER LINE OF PAXTON COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. 89°47'30" E. 1671.40 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST

QUARTER OF SAID SECTION 6; THENCE N. $00^{\circ}12'30''$ E. 1425.79 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF PAXTON COURT; THENCE S. $24^{\circ}23'44''$ E. 172.17 FEET; THENCE SOUTHEASTERLY 128.70 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF $36^{\circ}52'12''$, AND A CHORD OF S. $42^{\circ}49'50''$ E. 126.49 FEET; THENCE S. $61^{\circ}15'56''$ E. 70.00 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF PAXTON COURT. THE LENGTH ALONG SAID CENTER LINE BEING 370.87 FEET.

COPPERLEAF TRAIL

CENTER LINE DESCRIPTION of COPPERLEAF TRAIL (Public Roadway) within PHASE THREE of the “COPPERLEAF” SITE CONDOMINIUM

THE CENTER LINE OF COPPERLEAF TRAIL (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. $89^{\circ}47'30''$ E. 1321.30 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE N. $00^{\circ}12'30''$ E. 1159.65 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF COPPERLEAF TRAIL (PUBLIC RIGHT-OF-WAY); THENCE NORTHEASTERLY 38.73 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF $2^{\circ}57'32''$, AND A CHORD OF N. $38^{\circ}39'25''$ E. 38.73 FEET; THENCE NORTHEASTERLY 198.46 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF $28^{\circ}25'37''$, AND A CHORD OF N. $51^{\circ}23'27''$ E. 196.43 FEET; THENCE N. $65^{\circ}36'16''$ E. 264.96 FEET; THENCE NORTHEASTERLY 298.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 700.00

FEET, A CENTRAL ANGLE OF 24°24'08", AND A CHORD OF N. 77°48'20" E. 295.88 FEET; THENCE S. 89°59'36" E. 133.10 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF COPPERLEAF TRAIL. THE LENGTH ALONG SAID CENTER LINE BEING 933.38 FEET.

OAKLAND FARMS TRAIL

CENTER LINE DESCRIPTION of OAKLAND FARMS TRAIL within "OAKLAND FARMS No.2"

THE CENTER LINE OF OAKLAND TRAIL (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST; THENCE N. 00°13'33" E. 637.09 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 29; THENCE N. 89°47'57" W. 139.98 FEET; THENCE N. 00°11'38" E. 30.00 FEET TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF OAKLAND FARMS TRAIL (PUBLIC RIGHT-OF-WAY); THENCE S. 89°47'57" E. 390.02 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF OAKLAND FARMS TRAIL. THE LENGTH ALONG SAID CENTER LINE BEING 390.02 FEET.

ASHFORD TRAIL

CENTER LINE DESCRIPTION of ASHFORD TRAIL within "OAKLAND FARMS No.2"

THE CENTER LINE OF ASHFORD TRAIL (PUBLIC ROADWAY) SITUATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST; THENCE N. $00^{\circ}13'33''$ E. 1162.20 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 29; THENCE N. $89^{\circ}46'27''$ W. 215.78 FEET PERPENDICULAR WITH SAID NORTH AND SOUTH QUARTER LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF ASHFORD TRAIL (PUBLIC RIGHT-OF-WAY); THENCE NORTHEASTERLY 175.74 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF $50^{\circ}20'48''$, AND A CHORD OF N. $64^{\circ}41'24''$ E. 170.14 FEET; THENCE NORTHEASTERLY 175.24 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF $50^{\circ}12'12''$, AND A CHORD OF N. $64^{\circ}37'06''$ E. 169.69 FEET; THENCE N. $89^{\circ}43'12''$ E. 315.11 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF ASHFORD TRAIL. THE LENGTH ALONG SAID CENTER LINE BEING 666.09 FEET.

HONEY CREEK TRAIL

CENTER LINE DESCRIPTION of HONEY CREEK TRAIL within "OAKLAND FARMS No.2"

THE CENTER LINE OF HONEY CREEK TRAIL (PUBLIC ROADWAY) SITUATED IN THE SOUTHWEST QUARTER OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST; THENCE N. $00^{\circ}13'33''$ E. 637.09 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 29; THENCE N. $89^{\circ}47'57''$ W. 139.98 FEET TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF HONEY CREEK TRAIL (PUBLIC RIGHT-OF-WAY); THENCE N. $00^{\circ}11'38''$ E. 335.46 FEET; THENCE NORTHWESTERLY 113.16 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF $12^{\circ}58'01''$, AND A CHORD OF N. $06^{\circ}17'22''$ W. 112.92 FEET; THENCE N. $12^{\circ}46'23''$ W. 84.82 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF HONEY CREEK TRAIL. THE LENGTH ALONG SAID CENTER LINE BEING 533.44 FEET.

SUMMERSONG PATH

CENTER LINE DESCRIPTION of SUMMERSONG COURT (Public Roadway) within PHASE FOUR of the “COPPERLEAF” SITE CONDOMINIUM

THE CENTER LINE OF SUMMERSONG COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. $89^{\circ}47'30''$ E. 1519.08 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE N. $00^{\circ}12'30''$ E. 2000.92 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF SUMMERSONG COURT; THENCE N. $64^{\circ}41'36''$ E. 201.97 FEET; THENCE NORTHEASTERLY 83.90 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF $9^{\circ}36'51''$, AND A CHORD OF N. $69^{\circ}30'02''$ E. 83.80 FEET; THENCE NORTHEASTERLY 46.86 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF $5^{\circ}22'12''$, AND A CHORD OF N. $71^{\circ}37'22''$ E. 46.84 FEET; THENCE N. $68^{\circ}56'16''$ E. 268.57 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF SUMMERSONG COURT. THE LENGTH ALONG SAID CENTER LINE BEING 601.30 FEET.

CHANDLER COURT

CENTER LINE DESCRIPTION of CANDLER COURT (Public Roadway) within PHASE FOUR of the “COPPERLEAF” SITE CONDOMINIUM

THE CENTER LINE OF CANDLER COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. 89°47'30" E. 1574.77 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE N. 00°12'30"E. 1706.25 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF CANDLER COURT; THENCE N. 73°41'39" E. 114.52 FEET; THENCE N. 71°12'06" E. 291.51 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF CANDLER COURT. THE LENGTH ALONG SAID CENTER LINE BEING 406.03 FEET.

PAXTON COURT

CENTER LINE DESCRIPTION of PAXTON COURT (Public Roadway) within PHASE FOUR of the “COPPERLEAF” SITE CONDOMINIUM

THE CENTER LINE OF PAXTON COURT (PUBLIC ROADWAY) SITUATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. 89°47'30" E. 1671.40 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST

QUARTER OF SAID SECTION 6; THENCE N. 00°12'30"E. 1452.79 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF PAXTON COURT; THENCE N. 24°23'44" W. 100.01 FEET; THENCE NORTHWESTERLY 290.90 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 833.00 FEET, A CENTRAL ANGLE OF 20°00'32", AND A CHORD OF N. 14°23'28" W. 289.43 FEET; THENCE NORTHWESTERLY 211.71 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 17°19'43", AND A CHORD OF N. 13°03'04" W. 210.90 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF PAXTON COURT. THE LENGTH ALONG SAID CENTER LINE BEING 602.62 FEET.

PENNRIDGE DRIVE

CENTER LINE DESCRIPTION of PENNRIDGE DRIVE (Public Roadway) within PHASE ONE of the "PENNRIDGE TRAIL" CONDOMINIUM

THE CENTER LINE OF PENNRIDGE DRIVE (PUBLIC ROADWAY) SITUATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 32, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. 90°00'00" W. 335.00 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 32 TO THE **PLACE OF BEGINNING OF THE CENTER LINE OF PENNRIDGE DRIVE**; THENCE N. 00°01'23" W. 673.95 FEET; THENCE NORTHWESTERLY 202.71 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 50°29'47", AND A CHORD OF N. 25°16'16" W. 196.21 FEET; THENCE N. 50°31'09" W. 84.20 FEET TO THE **PLACE OF ENDING** OF SAID CENTER LINE OF PENNRIDGE DRIVE. THE LENGTH ALONG SAID CENTER LINE BEING 960.86 FEET.

SCHRIER LANE

CENTER LINE DESCRIPTION of SCHRIER LANE (Public Roadway) within PHASE ONE of the "PENNRIDGE TRAIL" CONDOMINIUM

THE CENTER LINE OF SCHRIER LANE (PUBLIC ROADWAY) SITUATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 32, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE S. 90°00'00" W. 335.00 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 32; THENCE N. 00°01'23" W. 673.95 FEET; THENCE NORTHWESTERLY 202.71 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 50°29'47", AND A CHORD OF N. 25°16'16" W. 196.21 FEET; THENCE N. 50°31'09" W. 84.20 FEET; THENCE N. 44°12'10" E. 30.10 FEET TO THE **PLACE OF BEGINNING OF THE CENTER LINE OF SCHRIER LANE**; THENCE S. 44°12'10" W. 167.97 FEET; THENCE SOUTHWESTERLY 13.01 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 3°14'28", AND A CHORD OF S. 42°34'56" W. 13.01 FEET TO THE **PLACE OF ENDING OF SAID CENTER LINE OF SCHRIER LANE**. THE LENGTH ALONG SAID CENTER LINE BEING 180.98 FEET.

STRYKER WAY

THE APPROXIMATE CENTERLINE OF STRYKER WAY (PUBLIC ROADWAY) SITUATED IN THE WEST HALF OF SECTION 11 AND THE NORTHEAST QUARTER OF SECTION 10, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF

KALAMAZOO, STATE OF MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CENTER OF SECTION 11, TOWN 03 SOUTH, RANGE 11 WEST; THENCE ALONG THE EAST AND WEST QUARTER LINE OF SAID SECTION 11, NORTH 88 DEGREES 53 MINUTES 42 SECONDS WEST 24.60 FEET TO THE WEST EDGE OF PAVEMENT OF PORTAGE ROAD; THENCE ALONG THE WEST EDGE OF PAVEMENT OF PORTAGE ROAD, NORTH 00 DEGREES 29 MINUTES 44 SECONDS EAST 40.06 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 33 MINUTES 32 SECONDS WEST 50.16 FEET; THENCE WESTERLY 174.33 FEET ALONG THE ARC OF A 1444.89 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 86 DEGREES 59 MINUTES 04 SECONDS WEST 174.22 FEET; THENCE SOUTHWESTERLY 164.51 FEET ALONG THE ARC OF A 642.64 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 76 DEGREES 11 MINUTES 40 SECONDS WEST 164.06 FEET; THENCE SOUTHWESTERLY 176.32 FEET ALONG THE ARC OF A 710.58 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 61 DEGREES 45 MINUTES 08 SECONDS WEST 175.86 FEET; THENCE SOUTHWESTERLY 168.45 FEET ALONG THE ARC OF A 3623.94 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 55 DEGREES 58 MINUTES 31 SECONDS WEST 168.44 FEET; THENCE SOUTHWESTERLY 228.01 FEET ALONG THE ARC OF A 881.55 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 64 DEGREES 43 MINUTES 00 SECONDS WEST 227.37 FEET; THENCE SOUTHWESTERLY 226.48 FEET ALONG THE ARC OF A 808.82 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 80 DEGREES 08 MINUTES 52 SECONDS WEST 225.74 FEET; THENCE SOUTHWESTERLY 143.87 FEET ALONG THE ARC OF A 843.60 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 83 DEGREES 17 MINUTES 01 SECONDS WEST 143.70 FEET; THENCE SOUTHWESTERLY 251.55 FEET ALONG THE ARC OF A 5755.28 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 79 DEGREES 39 MINUTES 00 SECONDS WEST 251.53 FEET; THENCE WESTERLY 316.18 FEET ALONG THE ARC OF A 1125.56 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 88 DEGREES 56 MINUTES 59 SECONDS WEST

