

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

4:00 p.m. Committee of the Whole Work Session of April 27, 2021.

7:00 p.m. Regular Meeting of April 27, 2021.

Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Global Love Day 2021

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. Regular Meeting of April 13, 2021.
 - b. Pre-Council Meeting of April 26, 2021.
2. Approval of the Accounts Payable Register of April 27, 2021 as presented.
3. Adopt the Resolution setting a public hearing on May 11, 2021 for the Fiscal Year 2021-2022 Proposed City Budget and the proposed 2021 tax levy.
4. Direct the City Attorney to prepare a Resolution for the dissolution of the Austin Lake Governmental Lake Board and establish a public hearing on May 27, 2021, to consider the resolution in accordance with Public Act 451 of 1994.
5. Recommend approval by the Michigan Liquor Control Commission (MLCC) of the Application for a Micro Brew license for Lake Burgers for 6800 South Westnedge (Suite F).
6. Minutes of Boards & Commissions:
 - a. Planning Commission of February 18, 2021.
 - b. Planning Commission of April 1, 2021.
 - c. Zoning Board of Appeals of March 8, 2021.
7. Materials Transmitted of April 13, April 16 and April 19, 2021.

8. Calendar of Meetings:

- Historic District Commission, May 5, 2021 at 8:15 a.m. - Virtual.
- Park Commission, May 5, 2021 at 6:30 p.m. - Virtual.
- Human Services Board, May 6, 2021 at 6:30 p.m. - Virtual.
- Zoning Board of Appeals, May 10, 2021 at 7:00 p.m. - Virtual.
- City Council Budget Review Session #2, May 11, 2021 at 4:00 p.m. - Virtual.
- *NOTE: All above meetings are subject to cancellation or inclusion/transition of a "virtual" aspect due to the on-going health crisis. Please monitor the City of Portage website at www.portagemi.gov for additional information. The public phone line to comment during most public meetings is: (844) 854-2222 Access Code 529853# (To voice a question or comment, press *6 to enter the queue.) Major meetings may be viewed live on Charter channel 995 and AT&T channel 99 or live streaming at portagemi.gov/205.*

B. Petitions and Statements of Citizens:

C. Communications:

D. Public Hearings:

1. Adopt the Tentative Plan Amendment for Woodbridge Hills Planned Development (4100 West Centre Avenue) including the five conditions in the February 12, 2021 Department of Community Development report.
2. Adopt the 2021 sewer and water rate resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges outlined in the 2021 Utility Rate Financial Study as recommended by the City Administration and the City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2021.

E. Regular Business Agenda:

1. Adopt the Resolution to Condemn Hate Crimes, Hateful Rhetoric and Hateful Acts.

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

GLOBAL LOVE DAY 2021

- WHEREAS,** The Love Foundation Inc., a non-profit organization, has announced GLOBAL LOVE DAY to facilitate in establishing LOVE & PEACE on our planet; and
- WHEREAS,** GLOBAL LOVE DAY establishes a worldwide focus towards “unconditionally loving each other as we love ourselves;” and
- WHEREAS,** the first Global Love Day was presented on May 1, 2004 including a variety of celebrations and events held around the world and was recognized with over a dozen proclamations from Governors, Mayors and Councils. Since there are now over 700 proclamations honoring the day with thousands participating; and
- WHEREAS,** the theme for GLOBAL LOVE DAY for 2021 is “Love Begins with Me;” and
- WHEREAS,** We are one humanity on this planet; and
- WHEREAS,** All life is interconnected and interdependent; and
- WHEREAS,** All share in the universal bond of love; and
- WHEREAS,** Love begins with self-acceptance and forgiveness; and
- WHEREAS,** With respect and compassion we embrace diversity; and
- WHEREAS,** Together we make a difference through love; and
- WHEREAS,** The Love Foundation Inc., invited mankind to declare May 1, 2021 as GLOBAL LOVE DAY, a day of forgiveness and unconditional love. GLOBAL LOVE DAY will act as a model for all of us to follow, each and every day.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, as Mayor of Portage, hereby dedicate and proclaim May 1, 2021, as GLOBAL LOVE DAY in the City of Portage and invite all citizens to observe this day, which honors the public cause for Global Love, World Peace and Universal Joy.

Signed this 27th day of April, 2021.

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM APRIL 13, 2021

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM. The Regular Meeting was held virtually as permitted by PA 228, following the December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Chris Burns, Vic Ledbetter, Claudette Reid, and Terry Urban were present. All members participated virtually from Portage, Michigan. Councilmember Lori Knapp was absent with excuse. Also in attendance were City Manager Joe La Margo, City Attorney Catherine Kaufman, Deputy City Manager Adam Herringa, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence in honor of the joy in the blooming trees around the City of Portage in light of National Arbor Day 2021. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

National Arbor Day 2021: Councilmember Ledbetter read the Proclamation for National Arbor Day 2021.

CONSENT AGENDA: Councilmember Reid requested the addition of the current ten percent Senior Citizen Water Discount topic to the Regular Meeting agenda under New Business for referral to the Human Services Board for review and report. Motion by Reid, seconded by Urban to add the requested item. Upon roll call vote, motion carried 6 to 0.

Mayor Randall then introduced the Consent Agenda. Councilmember Urban noted the Final Agenda had been revised since the preliminary publication on April 9, 2021. Motion by Urban, seconded by Reid to read the Consent Agenda aloud for the listening public. Upon roll call vote, motion carried 6 to 0.

At the request of Mayor Randall, City Clerk Eklov read the Consent Agenda aloud. Mayor Pro Tem Pearson raised a point of order and questioned whether the recently added New Business would allow for a vote or solely discussion. City Attorney Kaufman responded that the item would be for City Council discussion with the intent to be forwarded to the Human Services Board for review. City Manager La Margo also provided a brief background on Councilmember Reid's request.

Mayor Randall next shared where the public could 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 noted the prior removal of the agenda item regarding boulevard landscape beds from the Preliminary Consent Agenda. Motion by Reid, seconded by Ledbetter, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

Approval of City Council Meeting Minutes: Motion by Reid, seconded by Ledbetter, to approve the City Council Minutes of the Regular Meeting of March 23, 2021 and Pre-Council Meeting of April 12, 2021. Upon a roll call vote, motion carried 6 to 0

Accounts Payable Register: Motion by Reid, seconded by Ledbetter, to approve the Accounts Payable Register of April 13, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

2021 Utility Rate Financial Study: Motion by Reid, seconded by Ledbetter, to establish a public hearing on April 27, 2021, to consider resolutions to adopt the: recommendation that the sewer commodity rate be increased from \$4.60 to \$5.06 per 1,000 gallons of metered water; recommendation that the water commodity rate remain at \$3.14 per 1,000 gallons of metered water;

recommendation that the sewer and water base quarterly charges be adjusted as noted in the 2021 Utility Rate Financial Study; recommendation that the new rates become effective on July 1, 2021; and, recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2021 Utility Rate Financial Study. Upon a roll call vote, motion carried 6 to 0.

Bishop's Bog Floating Boardwalk - Sole Source Purchase: Motion by Reid, seconded by Ledbetter, to approve the sole-source purchase of floating boardwalk materials for Bishop's Bog from Aggressive Industries of Minneapolis, Minnesota, in the amount of \$100,000, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Committee of the Whole Meeting: Motion by Reid, seconded by Ledbetter, to set a Committee of the Whole Meeting on Tuesday, April 27 from 4:00-6:00 p.m. for review and discussion of the Draft Final Lake Center District Corridor and Placemaking Study. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Reid, seconded by Ledbetter, to receive the minutes of the Senior Citizens Advisory Board of January 20, 2021; Zoning Board of Appeals of February 8, 2021, as amended; Human Services Board of March 4, 2021; and, Historic District Commission of August 5, 2020. Upon a roll call vote, motion carried 6 to 0.

Materials Transmitted of March 26, 2021: Motion by Reid, seconded by Ledbetter, to receive the Materials Transmitted of March 26, 2021. Upon a roll call vote, motion carried 6 to 0.