315.14 FEET; THENCE NORTHWESTERLY 350.48 FEET ALONG THE ARC OF A 711.47 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 68 DEGREES 53 MINUTES 26 SECONDS WEST 346.95 FEET; THENCE NORTHWESTERLY 334.23 FEET ALONG THE ARC OF A 1010.07 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 45 DEGREES 17 MINUTES 55 SECONDS WEST 332.71 FEET; THENCE NORTHWESTERLY 348.78 FEET ALONG THE ARC OF A 713.04 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 21 DEGREES 48 MINUTES 22 SECONDS WEST 345.31 FEET; THENCE NORTHWESTERLY 76.59 FEET ALONG THE ARC OF A 277.66 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 00 DEGREES 06 MINUTES 33 SECONDS EAST 76.35 FEET; THENCE NORTH 08 DEGREES 58 MINUTES 46 SECONDS EAST 9.38 FEET; THENCE SOUTHWESTERLY 257.32 FEET ALONG THE ARC OF A 806.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 85 DEGREES 13 MINUTES 54 SECONDS WEST 256.23 FEET; THENCE NORTH 85 DEGREES 37 MINUTES 21 SECONDS WEST 58.72 FEET; THENCE NORTHWESTERLY 424.04 FEET ALONG THE ARC OF A 886.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 71 DEGREES 54 MINUTES 41 SECONDS WEST 420.01 FEET; THENCE NORTH 58 DEGREES 12 MINUTES 01 SECONDS WEST 309.17 FEET; THENCE NORTHWESTERLY 290.45 FEET ALONG THE ARC OF A 794.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 68 DEGREES 40 MINUTES 47 SECONDS WEST 288.83 FEET; THENCE NORTHWESTERLY 114.71 FEET ALONG THE ARC OF A 650.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 84 DEGREES 12 MINUTES 55 SECONDS WEST 114.56 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 16 SECONDS WEST 91.25 FEET TO THE EAST EDGE OF PAVEMENT OF LOVERS LANE AND THE POINT OF ENDING OF STRYKER WAY. THE LENGTH ALONG SAID APPROXIMATE CENTERLINE BEING 4564.99 FEET.

BLUFF RIDGE COURT

PARCEL DESCRIPTION

FOR CENTERLINE OF BLUFF RIDGE COURT

WITHIN “WEST LAKE ESTATES”

THE CENTER LINE OF BLUFF RIDGE COURT (PUBLIC ROADWAY) SITUATED IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 26, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 26, TOWN 3 SOUTH, RANGE 11 WEST; THENCE S. $89^{\circ}58'34''$ E. 111.00 FEET ALONG THE SOUTH LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 26; THENCE N. $00^{\circ}01'28''$ W. 873.96 FEET PARALLEL WITH THE WEST LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 26 AS MONUMENTED TO THE SOUTH LINE OF “ASSESSOR’S PLAT OF HILLIARD’S PLAT” ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 14 OF PLATS, PAGE 19, KALAMAZOO COUNTY RECORDS; THENCE S. $89^{\circ}41'00''$ E. 236.06 FEET ALONG SAID SOUTH LINE; THENCE S. $00^{\circ}19'00''$ W. 137.00 FEET PERPENDICULAR WITH SAID SOUTH LINE; THENCE S. $89^{\circ}41'00''$ E. 200.00 FEET PARALLEL WITH SAID SOUTH LINE; THENCE N. $00^{\circ}19'00''$ E. 137.00 FEET PERPENDICULAR WITH SAID SOUTH LINE TO SAID SOUTH LINE; THENCE S. $89^{\circ}41'00''$ E. 359.57 FEET ALONG SAID SOUTH LINE; THENCE S. $61^{\circ}44'12''$ E. 113.96 FEET TO THE **PLACE OF BEGINNING** OF THE CENTER LINE OF BLUFF RIDGE COURT (PUBLIC RIGHT-OF-WAY); THENCE S. $29^{\circ}18'11''$ W. 164.94 FEET; THENCE SOUTHWESTERLY 211.93 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF $60^{\circ}42'52''$, AND CHORD OF S. $59^{\circ}39'37''$ W. 202.16 FEET; THENCE N. $89^{\circ}58'57''$ W. 425.91 FEET; THENCE SOUTHWESTERLY 94.27 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF $90^{\circ}01'13''$, AND CHORD OF S. $45^{\circ}00'27''$ W. 84.87 FEET; THENCE S. $00^{\circ}00'10''$ E. 84.64 FEET; THENCE SOUTHEASTERLY 29.96 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF $17^{\circ}09'53''$, AND CHORD OF S. $08^{\circ}35'07''$ E. 29.85 FEET; THENCE S. $17^{\circ}10'03''$ E. 102.68 FEET TO THE **PLACE OF**

ENDING OF SAID BLUFF RIDGE COURT. THE LENGTH ALONG SAID CENTERLINE BEING 1,114.33 FEET.

**CENTERLINE DESCRIPTIONS for ALTEN STREET and BURR RIDGE ROAD
within "WESTFIELD NORTH" CONDOMINIUM**

THE CENTERLINES OF ALTEN STREET (PUBLIC ROADWAY) AND BURR RIDGE ROAD (PUBLIC ROADWAY) SITUATED IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

ALTEN STREET

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN; THENCE N. 89°50'00" W. 982.39 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6; THENCE N. 00°10'00" E. 1536.21 FEET PERPENDICULAR WITH SAID SOUTH LINE TO THE SOUTHWEST CORNER OF BRIAR HILL SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 41, PAGE 32 KALAMAZOO COUNTY RECORDS; THENCE S. 89°56'52" W. 210.39 FEET ALONG THE NORTH LINE OF WESTFIELD NO.3 SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 27, PAGE 04, KALAMAZOO COUNTY RECORDS TO THE EAST LINE OF ALTEN STREET AS SHOWN ON SAID WESTFIELD NO.3 SUBDIVISION; THENCE CONTINUING S. 89°56'52" W. 33.00 FEET ALONG SAID NORTH LINE TO THE **PLACE OF BEGINNING** OF THE CENTERLINE OF ALTEN STREET (PUBLIC RIGHT-OF-WAY); THENCE NORTHWESTERLY 51.14 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 163.35 FEET, A CENTRAL ANGLE OF 17°56'09", AND A CHORD OF N. 09°01'12" W. 50.93 FEET; THENCE N. 17°59'16" W. 48.99 FEET; THENCE NORTHWESTERLY 62.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A

CENTRAL ANGLE OF $18^{\circ}00'32''$, AND A CHORD OF N. $08^{\circ}59'00''$ W. 62.60 FEET;
THENCE N. $00^{\circ}01'16''$ E. 92.63 FEET; THENCE NORTHEASTERLY 50.86 FEET ALONG
THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, A
CENTRAL ANGLE OF $48^{\circ}34'12''$, AND A CHORD OF N. $24^{\circ}18'22''$ E. 49.35 FEET TO
POINT "A" AND THE **PLACE OF ENDING** OF SAID CENTERLINE OF ALTEN
STREET. THE LENGTH ALONG SAID CENTERLINE BEING 306.48 FEET.

BURR RIDGE ROAD

BEGINNING AT SAID **POINT "A"**; THENCE NORTHEASTERLY 50.86 FEET ALONG
THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, A
CENTRAL ANGLE OF $48^{\circ}34'12''$, AND A CHORD OF N. $72^{\circ}52'34''$ E. 49.35 FEET;
THENCE S. $82^{\circ}50'19''$ E. 115.70 FEET; THENCE EASTERLY 52.82 FEET ALONG THE
ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL
ANGLE OF $15^{\circ}07'58''$, AND A CHORD OF N. $89^{\circ}35'42''$ E. 52.67 FEET TO THE WEST
LINE OF SAID BRIAR HILL SUBDIVISION AND THE **PLACE OF ENDING** OF SAID
BURR RIDGE ROAD. THE LENGTH ALONG SAID CENTERLINE BEING 219.38 FEET.

LAKEVIEW DRIVE CENTER LINE - REALIGNED

A CENTER LINE LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWN 3
SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN,
DESCRIBED AS COMMENCING AT THE WEST QUARTER CORNER OF SAID
SECTION; THENCE SOUTH $89^{\circ}08'05''$ EAST, ON THE EAST AND WEST QUARTER
LINE OF SAID SECTION, 781.86 FEET TO THE CENTER LINE OF PORTAGE ROAD;
THENCE NORTH $30^{\circ}10'04''$ EAST, ON SAID CENTER LINE, 856.30 FEET TO THE
POINT OF BEGINNING OF THE CENTER LINE HEREIN DESCRIBED; THENCE NORTH
 $60^{\circ}53'22''$ WEST, 259.24 FEET; THENCE NORTHWESTERLY 101.23 FEET ON THE ARC
OF A 210.00 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS
NORTH $74^{\circ}41'54''$ WEST, 100.25 FEET; THENCE NORTH $88^{\circ}30'27''$ WEST, 35.43 FEET
TO THE POINT OF ENDING OF SAID CENTER LINE. THE LENGTH ALONG SAID
CENTERLINE BEING 395.90 FEET.

LAKEVIEW COURT

A CENTER LINE LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION; THENCE SOUTH 89° 08' 05" EAST, ON THE EAST AND WEST QUARTER LINE OF SAID SECTION, 781.86 FEET TO THE CENTER LINE OF PORTAGE ROAD; THENCE NORTH 30° 10' 04" EAST, ON SAID CENTER LINE, 856.30 FEET; THENCE NORTH 60° 53' 22" WEST, ON THE CENTER LINE OF REALIGNED LAKEVIEW AVENUE, 217.82 FEET TO THE POINT OF BEGINNING OF THE CENTER LINE HEREIN DESCRIBED; THENCE NORTH 29° 06' 38" EAST, 11.75 FEET; THENCE NORTHEASTERLY 41.04 FEET ON THE ARC OF A 38.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 60° 01' 31" EAST, 39.05 FEET; THENCE SOUTH 89° 03' 36" EAST, 62.44 FEET; THENCE SOUTHEASTERLY 25.38 FEET ON THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 74° 31' 07" EAST, 25.11 FEET; THENCE SOUTH 59° 58' 38" EAST, 82.81 FEET TO THE POINT OF ENDING OF SAID CENTER LINE. THE LENGTH ALONG SAID CENTERLINE BEING 223.39 FEET.