Calendar of Meetings: Motion by Reid, seconded by Ledbetter, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

Mary Beth Henry (2621 Bach Avenue) stated she was present to follow up on a March 26, 2021 e-mail she previously sent to members of the City Council regarding discrimination against members of the Asian American Pacific Islanders (AAPI) community. She noted her own local experience with AAPI discrimination and urged Council to issue a statement against such acts and support bystander intervention. Councilmember Burns recommended that City Council refer Ms. Henry's request to the City Administration to review the concerns and best methods to address them. Mayor Randall agreed and requested Ms. Henry to forward her March 26th e-mail to City Manager La Margo. Councilmember Urban noted Ms. Henry's mention regarding bystander intervention and stated his concern with the potential risk of escalation from the city supporting that particular aspect. He stated the City Administration will need to further examine Ms. Henry's request, but expressed support for a proposed resolution for the AAPI community and include Portage in the national discussion on the matter.

Lauren McMullan (1522 Schuring Road) spoke in support of Ms. Henry's concerns with AAPI discrimination and recommended action by the City Council.

REGULAR BUSINESS AGENDA:

Presentation of 2021-2022 Fiscal Year Proposed Budget: Mayor Randall asked the City Manager to summarize the proposed 2021-2022 Fiscal Year Budget. City Manager La Margo reviewed highlights of the proposed budget, including the effects of the COVID-19 pandemic. Mr. La Margo concluded by providing the upcoming City Council Budget Review Session dates. Mayor Randall expressed appreciation for a balanced budget. Councilmember Reid requested that the City Council Budget Review Sessions be added to the city's website calendar.

Motion by Pearson, seconded by Reid, to receive the presentation of the 2021-2022 Fiscal Year Proposed Budget. Upon a roll call vote, motion carried 6 to 0.

Closed Session: Mayor Randall introduced the item and explained that the Regular Meeting would resume with Agenda Item E. 3 following the proposed Closed Session. Motion by Burns, seconded by Pearson, to go into Closed Session to: consider the lease or purchase of real property; and, consider material exempt from disclosure by State Statute, Section 13(1)(g) of the Freedom of Information Act, being a letter from its attorney dated April 9, 2021, for the reason that the letter is exempt from disclosure under State Law due to the attorney-client privilege. Upon a roll call vote, motion carried 6 to 0.

Adjourned to Closed Session at 8:31 p.m.
Resumed the Regular Meeting at 10:30 p.m.

RESUMPTION OF OPEN SESSION: Motion by Pearson, seconded by Reid, to reconvene the Regular Meeting of April 13, 2021. Upon a roll call vote, motion carried 6 to 0.

Property Matter (Closed Session): Motion by Burns, seconded by Reid, to authorize the City Manager to pursue the purchase or lease of real property and to retain special Legal Counsel capable of advising on this purchase or lease as discussed in Closed Session. Upon a roll call vote, motion carried 6 to 0.

Freedom of Information Act Appeals (Closed Session): Motion by Burns, seconded by Reid, to uphold both Freedom of Information Act (FOIA) productions of the FOIA requests as produced except page five of the packet discussed during Closed Session, which shall be reversed and produced. Upon a roll call vote, motion carried 5 to 0 with Mayor Randall abstaining.

COUNCIL COMMITTEE REPORTS:

Councilmember Burns provided a Central County Transportation Authority (CCTA) Board update. He relayed that the CCTA had received audit reports during its April 12, 2021 meeting, which contained no issues and showed the CCTA in a good financial position. Mr. Burns noted the CCTA also discussed the millage rate to be levied in light of the successful 2020 ballot question with the Board deciding to pursue the millage rate at its current level despite the effects of COVID-19 on ridership.

Councilmember Burns also provided an update regarding the City Council Housing and Neighborhoods Committee, highlighting its recent meeting with Kalamazoo County Housing Director Mary Balkema to discuss the 2020 housing millage. Mr. Burns noted that the County Housing Department is working to align its funding evaluation schedules with that of the Michigan State Housing Development Authority (MSHDA) grant deadlines to maximize funding opportunities for local applicants. He then relayed that the City of Portage will be considered for single-family housing in response to a visioning study completed by the County and the Committee is working to prepare

viable project options for the funding. Councilmember Reid inquired about the County's housing funds concerning Portage's identified low walkability score. Councilmember Burns responded that the walkability score relates to MSHDA and its funding rubric, not the County.