BE IT FURTHER RESOLVED that said streets are located within the City's right-of-way and are under the control of the City of Portage; that said streets are public streets and are for public street purposes; and that said streets are accepted into the municipal street system and are open to the public for public use on or before December 31, 2019.

Resolution duly adopted.

Dated: March 24, 2020

YEAS: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

Erica Eklov, City Clerk

STATE OF MICHIGAN)

)SS

COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 24th day of March 2020, the original of which resolution is on file on my office.

Erica Eklov, City Clerk

APPROVED AS TO FORM
DATE 3/11/2020

ATTORNEY

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Purchasing Authority of City Manager

SUPPORTING PERSONNEL: Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Accept the amendment to Division 2, Article 5 “Purchases and Sales” in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for April 14, 2020.

Currently, Division 2, Article 5 “Purchases and Sales” in the City of Portage Code of Ordinances authorizes the City Manager to execute contracts up to \$40,000, without bringing the matter to City Council. After a recent review of the Purchasing and Sales ordinance, a proposed change to the ordinance has been developed.

Allowing the City Manager to approve purchases up to \$75,000 will reduce the number of contracts and purchases brought to the City Council and will streamline and make more efficient the purchasing process. As a comparison, the City of Kalamazoo authorizes its City Manager to make purchases up to \$100,000 without approval of the City Council. For reference, since 2017, 19 contracts have been issued between \$20,000 and \$40,000; 17 contracts have been issued between \$40,00 and \$75,000 and 36 have been issued in excess of \$75,000.

While the emergency resolution currently pending before the City Council addresses the need to run government if all Council meetings were canceled, that does not address the issue of trying to avoid bringing lower cost items to City Council.

It is recommended that City Council accept the amendment to Division 2, Article 5 “Purchases and Sales” in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for April 14, 2020.

FUNDING: N/A

Attachments:

1. Clean Version of Ordinance
2. Highlight and Strike Version of Ordinance

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 5, DIVISION 2,
PURCHASES AND SALES OF CHAPTER 2, ADMINISTRATION**

THE CITY OF PORTAGE ORDAINS:

That Chapter 2, Article 5 shall be amended as follows:

Sec. 2-171 Purchasing procedures; bids generally.

- (a) Purchases of \$4,000.00 or less. Purchases of \$4,000.00 or less may be made without the necessity of securing bids therefor or the approval of the city council. The contracts of purchase may be signed by the city manager.
- (b) Purchases of \$20,000.00 or less but over \$4,000.00. No purchases shall be made in an amount of \$20,000.00 or less but over \$4,000.00 unless an opportunity is afforded for competitive bids thereon. In cases where competitive bidding is required under this subsection, it need not be by written bids nor must the approval of the council be had. The contracts of purchase may be signed by the city manager.
- (c) Purchases of \$75,000.00 or less but over \$20,000.00. Except as otherwise provided in this division, when the amount involved exceeds \$20,000.00 but is \$75,000.00 or less, competitive bidding shall be required and received. In cases where competitive bidding is required under this subsection, it shall be by written bids. The contracts of purchase may be signed by the city manager without the approval of the city council.
- (d) Purchases over \$75,000.00. Except as otherwise provided in this division, when the amount involved exceeds \$75,000.00, sealed bids shall be requested and received. All sealed bids shall be opened by the city clerk or a member of the department of purchasing in public in a room designated for that purpose in a public building. The council may reject any or all bids. In each case of a purchase based upon bids, as provided in this section, the award of such purchase shall be based upon the lowest and best bid of a responsible bidder, as determined by the council. If the council rejects all bids, the council shall order a second submission of bids to be made or may, by a vote of five or more of its members, waive the requirement of a second submission of bids. If the council rejects all bids submitted at the second submission of bids or waives the second submission of bids, the council may direct the director of purchasing to negotiate for the purchase of the materials, supplies or services concerned in the open market to the best advantage of the city. In no event shall the cost of any such purchase of materials so purchased in the open market exceed the amount therefor set forth in the lowest and best bid submitted at the last submission of competitive bids therefor. The contracts of purchase shall be signed by the mayor and city clerk, or the council may direct the city manager to execute all contracts and documents necessary to implement the approved purchase.
- (e) Petty cash purchases. With the approval of the council, the city manager may allow for purchases from petty cash by officers and departments of the city designated by the council. A purchase from petty cash shall not exceed \$200.00 and shall be

accounted for to, and approved by, the director of purchasing before the officer or department making such purchase may make any further purchase from the petty cash account allowed to such officer or department.

Sec. 2-172 No Change.

Sec. 2-173. Change orders to contracts.

The city manager may authorize change orders or extensions to any contract approved by the council in an amount not to exceed \$75,000.00 without the necessity of securing bids or further approval of the council.

Sec. 2-174 through 2-177 No Change.

Dated: _____

Patricia M. Randall, Mayor

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

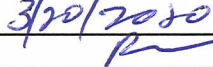
CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2020.

Erica Eklov, City Clerk

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

Approved as to Form:

Date: 3/20/2020


City Attorney

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 5, DIVISION 2,
PURCHASES AND SALES OF CHAPTER 2, ADMINISTRATION**

THE CITY OF PORTAGE ORDAINS:

That Chapter 2, Article 5 shall be amended as follows:

Sec. 2-171 Purchasing procedures; bids generally.

- (a) Purchases of \$4,000.00 or less. Purchases of \$4,000.00 or less may be made without the necessity of securing bids therefor or the approval of the city council. The contracts of purchase may be signed by the city manager.
- (b) Purchases of \$20,000.00 or less but over \$4,000.00. No purchases shall be made in an amount of \$20,000.00 or less but over \$4,000.00 unless an opportunity is afforded for competitive bids thereon. In cases where competitive bidding is required under this subsection, it need not be by written bids nor must the approval of the council be had. The contracts of purchase may be signed by the city manager.
- (c) Purchases of \$4075,000.00 or less but over \$20,000.00. Except as otherwise provided in this division, when the amount involved exceeds \$20,000.00 but is \$4075,000.00 or less, competitive bidding shall be required and received. In cases where competitive bidding is required under this subsection, it shall be by written bids. The contracts of purchase may be signed by the city manager without the approval of the city council.
- (d) Purchases over \$4075,000.00. Except as otherwise provided in this division, when the amount involved exceeds \$4075,000.00, sealed bids shall be requested and received. All sealed bids shall be opened by the city clerk or a member of the department of purchasing in public in a room designated for that purpose in a public building. The council may reject any or all bids. In each case of a purchase based upon bids, as provided in this section, the award of such purchase shall be based upon the lowest and best bid of a responsible bidder, as determined by the council. If the council rejects all bids, the council shall order a second submission of bids to be made or may, by a vote of five or more of its members, waive the requirement of a second submission of bids. If the council rejects all bids submitted at the second submission of bids or waives the second submission of bids, the council may direct the director of purchasing to negotiate for the purchase of the materials, supplies or services concerned in the open market to the best advantage of the city. In no event shall the cost of any such purchase of materials so purchased in the open market exceed the amount therefor set forth in the lowest and best bid submitted at the last submission of competitive bids therefor. The contracts of purchase shall be signed by the mayor and city clerk, or the council may direct the city manager to execute all contracts and documents necessary to implement the approved purchase.
- (e) Petty cash purchases. With the approval of the council, the city manager may allow for purchases from petty cash by officers and departments of the city designated by the council. A purchase from petty cash shall not exceed \$200.00 and shall be

accounted for to, and approved by, the director of purchasing before the officer or department making such purchase may make any further purchase from the petty cash account allowed to such officer or department.

Sec. 2-172 No Change.

Sec. 2-173. Change orders to contracts.

The city manager may authorize change orders ~~in any contract~~ or extensions to any contract approved by the council in an amount not to exceed \$4075,000.00 without the necessity of securing bids or further approval of the council.

Sec. 2-174 through 2-177 No Change.

Dated: _____

Patricia M. Randall, Mayor

FIRST READING:

SECOND READING:

ORDINANCE #:

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2020.

Erica Eklov, City Clerk

PREPARED BY:

Randall L. Brown (P34116)

Portage City Attorney

1662 East Centre Avenue

Portage, MI 49002

(269) 323-8812

Approved as to Form:

Date: _____

City Attorney

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Resolution authorizing Emergency City Manager Authority

SUPPORTING PERSONNEL: Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Adopt the resolution authorizing the City Manager to temporarily make purchases and approve contracts totaling up to \$4 million in the absence of the City Council during a state of emergency.

In the event that City Council is required to or elects to suspend public meetings in the future in response to the COVID-19 outbreak, an alternate mechanism to allow the city government to continue operating is necessary. The City of Kalamazoo recently issued a resolution granting emergency authority of up to \$5 million to its City Manager to continue operating the government, should its Council not be able to hold public meetings. The dollar amount was chosen based on construction projects and expenditures already planned over the next few months.

The City Administration surveyed all department heads to determine what projects and large expenditures were planned that would otherwise be brought to the City Council in the foreseeable future. The results of that survey indicate that those projects/expenditures would not exceed \$4 million.

The resolution herein only becomes activated should the City Council suspend future meetings, and only remains in effect until the Council resumes its meetings or May 12, 2020, which ever occurs first. The resolution could be extended by further action of the Council if necessary. The resolution also only extends to budgeted items or approved Capital Improvement Program projects.

It is recommended that City Council adopt the resolution authorizing the City Manager to temporarily make purchases and approve contracts totaling up to \$4 million in the absence of the City Council during a state of emergency.

FUNDING: This will only apply to already approved budget or capital improvement projects.

Attachments: 1. Resolution Authorizing the City Manager to make purchases during a state of emergency

**CITY OF PORTAGE, MICHIGAN
RESOLUTION AUTHORIZING THE CITY MANAGER TO TEMPORARILY MAKE
PURCHASES AND APPROVE CONTRACTS IN THE ABSENCE OF THE CITY COUNCIL
DURING A STATE OF EMERGENCY**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2020 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, on March 11, 2020 Michigan Governor Gretchen Whitmer declared a state of emergency in response to the COVID-19 (Coronavirus) outbreak;

WHEREAS, the Governor's Executive Directive 2020-5 orders that all assemblages of more than 50 people in a single indoor shared space and all events of more than 50 people are prohibited in the State of Michigan, with certain exceptions;

WHEREAS, the Governor's Executive Directive 2020-15 effective March 18, 2020 through April 15, 2020 (with extensions possible) permits the City Council to conduct meetings electronically without the physical presence of members in a public building under certain conditions and suspends certain provisions of the Open Meetings Act for this purpose. The City Council may not have the means available to conduct public meetings in accordance with Executive Directive 2020-15 or such directive may have expired when the purchase and contract approval becomes necessary.