NEW BUSINESS:

Proposal to refer the Senior Citizen Water Discount to the Human Services Board for review and report: Mayor Randall introduced the New Business agenda and asked Councilmember Reid to elaborate on her new item. Councilmember Reid explained she was reconsidering the discount as part of her review of the 2021 Utility Rate Study. She provided a summary of the background of the discount program and its aim to provide financial relief. Ms. Reid highlighted that the discount only applies to those over the age of 65 but stressed there are citizens under the age of 65 who would also benefit from the discount program. She expressed her desire to refer the discount program to the Human Services Board for additional review and feedback regarding the future of the discount.

Mayor Pro Tem Pearson asked Councilmember Reid to clarify whether she desired the Human Services Board to determine which segment of the population should receive the current 10 percent discount or if she desired a separate discount to be offered to those in financial hardship. Councilmember Reid responded that she envisioned the Human Services Board review of the discount program to be broad and provide options to City Council. Mayor Pro Tem Pearson asked the City Manager to clarify whether the city currently participated with the Portage Community Center for customer billing support. City Manager La Margo confirmed that a portion of the funding provided to the Portage Community Center by the City of Portage is intended to assist citizens with payment of water bills to prevent undue water utility shut-offs. Mr. La Margo then asked City Attorney Kaufman for her opinion on the Senior Discount program. Attorney Kaufman noted the program pre-dated her tenure with the city and requested additional time to review the program if it was to be referred to the Human Services Board before the matter returned to City Council.

City Manager La Margo highlighted that the proposed 2021-2022 city utility rate increase only applies to the sewer portion, whereas the Senior Discount program is only for the water utility. Mayor Pro Tem Pearson noted that the current ten percent discount is minimal. He expressed concern with a review by the Human Services Board and the potential for the program to become income-based. Mayor Pro Tem Pearson elaborated that such a discount program would require the discount structure to be re-evaluated each year, similar to the Poverty Exemption Guidelines. He recommended that City Attorney Kaufman provide her opinion on the Senior Discount and then have City Council review the program at its next Retreat Session, noting that the program had been in place seven years without being re-evaluated. Councilmember Reid agreed with Mayor Pro Tem Pearson and stressed her desire for billing assistance to be provided to citizens truly in need.

Following discussion, City Council agreed to take no further action on the ten percent Senior Discount program at this time.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER.

Councilmember Burns noted the Senior Discount Program and expressed interest in shifting the program to a needs-based focus. He highlighted Portage Public Schools data regarding 23 percent of single-parent families with a median income of around \$30,000.

Councilmember Reid highlighted Ms. Henry's earlier citizen comment regarding Asian America Pacific Islander discrimination and noted Ms. Henry's involvement with a group of social justice demonstrators that has been meeting for the last 44 weeks at the intersection of West Centre Avenue and South Westnedge Avenue. Councilmember Reid expressed appreciation for those shedding light on social justice issues in Portage. She then provided an update on COVID-19

vaccinations and rising case numbers in the State of Michigan. Councilmember Reid relayed the Governor's recent request that all Michiganders take a voluntarily two-week pause on activities and encourage the continued practice of safety protocols.

Councilmember Urban relayed that he has two children attending Portage Public Schools and expressed disappointment that the Portage School District did not follow Governor Whitmer's request for a two-week pause on in-person learning. He encouraged continued enforcement of safety protocols and stressed caution for those who have been vaccinated.

Councilmember Ledbetter began by acknowledging the recent start of the Ramadan holiday and celebrations. He then noted Ms. Henry's efforts to address Asian America Pacific Islander discrimination and highlighted recent national events that also continue to cause racial trauma for Black Americans. Councilmember Ledbetter urged the public to gain a better understanding and appreciation for racial trauma and thanked the Portage Police Division for their professionalism. He closed by noting the number of citizen e-mails he had received regarding a boulevard landscaping item initially on the Preliminary Meeting Agenda and recommended allowing a citizen adoption program for ongoing maintenance of the city's boulevards.

City Manager La Margo responded to Councilmember Ledbetter, confirming that the City Administration would review the potential for adopting boulevards. Mr. La Margo then thanked everyone for their support and condolences with the recent passing of his father-in-law due to COVID-19. He encouraged everyone to appreciate the seriousness of the disease.