WHEREAS, in declaring a state of emergency the Governor issued a series of community mitigation strategies aimed at slowing or arresting the spread of the Coronavirus, which included directions for social distancing, proper hand hygiene and respiratory etiquette as well as using electronic communication platforms in lieu of in person interaction, as feasible;

WHEREAS, said Executive Directive 2020-5 was passed to mitigate the spread of Coronavirus to provide essential protections to the vulnerable citizens of the State of Michigan as well as the state's healthcare system and critical infrastructure;

WHEREAS, given the continued spread of the Coronavirus, even with the above actions taken by the Governor and others, and to permit the continuity of governmental operations should the spread of Coronavirus preclude the City Council to safely hold public meetings in order to carry out its business.

NOW, THEREFORE, BE IT RESOLVED THAT in the event that the Mayor (or Mayor Pro Tem in the Mayor's absence or incapacity), and after consultation with the City Manager, deems it advisable to suspend the City Council calendar of regular meetings (which could include one or more meetings) in the interest of safeguarding public health and welfare and the City Council does not or cannot conduct meetings electronically pursuant to Executive Directive 2020-15, and so as to permit projects to proceed without undue delay or additional cost to the City due to that delay, then the following directives and findings are hereby implemented:

1. Portage ordinances, rules and orders which limit the authority of the City Manager to approve contracts exceeding the amount of forty thousand dollars (\$40,000.00) are temporarily suspended pursuant to the terms of this Resolution.
2. The City Manager is temporarily authorized to make purchases and approve contracts on behalf of the City up to the combined amount of four million dollars (\$4,000,000.00) provided that the purchase and/or project is contained within an approved budget and/or the capital improvement program. In the event that the City Manager makes a purchase or approves a contract exceeding the amount of one hundred thousand dollars (\$100,000.00) pursuant to this Resolution, such action shall be communicated to the members of the City Council within 24 hours of the City Manager taking such action.
3. Bidding requirements as provided in Portage Code of Ordinances shall be unaffected by this Resolution except the City Manager shall have such temporary authority to make the award and approve the contract based upon the lowest and best bid of a responsible bidder up to the amount provided in this Resolution.
4. This Resolution shall remain effective until such time as the City Council resumes its regular meeting schedule or until May 12, 2020, whichever occurs first.

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 _____, 2020, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2020.

Erica Eklov, 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: 3/20/2020

City Attorney

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Special Meeting for Board and Commission Applicants

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Set a Special Meeting on Tuesday, May 26, 2020, beginning at 5:15 p.m., to interview Board and Commission applicants.

The City of Portage relies on citizen participation on many Boards and Commissions that help to serve the community. The advice received from these groups assists the City Council and City Administration in making Portage *A Natural Place to Move!* The citizens provide the talent and experience needed to meet the diverse challenges facing the community. Interviews of Board and Commission applicants are performed each year in January, May and October.

As reflected on the attached Board and Commission Vacancy Summaries and per the *Policy for Appointments to Citizen Advisory Boards*, Council will interview applicants to fill vacancies on the following Board and Commissions:

Construction Board of Appeals	2 expiring terms
Planning Commission	3 expiring terms
Youth Advisory Committee	30 expiring terms

It is recommended that City Council set a Special Meeting on Tuesday, May 26, 2020, beginning at 5:15 p.m., to interview Board and Commission applicants.

FUNDING: N/A

Attachments:

1. Vacancy Summary - Boards
2. Vacancy Summary - Youth

BOARD/COMMISSION VACANCY SUMMARY FOR MAY 26, 2020 SPECIAL MEETING

INTERVIEWS	5:40 pm	5:50 pm	6:00 pm	
APPLICANTS	PC	CBA		STATUS
	3 exp terms	2 exp terms		
	3 yr terms	3 yr terms		
William Fries	Member			Appointed 01/08/09
Margaret Harrell-Page	Member			Appointed 05/09/17
William J. Leach, Sr.		Member		Appointed 10/04/05
Bill Patterson	Member			Appointed 05/12/09
Sheldon Smith		Member		Appointed 06/01/20

NOTE: Alternate – currently serving as an Alternate Member of a Board or Commission and is seeking appointment or reappointment.

Applicant – new applicant seeking appointment to a Board or Commission.

Member – currently serving as a Member of a Board or Commission and is seeking reappointment.

CBM – Current Board Member

NP – No Preference

1 – will attend

2 – unable to attend

3 – no response

**YOUTH ADVISORY COMMITTEE VACANCY SUMMARY
FOR MAY 12, 2020 SPECIAL MEETING**

	INTERVIEWS	5:15 pm	
	APPLICANTS	YAC vacancies 30 exp terms 1 yr terms	STATUS Terms Expire 06/30/20
	Brooke Berner	Member	Appointed 05/21/19
	MaKayla Bolton	Member	Appointed 05/21/19
	Clarice Bryant	Member	Appointed 05/08/18
	Tavishi Budagavi	Member	Appointed 05/21/19
	Riya Chaudhary	Member	Appointed 05/10/16
	Megan Chow	Member	Appointed 05/10/16
	Grace Decker	Member	Appointed 05/21/19
	Laura Durant	Member	Appointed 05/21/19
	Grace Freed	Member	Appointed 05/21/19
	Hannah Geerlings	Member	Appointed 05/21/19
	Ellie Geib	Member	Appointed 05/21/19
	Amiti Goel	Member	Appointed 05/21/19
	Britton Gustafson	Member	Appointed 05/21/19
	Aaron Henry	Member	Appointed 05/21/19
	Madeline Herringa	Member	Appointed 05/21/19
	Reagan Hoff	Member	Appointed 05/21/19
	Brennan Ketteler	Member	Appointed 05/09/17
	Katherine Lindsay	Member	Appointed 05/21/19
	Janelle Little	Member	Appointed 05/21/19
	Una Metzger	Member	Appointed 05/08/18
	Jacob Misejka	Member	Appointed 05/21/19
	David Nguyen Le	Member	Appointed 05/21/19
	Angela Postula – 1	Member	Appointed 05/21/19
	Anna Rachowicz	Member	Appointed 05/21/19
	Isabella Ritchie	Member	Appointed 05/21/19
	Dustin Ruthven Jr.	Member	Appointed 05/21/19
	Jaime Sackett	Member	Appointed 05/08/18
	Anna Sondag	Member	Appointed 05/21/19
	Hannah Srackangast	Member	Appointed 05/21/19
	Joseph Sturdy	Member	Appointed 05/21/19
	Maxwell Zigterman	Member	Appointed 05/21/19

**YOUTH ADVISORY COMMITTEE VACANCY SUMMARY
FOR MAY 26, 2020 SPECIAL MEETING**

	NON RESIDENTS		STATUS
	James Asher	Participant	PPS – Texas Twp
	Layan Atoum	Participant	PPS – Kalamazoo City
	Yara Atoum	Participant	PPS – Kalamazoo City
	Harbaksh Bath	Participant	PPS – Texas Twp
	Leah Bianchetti	Participant	PPS – Texas Twp
	Jaidhirth Bollampally	Participant	PPS – Texas Twp
	Margaret Brown	Participant	PPS – Kalamazoo City
	Jamillah Clark	Participant	PPS – Kalamazoo Twp
	Ashlyn Haigh	Participant	PPS – Texas Twp
	Graham Holley	Participant	PPS – Kalamazoo City
	Skyler Huber	Participant	Comstock HS
	Rylee Johnson	Participant	PPS – Pavillion Twp
	Anum Khan	Participant	PPS – Texas Twp
	Abby Lawler	Participant	PPS – Texas Twp
	Drew Lawler	Participant	PPS – Texas Twp
	Jace Plew	Participant	PPS – Texas Twp
	Julia Semler	Participant	PPS – Texas Twp
	Frans Tanade	Participant	PPS – Texas Twp
	Mason Teachman	Participant	PPS – Texas Twp
	Bassem Warsi	Participant	PPS – Texas Twp
	Noura Warsi	Participant	PPS – Texas Twp

Minutes of Boards & Commissions

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – January 13, 2020

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

MEMBERS PRESENT: Alexander Philipp, Jay Eichstaedt, Linda Fry, John Byrnes, Randall Schau, Jeff Wettig, and Linda Finch.

MEMBERS ABSENT:

MEMBERS EXCUSED:

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

APPROVAL OF THE MINUTES: Finch moved and Fry seconded a motion to approve the November 11, 2019 minutes as submitted. Upon voice vote, the motion was approved 7-0.

NEW BUSINESS:

ZBA #19-10; 5811, 5817 South Westnedge Avenue, 122 Boston Avenue: Mais summarized the variance requests to a) construct a building 23.5 feet from the (north) front property line where a minimum 30-foot setback is required; b) construct a parking lot 10 feet from the (north) front property line where a minimum 27-foot front setback is required; and c) permit parking lot ingress/egress across a five-foot wide strip of residentially zoned property. Houston Peterson representing the applicant was present answer questions. Eichstaedt asked the applicant to explain the use of each building. Mr. Peterson stated he believed they are vacant. Schau inquired if the applicant had considered locating the building near the south side of the property so variance a) would not be needed. Mr. Peterson responded they had looked at it, but such a configuration would not accommodate a drive-thru for the restaurant. Eichstaedt noted the proposed building would be a reduction in degree of nonconformity and would be located further away from Boston Avenue than the existing building. Schau inquired if the property across the street at 121 Boston is zoned commercial. Mais stated yes.

A public hearing was opened. Copies of a letter, affidavit of ownership, and utility bills were provided by Rajendra Sharma and read into the record. Mr Sharma stated he still owns the subject properties. The applicant provided the Board several exhibits including copies of a Quitclaim deed signed by Mr. Sharma, Kalamazoo County Register of Deeds title search results, and a signed Court Order for the eviction of Raj Sharma. Attorney Eichstaedt inquired if the Board had authority to resolve ownership disputes. Attorney Bear advised the Board they did not have authority, and based on the title record, should move forward with the variance request, as resolution of civil disputes is a function of the courts. Schau noted if the Board were to grant a variance and it was later found by the courts that the applicant did not own the property, it would invalidate that variance. Eichstaedt inquired if that was Mr. Sharma's signature on the Quitclaim deed and if so why did he sign it. Mr. Sharma responded it was his signature but he felt he was pressured to sign it and was not given just compensation. The public hearing was closed.

After brief discussion, a motion was made by Schau, seconded by Finch, to grant variances to: a) construct a building 23.5 feet from the (north) front property line where a minimum 30-foot setback is required; b) construct a parking lot 10 feet from the (north) front property line where a minimum 27-foot front setback is required; and c) permit parking lot ingress/egress across a five-foot wide strip of residentially zoned property, 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 property at 121 Boston is commercial, and the proposed building is a reduction in the degree of nonconformity. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to develop property with a safe traffic flow; 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: Wettig-Yes, Fry-Yes, Finch-Yes, Philipp-Yes, Byrnes-Yes, Schau-Yes, Eichstaedt-Yes. Motion passed 7-0.

ZBA #19-11; 2530 Ashford Trail: Mais summarized the request for a variance to allow a Juliana mini pig to be kept as a household pet/emotional support animal at 2530 Ashford Trail. Erin Rafferty described how the proposed animal would live inside as a household pet and named the supporting materials she submitted along with her application. She added her son experiences anxiety and the doctor suggested an emotional support animal might be beneficial. Finch inquired if the applicant had any documentation from the pediatrician, and did it have to be a pig as opposed to another sort of animal. The applicant stated she did not have documentation, but they visited the subject mini pig and observed that it reduced anxiety more than other animals.

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

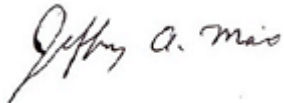
After additional discussion, a motion was made by Finch, seconded by Schau to deny the request to allow a Juliana mini pig to be kept as a household pet/emotional support animal at 2530 Ashford Trail for the following reasons: there are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district; the variance is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by others in the same zoning district in the vicinity because there are conforming alternatives available such as keeping a different domestic pet that is not a farm animal. In addition, the application and supporting materials, staff report, and all comments, discussion 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: Wettig-Yes, Fry-Yes, Finch-Yes, Philipp-Yes, Byrnes-No, Schau-Yes, Eichstaedt-Yes. Motion passed 6-1.

OTHER BUSINESS:

STATEMENT OF CITIZENS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Jeff Mais
Zoning & Codes Administrator

MATERIALS TRANSMITTED

Tuesday, March 10, 2020

1. Communication from Bill Furry, Finance Director, regarding the February 2020 Monthly Financial Report, **Agenda Item A.11** – Information Only
2. **To be added to the Tuesday, March 10, 2020 City Council Agenda as Item E.1:**
Communication from the City Manager recommending that City Council accept Resolution No. 20-3 for the city to establish a temporary moratorium for certain development activities within the Lake Center District Area.



Joseph S. La Margo, City Manager

cc Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager

SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: William Furry, Finance Director

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

Attachments: 1. February 2020 Financial Report

03/10/2020

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 02/29/2020

65%

FUND	DESCRIPTION	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	2019-20 ACTIVITY	Percent of Amended Collected/Used
REVENUES					
Totals for dept 0000 -		24,360,004	24,360,004	20,815,053	85%
Totals for dept 1720 - City Manager		500	500	0	0%
Totals for dept 2053 - Finance Treasury		1,000	1,000	760	76%
Totals for dept 2110 - Technology Services		0	0	0	0%
Totals for dept 2133 - Public Information		0	0	0	0%
Totals for dept 2415 - City Clerk		64,550	64,550	46,871	73%
Totals for dept 2491 - City Clerk Elections		23,000	23,000	21,245	92%
Totals for dept 2865 - Parks Maintenance		1,500	1,500	2,131	142%
Totals for dept 2876 - Cemeteries		59,400	59,400	29,986	50%
Totals for dept 2877 - Parks & Rec - Parks		65,500	65,500	39,115	60%
Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom		0	0	0	0%
Totals for dept 2882 - Parks & Rec - Team Sports		140,540	144,236	33,114	23%
Totals for dept 2885 - Parks & Rec - Programs		19,000	13,000	10,412	80%
Totals for dept 2886 - Parks & Rec - Ramona Park		54,450	54,450	39,903	73%
Totals for dept 2887 - Parks & Rec - Special Events		12,000	12,000	2,713	23%
Totals for dept 2888 - Parks & Rec - Millennium Park		45,000	45,000	31,258	69%
Totals for dept 3005 - Police Administration		155,000	155,000	144,483	93%
Totals for dept 3010 - Police Patrol		1,000	5,000	8,390	168%
Totals for dept 3021 - Police Training-Grant Funded		9,000	9,000	4,920	55%
Totals for dept 3030 - Police Public Safety Dispatch/ts		19,209	19,209	27,259	142%
Totals for dept 3050 - Police Drug Law Enforcement		1,000	1,000	0	0%
Totals for dept 3065 - Police Facility Management		70,000	70,000	52,500	0%
Totals for dept 3310 - Fire Admin		160	160	0	0%
Totals for dept 3340 - Fire Prevention		900	900	510	57%
Totals for dept 3710 - Comm Dev Building Services		750,000	750,000	598,324	80%
Totals for dept 3720 - Comm Dev Planning & Development		55,000	55,000	50,576	92%
Totals for dept 3730 - Comm Dev Neighborhood Services		177,500	177,500	194,132	109%
Totals for dept 6720 - Senior Center		158,700	163,700	58,629	36%
Totals for dept 6721 - Senior Center Trips		375,000	375,000	262,557	70%
Totals for dept 6722 - Senior Center Activities		15,000	15,000	0	0%
Totals for dept 6725 - Aging Mastery Program		1,200	1,200	300	25%
TOTAL REVENUES - GENERAL FUND		26,635,113	26,641,809	22,475,141	84%

03/10/2020 BUDGET REPORT FOR CITY OF PORTAGE

Calculations as of 02/29/2020

65%

FUND	DESCRIPTION	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	2019-20 ACTIVITY	Percent of Amended Collected/Used
EXPENDITURES					
Totals for dept 1001-City Council		88,000	88,000	45,054	51%
Totals for dept 1085-City Council-Human Services		169,740	169,740	95,835	56%
Totals for dept 1720-City Manager		654,587	664,345	438,190	66%
Totals for dept 2001-Finance Accounting		449,430	451,732	264,469	59%
Totals for dept 2002-Finance & Budget		301,790	301,790	172,688	57%
Totals for dept 2053-Finance Treasury		140,391	140,391	93,995	67%
Totals for dept 2110-MIS		852,278	846,783	544,569	64%
Totals for dept 2133-MIS Public Information		57,563	66,505	45,715	69%
Totals for dept 2209-Assessor		445,695	445,695	280,692	63%
Totals for dept 2247-Assessor Board Of Review		35,174	35,174	14,050	40%
Totals for dept 2310-Attorney		226,728	226,728	150,480	66%
Totals for dept 2415-City Clerk		167,958	167,958	92,489	55%
Totals for dept 2416-City Clerk Records Management		67,256	67,256	36,623	54%
Totals for dept 2491-City Clerk Elections		233,631	240,781	99,630	41%
Totals for dept 2610-Human Resources		473,940	473,940	278,316	59%
Totals for dept 2733-Purchasing		85,594	85,594	50,464	59%
Totals for dept 2734-Purchasing Risk Management		25,958	25,958	17,143	66%
Totals for dept 2865-Parks Maintenance		1,332,081	1,332,081	671,885	50%
Totals for dept 2876-Cemeteries		66,855	66,855	32,002	48%
Totals for dept 2877-Parks & Rec - Parks		649,905	649,905	408,372	63%
Totals for dept 2878-Parks & Rec - Kalamazoo In Bloom		15,000	15,000	15,000	100%
Totals for dept 2880-Parks & Rec Rec - Admin		204,852	204,852	120,287	59%
Totals for dept 2882-Parks & Rec Rec - Team Sports		70,650	74,346	29,683	40%
Totals for dept 2885-Parks & Rec - Programs		53,670	34,150	9,941	29%
Totals for dept 2886-Parks & Rec Rec - Ramona Park		132,532	132,532	51,346	39%
Totals for dept 2887-Parks & Rec Rec - Special Events		111,379	111,379	69,622	63%
Totals for dept 2888-Parks & Rec - Ice Rink		88,603	88,603	45,361	51%
Totals for dept 3005-Police Administration		1,228,159	1,228,159	772,929	63%
Totals for dept 3006-Police Youth Services		517,905	517,905	304,791	59%
Totals for dept 3007-Police Investigation		708,861	714,356	440,502	62%
Totals for dept 3010-Police Patrol		5,692,511	5,718,142	3,608,307	63%
Totals for dept 3020-Police Training		266,790	266,790	135,526	51%
Totals for dept 3021-Police Training-Grant Funded		9,000	9,000	7,720	86%
Totals for dept 3030-Police Public Safety Dispatch/its		69,619	74,419	34,755	47%
Totals for dept 3031-Police Emergency Sirens		23,676	23,676	498	2%

03/10/2020

BUDGET REPORT FOR CITY OF PORTAGE

Calculations as of 02/29/2020

65%

FUND	DESCRIPTION	2019-20	2019-20	2019-20	Percent of
		ORIGINAL	AMENDED	ACTIVITY	Amended
		BUDGET	BUDGET	Collected/Used	
	Totals for dept 3040-Police Records & PST	640,074	640,074	387,751	61%
	Totals for dept 3050-Police Drug Law Enforcement	248,286	248,286	149,292	60%
	Totals for dept 3065-Police Facility Management	196,420	221,579	125,018	56%
	Totals for dept 3090-Police KCCDA support	756,793	756,793	756,793	100%
	Totals for dept 3310-Fire Admin	713,282	713,282	429,767	60%
	Totals for dept 3320-Fire Operations	4,209,123	4,209,123	2,436,528	58%
	Totals for dept 3330-Fire On Call Firefighters	83,527	83,527	40,067	48%
	Totals for dept 3331-Fire Emergency Operations	4,900	4,900	1,300	27%
	Totals for dept 3340-Fire Prevention	139,291	139,291	84,759	61%
	Totals for dept 3350-Fire Training	191,552	191,552	102,712	54%
	Totals for dept 3365-Fire Facility Management	238,050	238,050	58,068	24%
	Totals for dept 3710-Comm Dev Planning & Development	591,069	591,069	366,309	62%
	Totals for dept 3720-Comm Dev Neighborhood Services	326,307	326,307	201,103	62%
	Totals for dept 3730-Comm Dev Neighborhood Services	238,145	238,145	139,545	59%
	Totals for dept 3765-Comm Dev Building Maintenance	257,817	257,817	128,023	50%
	Totals for dept 4210-General Public Services	510,650	657,650	356,765	54%
	Totals for dept 6720-Senior Center	401,901	406,901	229,240	56%
	Totals for dept 6721-Senior Center Trips	387,246	387,246	259,778	67%
	Totals for dept 6725-Aging Mastery Program	1,500	1,500	60	0%
	Totals for dept 6740-Fundraising	0	28,320	17,839	0%
	Totals for dept 9610-Transfers Out	781,419	781,419	781,419	100%
	TOTAL EXPENDITURES - GENERAL FUND	26,635,113	26,883,351	16,531,065	61%
202	Major Street Fund - Revenues	4,412,852	4,412,852	1,910,632	43%
	Major Street Fund - Expenditures	4,390,769	4,600,722	3,167,825	69%
203	Local Streets Fund - Revenues	1,661,784	1,661,784	840,667	51%
	Local Streets Fund - Expenditures	1,649,992	1,822,717	952,005	52%
204	Municipal Streets Fund - Revenues	1,563,000	1,563,000	1,466,131	94%
	Municipal Streets Fund - Expenditures	1,563,000	1,563,000	1,552,810	99%
223	Curbside Recycling - Revenues	698,885	698,885	655,840	94%
	Curbside Recycling - Expenditures	698,312	698,312	335,726	48%
226	Leaf Pickup/Spring Cleanup - Revenues	803,400	803,400	752,432	94%
	Leaf Pickup/Spring Cleanup - Expenditures	833,692	833,692	337,389	40%