Mayor Pro Tem Pearson commended Councilmember Ledbetter's boulevard maintenance adoption suggestion.

Mayor Randall also commended Councilmember Ledbetter's boulevard maintenance adoption suggestion and thanked everyone for a great meeting. She closed by reminding the public about the ongoing Wyland National Mayor's Water Challenge.

ADJOURNMENT.

Mayor Randall adjourned the meeting at 11:05 PM.

Erica Eklov, City Clerk

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF APRIL 26, 2021**

Mayor Patricia Randall called the virtual meeting to order at 8:00 a.m. Councilmembers Chris Burns, Lori Knapp, Vic Ledbetter, Claudette Reid, and Mayor Pro Tem Jim Pearson also joined virtually. In compliance with Michigan Public Act 228, the Mayor and Councilmembers disclosed their virtual participation from Portage, Michigan, with the exception of Councilmember Ledbetter who attended from Kalamazoo, Michigan. Councilmember Terry Urban was absent with excuse. Also in attendance were Deputy City Manager Mike Carroll, Deputy City Manager Adam Herringa, City Manager La Margo, and City Clerk Erica Eklov.

Mayor Randall began by highlighting the Proclamations, noting Councilmember Reid would read the Global Love Day acknowledgment.

With regard to Item A.2, Accounts Payable Register, Mayor Pro Tem Pearson inquired about Check #316364 to Timber Ridge Ski Area for ski lessons in the amount of \$3,000. He stated he did not recall seeing such a payment previously and asked about the background. City Manager La Margo responded that the Parks Department partners with Timber Ridge for ski lessons and believe there was reimbursement from certain fees. Mr. La Margo stated he would research further and respond. Mayor Pro Tem Pearson then inquired about Check #14809A for a Faro Hand Scanner and associated police accessories, asking about the nature of the equipment. Deputy City Manager Herringa explained that the Public Safety Department had purchased a Faro 360-degree laser crime scene scanner several years ago and this purchase related to elements for that equipment.

With regard to Item E.1, Mayor Randall noted the City Manager would be introducing the Resolution during the Regular Meeting.

Mayor Pro Tem Pearson requested clarification regarding the rules for members of City Council adding new business to an agenda. Deputy City Manager Herringa responded, noting the City Council Rules of Order and Procedure outlines the process and is approved by City Council after each City General Election. He noted that City Council could also modify the Rules of Order and Procedure in the interim if desired. Mr. Herringa asked Clerk Eklov to re-send the document to all of Council for reference.

Mayor Pro Tem Pearson then requested the City Manager to review the use of Pictometry by the City Assessor's Office, noting prior history by City Council voting against the use of the technology due to privacy concerns. He stated the City Manager referenced the technology in his bi-weekly update to City Council. City Manager La Margo stated he would further research and respond.

ADJOURNMENT: Following a summary of the meeting and a reminder of the Committee of the Whole meeting prior to the Regular Meeting, Mayor Randall adjourned the meeting at 8:11 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: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approval of the Accounts Payable Register of April 27, 2021 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks, auto-pay payments, electronic payments and credit card payments. The attached Accounts Payable Register covers the period March 28, 2021 through April 17, 2021 and notes \$640,196.53 in automated clearing house payments, \$2,533,072.14 in paper checks, \$100,170.71 in autopay payments, \$370,903.00 in electronic payments and \$5,093.18 in credit card payments for a grand total of \$3,649,435.56.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of April 27, 2021

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/28/2021 to 4/17/2021

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Check Type: ACH Transactions