03/10/2020

BUDGET REPORT FOR CITY OF PORTAGE
 Calculations as of 02/29/2020

FUND	DESCRIPTION	2019-20	2019-20	2019-20	Percent of Amended Collected/Used
		ORIGINAL BUDGET	AMENDED BUDGET	ACTIVITY	
230	CDBG Program Income Fund - Revenues	125,000	125,000	75,870	61%
	CDBG Program Income Fund - Expenditures	125,000	125,000	25,829	21%
252	West Lake Weed Mgmt - Revenues	32,500	32,500	350	1%
	West Lake Weed Mgmt - Expenditures	32,120	32,120	3,250	10%
296	Community Development Block Grant - Rev	229,105	373,110	37,200	10%
	Community Development Block Grant - Exp	229,105	373,110	136,436	37%
298	Cable Television Fund - Revenues	784,522	784,522	196,304	25%
	Cable Television Fund - Expenditures	989,038	1,019,038	244,597	24%
400	Capital Improvement General - Revenues*	19,365,418	27,959,717	8,500,666	30%
	Capital Improvement General - Expenditures*	19,365,418	36,784,926	15,832,268	43%
490	Capital Improvement Sewer - Revenues*	900,000	4,905,000	800,000	16%
	Capital Improvement Sewer - Expenditures*	900,000	3,648,608	1,456,268	40%
491	Capital Improvement Water - Revenues*	2,350,000	8,563,775	800,000	9%
	Capital Improvement Water - Expenditures*	2,350,000	7,186,185	1,733,143	24%
590	Sewer Fund - Revenues	8,936,142	8,936,142	6,018,534	67%
	Sewer Fund - Expenditures	8,903,057	9,014,145	4,060,951	45%
591	Water Fund - Revenues	6,557,387	6,557,387	4,927,393	75%
	Water Fund - Expenditures	6,498,171	6,567,583	4,397,734	67%
TOTAL REVENUES - ALL FUNDS **		75,055,108	94,018,883	49,457,160	53%
TOTAL EXPENDITURE - ALL FUNDS **		75,162,787	101,152,509	50,767,296	50%

* The Capital Improvement Program uses project-length budgets, original is current fiscal year, amended includes budgets of prior year projects continued.
 ** Debt Service and Internal Service Funds not included.

TO: Honorable Mayor and City Council

FROM: Joseph S. La Margo, City Manager



SUBJECT: Temporary Moratorium for Certain Development – Lake Center District Area

SUPPORTING PERSONNEL: Michael Carroll, Deputy City Manager
Chris Forth, Acting Director of Community Development

Attached is a communication from the City Manager recommending that City Council accept Resolution No. 20-3 for the city to establish a temporary Moratorium for certain development activities within the Lake Center District Area.

Attachments:

1. Resolution No. 20-3 Approved as to Form
2. Lake Center Business District Boundary Map

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager

SUBJECT: Temporary Moratorium for Certain Development – Lake Center District Area

SUPPORTING PERSONNEL: Michael Carroll, Deputy City Manager
Chris Forth, Acting Director of Community Development

ACTION RECOMMENDED: Accept Resolution No. 20-3 for the city to establish a Temporary Moratorium for Certain Development Activities within the Lake Center District Area.

Farr Associates has been retained to conduct a Placemaking and Connectivity study of the Lake Center District area, including a review of past planning and traffic engineering efforts and obtaining input from area stakeholders. Based on their findings, Farr Associates, with area stakeholders and other interested citizens, will formulate a vision for the Lake Center District and identify implementation strategies to achieve that vision. In an effort to bring the project to fruition, it is necessary to enact a temporary, six-month moratorium on development activities within the study area. This will allow Farr Associates and area stakeholders to formulate a final plan for this important area of the community and identify implementation strategies, such as development of new zoning ordinances, necessary to achieve the vision.

The temporary moratorium applies to:

- Rezoning applications
- Land divisions
- Subdivision approvals
- Special land use permits
- Building permits
- Site plan approvals

The temporary moratorium does not apply to the following:

- Basic maintenance and repair of existing buildings and grounds.
- Construction work conducted exclusively within the interior of a building.
- Installation, repair, replacement, or relocation of utility facilities.
- Demolition, repair, or reconstruction of buildings, structures, or natural features that present a threat to public health and safety.
- Permits issued, or approvals granted, by the city before the effective date of the temporary moratorium.

The resolution includes a waiver provision whereby a property owner can appeal to the City Council if

they feel the effect of this moratorium on their property is in violation of state or federal law.

It is important to allow the current planning and implementation process to run its course, with citizen input and involvement, public debate, and full consideration of all issues and points of view. It would be counter-productive for the city to consider requests for development activities in the middle of the planning process and undermine the city's efforts to achieve and implement the vision for the Lake Center District area through appropriate planning and zoning methods identified during this planning process. It is recommended that City Council accept Resolution No. 20-3 for the city to establish a temporary moratorium for certain development activities within the Lake Center District Area. Furthermore, if desired by the City Council, the resolution can be followed up with a full ordinance process to further document the moratorium.

FUNDING: N/A

Attachments:

1. Resolution - Approved as to Form
2. Lake Center Business District Boundary Map

**CITY OF PORTAGE, MICHIGAN
RESOLUTION FOR TEMPORARY MORATORIUM FOR CERTAIN DEVELOPMENT
ACTIVITIES WITHIN THE LAKE CENTER DISTRICT AREA**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2020 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 Lake Center District area (Portage Road from East Centre Avenue and Osterhout Avenue) referred to herein as Subject Area was first identified as a commercial revitalization area in the 1996 Comprehensive Plan and subsequent Plans thereafter. See map attached as Exhibit A;

WHEREAS, the City of Portage has identified the Subject Area as an important commercial and residential area of the community whose revitalization is critical for the economic health of the District and community;

WHEREAS, in 2013 a Lake Center District Market Strategy had been prepared and in 2014 a Sub Area Plan for the Subject Area was prepared in an effort to identify strategies to revitalize the area;

WHEREAS, even after the completion of prior studies, there have been minimal (re)investment activities in the Subject Area;

WHEREAS, concern regarding traffic and pedestrian safety along Portage Road within the Subject Area has increased in recent years;

WHEREAS, in 2014 and more recently in 2020 Portage Road within the Subject Area was studied by traffic engineers in an effort to identify strategies to improve traffic and pedestrian safety;

WHEREAS, in 2020 a planning consultant was hired by the City of Portage to conduct a Placemaking and Connectivity study of the Subject Area, review past planning and traffic engineering efforts, obtain input from stakeholders and based on their findings, formulate a vision for the Subject Area and identify implementation strategies to achieve that vision;

WHEREAS, the City of Portage is prepared to investment a significant amount of resources to implement the vision identified in the Placemaking and Connectivity study in an effort to stimulate revitalization efforts in the Subject Area;

WHEREAS, (re)development projects that occur before the conclusion of this planning effort that might be inconsistent with the vision identified in the adopted Placemaking and Connectivity study can jeopardize the vision for the Subject Area;

WHEREAS, it is recognized that a temporary moratorium is an important planning tool used as a means of preserving the status quo while the City conducts the necessary analysis and studies to determine the appropriate tools to address the issues in the Subject Area.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1 – Temporary Moratorium. Based on the findings set forth above and for the protection of the public health, safety and welfare, a temporary moratorium is imposed upon the establishment or expansion of all property, buildings and structures in the Subject Area and the consideration and issuance of City permits, licenses and approvals, including but not limited to rezoning applications, land divisions, subdivision approval, special land use permits, building permits and site plan approvals (collectively referred to as “Development Activities”). The City Council deems it prudent and desirable to temporarily defer any consideration or action taken by any City official and/or agent regarding Development Activities pertaining to the Subject Area;

Section 2 - Terms of Temporary Moratorium. This temporary moratorium will remain in effect for 180 days after publication, or until all necessary and appropriate ordinances with regard to the Subject Area are adopted, whichever occurs first. Before this temporary moratorium

expires, the City Council may by resolution extend the moratorium as appropriate to allow sufficient time to complete amendments to its ordinances.

Section 3 - Findings The City Council finds that imposing a temporary moratorium upon the consideration of Development Activities on a limited temporary basis, is reasonable and necessary for the following reasons:

1. Michigan courts have recognized that a temporary moratorium is a common and legitimate planning tool to preserve the status quo while formulating a more permanent development strategy.
2. The contemplated moratorium would allow the current planning and implementation process to run its full and natural course with citizen input and involvement, public debate, and full consideration of all issues and points of view, and allow the City Council to pursue its strategy to create a “premier community.”
3. It would be counter-productive for the City to consider requests for Development Activities in the middle of its planning process and review.
4. The temporary moratorium would avoid disruption of land use plans and the potential thwarting of the City’s objectives in its planning process.
5. Acting upon Development Activities during the period of the temporary moratorium would be counterproductive and undermine the City’s efforts to accomplish the planning and zoning objectives for the Subject Area and to provide for the health, safety and welfare of the City and its residents.

Section 4 - Nonapplicability. This temporary moratorium shall not apply in the following circumstances:

1. Any permit for basic maintenance and repair of existing buildings and grounds.
2. Any permit for work to be conducted exclusively within the interior of a building.
3. The installation, repair, replacement, or relocation of utility facilities, including water lines, storm sewers, sanitary sewers, telecommunications lines and equipment, and gas and electric lines and work in public rights-of-way.
4. The issuance of permits for demolition, repair, or reconstruction of buildings, structures, or natural features that, in the sole discretion of the City Manager, present a threat to public health and safety.
5. To any work to be performed under a permit issued or approval granted by the City before the effective date of this temporary moratorium.

6. If further Development Activities would be prevented where the initial permits and approvals for the proposed activity were granted by the City before the effective date of this temporary moratorium.

Section 5 - Waiver.

- 1 That during the period of this temporary moratorium, any property owner alleging that the deferred review resulting from the temporary moratorium will result in a violation of applicable federal or state law shall be entitled to a hearing before the City Council. At the conclusion of this hearing, the City Council shall make findings and conclusions with respect to whether or not the petitioner has demonstrated that whether or not the deferred review resulting from the temporary moratorium as applied to the petitioner violates applicable law. If it is demonstrated by credible evidence and found that the deferral has the effect of violating applicable law, the City Council shall grant relief from the moratorium for the petitioner to the extent necessary to cure the violation.
- 2 Waiver requests shall set forth the basis for the requested waiver and any supporting documentation and shall be submitted in writing to the City Clerk. All waiver applications must be submitted at least 10 days before the City Council meeting at which the application is to be considered. Upon receipt of the application the City Clerk will then submit the application to the Department of Community Development and the City Manager for review and recommendation to the City Council. Waiver requests will be considered at regular meetings of the City Council.

Section 6 - Publication. The City Clerk shall publish this Resolution in full in a newspaper of general circulation in the City.

Section 7 - Validity and Severability. Every section, provision or part of this temporary moratorium is declared separate from every section, provision or part of this temporary moratorium. If any section, provision or parts of this temporary moratorium is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this temporary moratorium.

Section 8 - Effective Date. This temporary moratorium becomes effective upon adoption.

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 _____, 2020, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2020.

Erica Eklov, 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: 2/6/2020

City Attorney

EXHIBIT "A"

INSERT MAP



Legend

- LCBD Boundary
- Parcel Boundary

Exhibit A - Lake Center Business District



1 inch = 900 feet
Date: 3/6/2020



TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: May Special Election

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Encourage Governor Gretchen Whitmer and Secretary of State Jocelyn Benson to either postpone the May Special Election to August or, at a minimum, to conduct the election as mail-in only.

The Bureau of Elections is currently planning to support the mailing of absentee ballot applications to all registered voters in a jurisdiction conducting a May 5th Special Election. However, a formal commitment to cancel any in-person voting and hold a strict absentee ballot only election has yet to be made. While the conduct of a mail-in only election would pose significant hurdles such as the mailing, receiving and processing of ballots, the conduct of in-person voting at precincts would be next to impossible. Precincts must be available and election workers must be willing to sign up to work. This is in addition to the testing of equipment, delivery of materials and any potential training that would need to occur. At this point, Portage Public Schools has indicated that their facilities (home to five precincts) are unavailable due to the COVID-19 pandemic. Similarly, it is anticipated that many churches (home to 13 precincts) will follow suit. The support of City Council in an effort to lobby the Governor and Secretary of State to cancel or alter how the May Special Election is to be conducted would be appreciated.

FUNDING: N/A

Attachments: None

KALAMAZOO COUNTY HAZARD MITIGATION PLAN

LOCAL GOVERNMENT BRIEFING DOCUMENT

- The Kalamazoo County Hazard Mitigation Plan (KCHMP) is being updated. The KCHMP is a functional public document based on an “All-Hazards/Whole Community” approach to resiliency, as mandated at the State (MSP) and Federal (FEMA) levels. The current version of the plan is outdated and did not have full local community participation during the last revision cycle. This has resulted in some communities needing pre-disaster mitigation and post-disaster relief assistance and not being eligible to receive it. These communities may face long-term, costly processes to rectify and recover.
- We don’t want to end up with communities left out of the updated plan and unable to get help when needed. If all local communities do not actively participate, our understanding of the Natural, Technological, and Human-Caused threats and hazards and our capabilities for response to and recovery from potential events would remain incomplete.
- The KCHMP must also be updated to reflect recent and ongoing changes in the threats and hazards we face and the way they are prioritized, and to better address the needs of at-risk populations county-wide. We desire local jurisdictional participation to be as close to 100% as possible on this update/revision cycle.
- We are requesting that local government Councils/Boards make a motion during an upcoming meeting to participate in the planning of and to eventually consider adopting the County’s Hazard Mitigation Plan. When the plan is approved by MSP and FEMA later in the year, we’ll ask that a formal resolution be voted on to adopt it.
- There is no monetary cost associated with signing on to this effort, and there are tremendous benefits to be realized in early identification of threats and hazards to people and property, businesses, and the environment. The Office of Emergency Management is available to guide and assist in substantive and meaningful ways in order to minimize time and effort on the part of participating jurisdictions.
- We ask that your local government consider actively participating in this process, helping us to establish an ongoing dialog so that Kalamazoo County can be a safer and more resilient community as a whole and in its parts. Your participation is vital to the process of identifying specific and general risks and greatly enhances our efforts towards mitigating the hazards we face as a community.

Contact:

**Andrew M. Alspach, CPP
Planner**

Kalamazoo County Office of Emergency Management

Phone: 269-383-8743 Fax: 269-383-8791 Desk: 269-383-8740 Cell: 269-823-8006

Email: gemofoe@kalcounty.com Web: www.KCOEM.net Twitter: [@KZOO_OEM](https://twitter.com/KZOO_OEM)

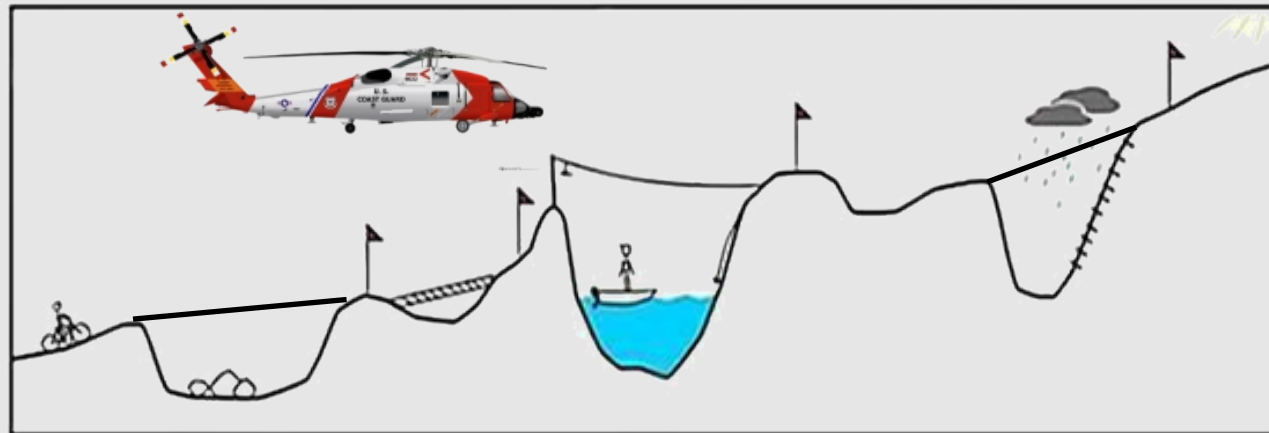
KALAMAZOO COUNTY SHERIFF'S DEPARTMENT

OFFICE OF EMERGENCY MANAGEMENT

PREVENTION•PROTECTION•MITIGATION•RESPONSE•RECOVERY



OUR PLAN





FEMA



WHOLE COMMUNITY/ALL HAZARDS

Whole Community: “Whole community includes individuals and communities, businesses, private and public sector owners and operators of critical infrastructure, faith-based organizations, nonprofit organizations, and all levels of government (local, regional/metropolitan, state, tribal, territorial, insular area, and federal).” –*National Response Framework v4, Oct 30, 2019*

All-Hazards: “Any incident or event, natural or human caused, that requires an organized response by a public, private, and/or governmental entity in order to protect life, public health and safety... and to minimize any disruption of governmental, social, and economic services.” **USCG, IM Handbook**



KALAMAZOO COUNTY HAZARD MITIGATION PLAN



FEMA



- HMPs ARE REQUIRED BY FEMA AND THE STATE OF MICHIGAN TO QUALIFY FOR HAZARD MITIGATION GRANT FUNDING.
- MITIGATION PLAN IS CREATED LOCALLY, AT THE COUNTY LEVEL.
- LOCAL UNITS OF GOVERNMENT MUST PARTICIPATE IN THE PLANNING PROCESS TO QUALIFY FOR ANY FUNDING.
- THE PLAN IS SUBMITTED TO MICHIGAN STATE POLICE/HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION FOR REVIEW.
- ONCE ANY REVISIONS OR CHANGES ARE COMPLETED, THE PLAN IS SUBMITTED TO FEMA FOR APPROVAL.
- ONCE APPROVED, THE PLAN MUST BE FORMALLY ADOPTED BY ALL PARTICIPATING JURISDICTIONS.
- PLANS MUST BE UPDATED ON A 5-YEAR CYCLE TO REMAIN IN FORCE.



ALL DISASTERS ARE LOCAL.

MITIGATION DEFINED:

Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. In order for **mitigation** to be effective we need to take action now—before the next disaster—to reduce human and financial consequences later (analyzing risk, reducing risk, and insuring against risk).

-FEMA Sep 19, 2018

PREVENTION•PROTECTION•MITIGATION•RESPONSE•RECOVERY



Three major methods for mitigation:

- **INFORMATION**

- Public Awareness Campaigns • Preparedness Initiatives • Collaboration/MOUs •

- **INSURANCE**

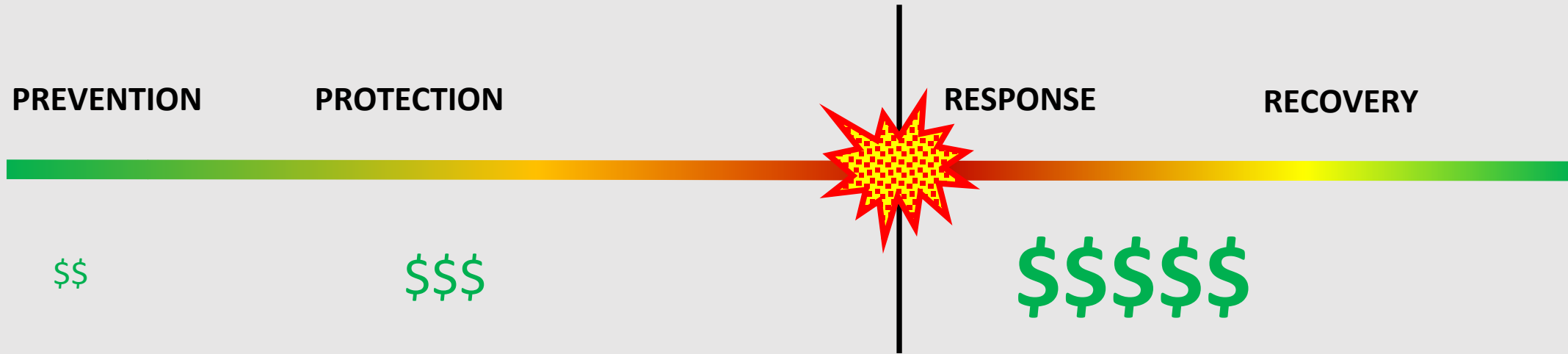
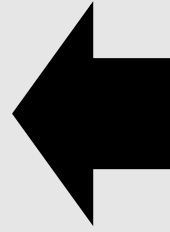
- NFIP • Homeowners' Insurance • Businesses Properly Covered •

- **INTEGRATION**

- Local Planning/Zoning • Code Enforcement • Shared Resources •



“LEFT OF BANG”



MITIGATION=Resilience



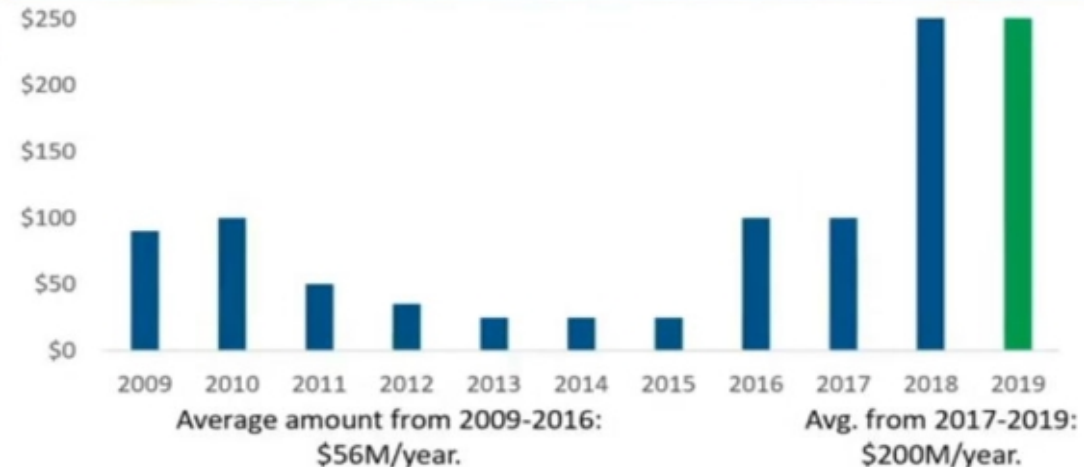
There's more at stake now than ever before...