Check Date	Check	Vendor Name	Description	Amount
04/02/2021	14797(A)	ABONMARCHE CONSULTANTS, INC	MLK PARK TOPOGRAPHICAL & BOUNDARY SURVEY	2,530.00
04/02/2021	14798(A)	B L HARROUN & SON INC.	BATHROOM ENTRANCE LEAK @ CITY HALL	243.00
04/02/2021	14799(A)	BASIC BENEFITS LLC	ACA 1095C FILING & MAILING	1,922.01
04/02/2021	14800(A)	BELL EQUIPMENT COMPANY	SWEEPER MAINTENANCE	213.05
04/02/2021	14801(A)	C M P DISTRIBUTORS, INC.	MISC POLICE SUPPLIES	251.50
04/02/2021	14802(A)	CARSTAR PORTAGE	POLICE VEHICLE REPAIR & MAINT	256.24
04/02/2021	14803(A)	CHARTER COMMUNICATIONS	CABLE TV	414.20
04/02/2021	14804(A)	CLEAN EARTH ENVIRONMENTAL SERV	HAMPTON CREEK BOG DRAINAGE IMPROVEMENTS	13,261.00
04/02/2021	14805(A)	DELTA DENTAL PLAN OF MICHIGAN	DELTA DENTAL INSURANCE	19,227.70
04/02/2021	14806(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	7.00
04/02/2021	14807(A)	ETNA SUPPLY, INC.	AUTO FLUSH UNITS FOR PARKS RESTROOMS	1,530.00
04/02/2021	14808(A)	EXTREME POWER EQUIPMENT, INC.	EQUIPMENT REPAIRS/MAINTENANCE	47.97
04/02/2021	14809(A)	FARO TECHNOLOGIES, INC.	FARO HAND SCANNER & ACCESSORIES-POLICE	21,033.36
04/02/2021	14810(A)	FIDELITY SECURITY LIFE INSURANCE CO	EYEMED VISION INSURANCE	1,209.36
04/02/2021	14811(A)	FIRE SERVICE MANAGEMENT	FIRE PPE CLEANING	4,181.08
04/02/2021	14812(A)	FURRY, WILLIAM	FINANCE CONSULTANT SERVICES	1,537.50
04/02/2021	14813(A)	GLEESING, KEVIN	POLICE SCHOOL OF STAFF & COMMAND	511.30
04/02/2021	14814(A)	GLOBAL EQUIPMENT CO., INC.	DPW JANITORIAL ODOR CONTROL	90.74
04/02/2021	14815(A)	GORDON WATER SYSTEMS	WATER SERVICES	62.65
04/02/2021	14816(A)	GRAINGER INC	SIGN COUPLERS	636.56
04/02/2021	14817(A)	GREAT LAKES CHLORIDE, INC.	LIQUID DEICER - BOOST	11,956.66
04/02/2021	14818(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL - CITY HALL	88.00
04/02/2021	14819(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL - SCHRIER PARK	117.00
04/02/2021	14820(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	9,798.58
04/02/2021	14821(A)	HURLEY & STEWART, LLC	ENGINEERING SERVICES - WETHERBEE AVE	22,319.47
04/02/2021	14822(A)	INDUSCO SUPPLY CO., INC.	DPW CLEANING SUPPLIES	1,019.06
04/02/2021	14823(A)	KAHN, WILMA	CLASS INSTRUCTOR PAYMENT	348.00
04/02/2021	14824(A)	LAWSON PRODUCTS, INC	FLEET REPAIR/MAINTENANCE	608.96
04/02/2021	14825(A)	LOWE'S HOME CENTER	FIRE REPAIR SUPPLIES	421.37
04/02/2021	14826(A)	LRE	ENGINEERING SERVICES-HAMPTON CREEK BOG	2,766.25
04/02/2021	14827(A)	MAYHEW, BRYAN	POLICE SCHOOL OF STAFF & COMMAND	511.30
04/02/2021	14828(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRES AND SERVICES	528.00
04/02/2021	14829(A)	MEJEUR ELECTRIC LLC	REPAIR LIGHTING- MILHAM BRIDGE	1,460.00
04/02/2021	14830(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	288.32