DRRA Section 1234: Building Resilient Infrastructure and Communities (BRIC)

- ✓ Leverage 6% set-aside funding mechanism
- ✓ Encourage community-wide mitigation of critical lifelines
- ✓ Prioritize resilient infrastructure projects
- ✓ Competitive, risk-informed projects
- ✓ Build capacity and capability
- ✓ Support building code efforts



Since 2009, FEMA has received approximately \$1 billion in Pre-Disaster Mitigation grant appropriations, of which 48% has been in the last 2 years.



Funds will vary based on disasters. FIMA estimates that annual funds will average \$300-500M per year, with significantly greater amounts following years with catastrophic disasters.



Community Lifelines Defined

A CONSTRUCT FOR OBJECTIVES-BASED STABILIZATION EFFORTS

A lifeline enables the continuous operation of critical government and business functions and is essential to human health and safety or economic security.

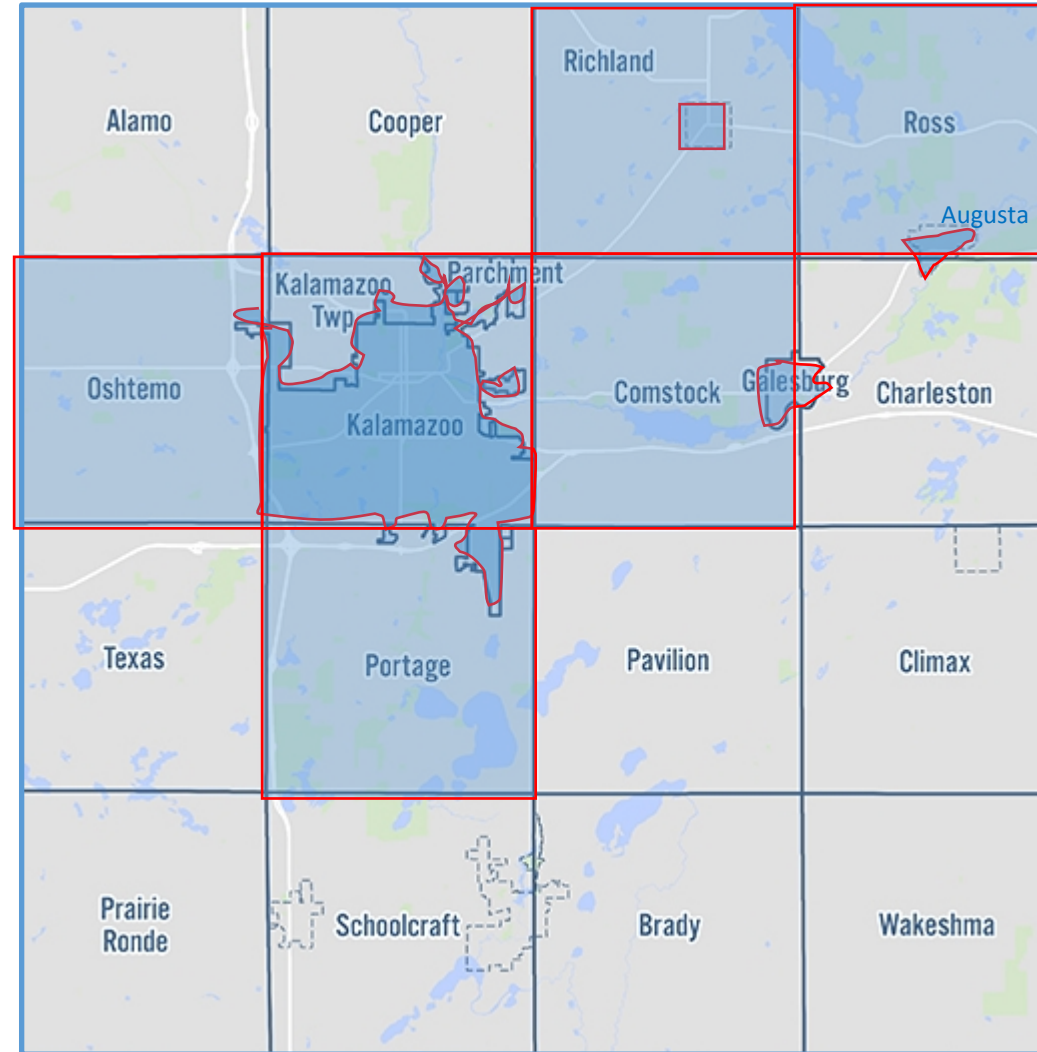


- Lifelines are the most fundamental services in the community that, when stabilized, enable all other aspects of society to function
- Lifelines are the integrated network of assets, services, and capabilities that are used day-to-day to support the recurring needs of the community
- When disrupted, decisive intervention (e.g., rapid service re-establishment or employment of contingency response solutions) is required to stabilize the incident



JURISDICTIONS PARTICIPATING IN KCHMP- 2013

Minor Civil Division	2010 population
Alamo Township	3,762
Augusta Village*	885
Brady Township	4,248
Charleston Township	1,975
Climax Township	2,463
Climax Village*	767
Comstock Charter Township	14,854
Cooper Charter Township	10,111
Galesburg City	2,009
Kalamazoo City	74,262
Kalamazoo Charter Township	21,918
Oshtemo Charter Township	21,705
Parchment City	1,804
Pavilion Township	6,222
Portage City	46,292
Prairie Ronde Township	2,250
Richland Township	7,580
Richland Village*	751
Ross Township	4,664
Schoolcraft Township	8,214
Schoolcraft Village*	1,525
Texas Charter Township	14,697
Vicksburg Village*	2,906
Wakeshma Township	1,301
KALAMAZOO COUNTY TOTAL	250,331



“These ten participating communities constitute the majority of the county’s population, including its top five most populous jurisdictions.”- 2013 KCHMP page 7



CONTACT:

Andrew M. Alspach, CPP
Hazard Mitigation Planner
Kalamazoo County Office of Emergency Management

Kalamazoo County Sheriff's Office

1500 Lamont Avenue Kalamazoo, MI 49048

Phone: 269-383-8743 Fax: 269-383-8791

Desk: 269-383-8740 Cell: 269-823-8006

Email: [OEMofc@kalcounty.com](mailto: OEMofc@kalcounty.com)

Web: www.KCOEM.net Twitter: @KZOO_OEM



TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Amendment to the Code of Ordinances - Personnel Rules

SUPPORTING PERSONNEL: Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Adopt the proposed City of Portage Ordinance amending Article 3, Officers and Employees, of Chapter 2, Administration, Section 2-87 Personnel Rules.

The City of Portage Personnel Rules and Regulations are a tool for management of staff, which resides under the purview of the City Manager. To make even minor modifications, the City of Portage Personnel Rules and Regulations must be presented to, reviewed by and approved by City Council. For example, over the past several years amendments to the Personnel Rules and Regulations have been presented to the City Council for such items as amending sick leave accrual, addressing endorsements of political candidates, removing references to male pronouns and making adjustments to reflect changes in technology. A requirement for presentation for review and approval by City Council limits the ability of City Administration and Human Resources to maintain a dynamic and flexible document that can be modified to reflect a changing workplace and workforce. The proposed change to Section 2-87 of the Personnel Rules and Regulations transitions the responsibility of the document from City Council to City Administration.

First reading the proposed City of Portage Ordinance amending Article 3, Officers and Employees, of Chapter 2, Administration, Section 2-87 Personnel Rules occurred at the March 10, 2020 regular City Council meeting. It is requested that Council now adopt the proposed ordinance amendment.

FUNDING: N/A

Attachments:

1. Section 2-87 Personnel Rules Amendment - Approved as to Form
2. Section 2-87 Personnel Rules Amendment - Redline Strikeout Copy

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 3, OFFICERS AND EMPLOYEES, OF CHAPTER 2,
ADMINISTRATION, SECTION 2-87 PERSONNEL RULES**

THE CITY OF PORTAGE ORDAINS:

That Chapter 2 shall be amended as follows:

ARTICLE 3 – OFFICERS AND EMPLOYEES

Sec. 2-87. – Personnel rules.

2-87. Pursuant to Charter Section 6(b)(10), the City Manager may establish from time to time Personnel Rules and Regulations for Non-Union Full-Time Personnel of the City ("Personnel Rules") and as Chief Administrative Officer shall supervise and coordinate those rules subject to the Personnel Management Plan adopted by Council under Charter Section 6.18. The Personnel Rules in effect at the time of passage of this amendment shall remain in full force and effect until such time as the City Manager establishes and readopts the Personnel Rules, subject to Ordinance Section 2.4 of this Code. Such Personnel Rules may include, but not be limited to:

1-20 NO CHANGE.

Dated: _____, 20____

Patricia Randall, Mayor

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

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the ____ day of _____, 20____.

Erica Eklov, City Clerk

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

Approved as to Form:

Date 2/21/2020

City Attorney

Z:\JODY\PORTAGE\ORDINANCES\NONZONE\Personnel Rules 2-87 amendment CLEAN.doc

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 3, OFFICERS AND EMPLOYEES, OF CHAPTER 2,
ADMINISTRATION, SECTION 2-87 PERSONNEL RULES**

THE CITY OF PORTAGE ORDAINS:

That Chapter 2 shall be amended as follows:

ARTICLE 3 – OFFICERS AND EMPLOYEES

Sec. 2-87. – Personnel rules.

2-87. Pursuant to Charter Section 6(b)(10), the City Manager may establish from time to time Personnel Rules and Regulations for Non-Union Full-Time Personnel of the City ("Personnel Rules") and as Chief Administrative Officer shall supervise and coordinate those rules subject to the Personnel Management Plan adopted by Council under Charter Section 6.18. The Personnel Rules in effect at the time of passage of this amendment shall remain in full force and effect until such time as the City Manager establishes and readopts the Personnel Rules, subject to Ordinance Section 2.4 of this Code. Such Personnel Rules may include, but not be limited to:~~The city manager shall recommend and the council may establish, by resolution, from time to time, the personnel rules of the city. Such rules may include but shall not be limited to:~~

1-20 NO CHANGE.

Dated: _____, 20____

Patricia Randall, Mayor

FIRST READING:

SECOND READING:

ORDINANCE #:

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the ____ day of _____, 20____.

Erica Eklov, City Clerk

PREPARED BY:

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

Z:\JODY\PORTAGE\ORDINANCES\NONZONE\Personnel Rules 2-87 amendment H&S.doc