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/28/2021 to 4/17/2021

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Check Date	Check	Vendor Name	Description	Amount
04/02/2021	14831(A)	MULDERS LANDSCAPE SUPPLIES INC	RESTORATION MATERIALS-SOIL, GRASS SEED	2,934.75
04/02/2021	14832(A)	ONSTAFF USA INC	CDL SEASONAL STAFF	5,852.20
04/02/2021	14833(A)	PECKELS, CHRISTINE	CLASS INSTRUCTOR PAYMENT	240.00
04/02/2021	14834(A)	PERCEPTIVE CONTROLS, INC.	INSTALL TREATMENT PLANT CHLORINE ALARM	2,429.50
04/02/2021	14835(A)	PHILLIPS, KIMBERLY	REIMBURSEMENT FOR EXPENSES	293.48
04/02/2021	14836(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	1,663.46
04/02/2021	14837(A)	QUADIENT LEASING USA, INC	LEASE PAYMENT	733.77
04/02/2021	14838(A)	R W LAPINE INC.	HVAC MAINTENANCE SERVICES	38,222.75
04/02/2021	14839(A)	VOID		0.00
04/02/2021	14840(A)	RIDGE AUTO NAPA	SHOP SUPPLIES	260.37
04/02/2021	14841(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	9.23
04/02/2021	14842(A)	SEVERANCE ELECTRIC COMPANY, INC	T/S CAMERA REPLACEMENT	2,527.00
04/02/2021	14843(A)	SUEZ WATER ENVIRONMENTAL SERVICES	WATER METERS - FEBRUARY 2021	5,470.12
04/02/2021	14844(A)	TERMINAL SUPPLY CO.	REPAIR/MAINT - PLOW LIGHTS & BAR	565.58
04/02/2021	14845(A)	UNITED PETROLEUM	GAS PUMP REPAIR	555.86
04/02/2021	14846(A)	WARNER NORCROSS & JUDD LLP	LEGAL & RETAINER FEES	4,410.00
04/02/2021	14847(A)	WEHMEIER PHOTOGRAPHY LTD	PHOTOGRAPHY SERVICES	2,300.00
04/02/2021	14848(A)	WEST MICHIGAN INT'L LLC	EQUIPMENT MAINTENANCE	66.00
04/09/2021	14849(A)	BCHS-HELPNET	HELPNET EAP SERVICES	1,642.65
04/09/2021	14850(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROGRAM	53,037.94
04/09/2021	14851(A)	CITY OF PORTAGE	WATER PERMITS	3,125.00
04/09/2021	14852(A)	KUSHNER & COMPANY, INC.	KUSHNER & CO. FSA & COBRA ADMIN	397.69
04/09/2021	14853(A)	MARANA GROUP	METER SERVICE	273.00
04/09/2021	14854(A)	ONSTAFF USA INC	CDL SEASONAL STAFF	6,030.76
04/09/2021	14855(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES	1,393.57
04/09/2021	14856(A)	SET ENVIRONMENTAL INC	MPIR POND CLEANING	5,454.27
04/16/2021	14857(A)	A I S CONSTRUCTION EQUIP. CO.	EQUIPMENT REPAIR/MAINT	82.08
04/16/2021	14858(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES	2,787.97
04/16/2021	14859(A)	AIRGAS USA LLC	WELDING SUPPLIES	989.03
04/16/2021	14860(A)	AMERICAN HYDROGEOLOGY CORP.	S WESTNEDGE PARK - PFAS	1,235.00
04/16/2021	14861(A)	AMERICAN SAFETY & FIRST AID	SAFETY AND FIRST AID	359.51
04/16/2021	14862(A)	ANIMAL REMOVAL SERVICE, LLC	BEAVER REMOVAL	2,070.00
04/16/2021	14863(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROGRAM	53,037.94
04/16/2021	14864(A)	BLUE CARE NETWORK-GREAT LAKES	BCNA INSURANCE	152,120.06
04/16/2021	14865(A)	C T S TELECOM, INC.	TELEPHONE SERVICE	4,092.33

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04/16/2021	14866(A)	CARLETON EQUIPMENT CO.	REPAIR & MAINT SUPPLIES	238.66
04/16/2021	14867(A)	CARSTAR PORTAGE	POLICE VEHICLE REPAIR & MAINT	554.17
04/16/2021	14868(A)	CLEANIT CORP	VEHICLE WASHES	258.00
04/16/2021	14869(A)	DEER CONTRACTING & LANDSCAPE	BLOCK WALL REPAIR	380.00
04/16/2021	14870(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	3,477.73
04/16/2021	14871(A)	ELECTION SYSTEMS & SOFTWARE, INC.	ELECTION SUPPLIES	44.05
04/16/2021	14872(A)	ETNA SUPPLY, INC.	REPAIR & MAINT SUPPLIES	183.51
04/16/2021	14873(A)	EXTREME POWER EQUIPMENT, INC.	BOSS POLY PLOW	7,032.92
04/16/2021	14874(A)	FIRSTWATCH SOLUTIONS, INC.	DATA ANALYSIS SOFTWARE-FIRE	54,455.70
04/16/2021	14875(A)	FISHBECK THOMPSON CARR & HUBER, INC	RISK & RESILIENCE ASSESSMENT	1,320.00
04/16/2021	14876(A)	FOREMOST SALES COMPANY LLC	CLEANING SERVICES	1,985.00
04/16/2021	14877(A)	FURRY, WILLIAM	FINANCE CONSULTANT SERVICES	1,575.00
04/16/2021	14878(A)	GABRIELLI, CARLIN	ULTIMATE TRAINING OFFICER TR-REIMB	167.75
04/16/2021	14879(A)	GIBSON, ROBERT	ULTIMATE TRAINING OFFICER TR-REIMB	167.75
04/16/2021	14880(A)	GLEESING, KEVIN	POLICE SCHOOL OF STAFF & COMMAND	335.50
04/16/2021	14881(A)	GLOBAL EQUIPMENT CO., INC.	MISC BUILDING SUPPLIES	1,002.50
04/16/2021	14882(A)	GORDON WATER SYSTEMS	WATER SERVICES	265.35
04/16/2021	14883(A)	GRAINGER INC	SHOP TOOL- RIVET GUN	1,986.88
04/16/2021	14884(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL- BASEBALL DIAMONDS	136.00
04/16/2021	14885(A)	HURLEY & STEWART, LLC	VALLEYWOOD RETENTION BASIN REHAB	3,163.58
04/16/2021	14886(A)	INDUSCO SUPPLY CO., INC.	CLEANING SUPPLIES	43.94
04/16/2021	14887(A)	IP CONSULTING, INC.	CISCO SMARTNET RENEWAL	620.40
04/16/2021	14888(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOMS	240.00
04/16/2021	14889(A)	KLOSE2U PHOTOGRAPHY, LLC	RETIREE PHOTO SESSION	200.00
04/16/2021	14890(A)	LANDS END	RECORDS & IC UNIFORMS	276.65
04/16/2021	14891(A)	LAWSON PRODUCTS, INC	FLEET REPAIR/MAINTENANCE	1,327.67
04/16/2021	14892(A)	LEWIS PAPER PLACE, INC.	COPY PAPER	1,310.00
04/16/2021	14893(A)	LOEBIG, ELIZABETH	REIMB-JOB POSTINGS (2)	590.00
04/16/2021	14894(A)	LRE	DPW LOT EXPANSION	1,850.17
04/16/2021	14895(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION INSTALLS	4,470.00
04/16/2021	14896(A)	MARTIN SPRING & DRIVE, INC.	VAC TRUCK TRANSFER CASE REBUILD	16,965.90
04/16/2021	14897(A)	MATERIALS RESOURCES	LATEX GLOVES AND SUPPLIES	85.44
04/16/2021	14898(A)	MAYHEW, BRYAN	POLICE SCHOOL OF STAFF & COMMAND	335.50
04/16/2021	14899(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	145.65
04/16/2021	14900(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRES AND SERVICES	2,463.00

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04/16/2021	14901(A)	MICHIGAN OFFICE ENVIRONMENTS	OFFICE FURNITURE-NEW FIRE ST 2	1,077.51
04/16/2021	14902(A)	MIH MICHIGAN LLC	DISASTER RECOVERY SERVICE MONTHLY CHARGE	1,757.70
04/16/2021	14903(A)	MILONAS, GEORGE	LAND CONTRACT 2005 W MILHAM -APRIL PMT	854.00
04/16/2021	14904(A)	MORBARK LLC	CHIPPER REPAIRS	181.34
04/16/2021	14905(A)	MULDERS LANDSCAPE SUPPLIES INC	STREETS RESTORATION MATERIALS	1,482.50
04/16/2021	14906(A)	MUNICIPAL CODE CORPORATION	CODE OF ORD-SUPPLEMENT PAGES/35 COPIES	3,315.90
04/16/2021	14907(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE PPE GEAR	4,620.00
04/16/2021	14908(A)	O'BOYLE-COLWELL-BLALOCK & AS.	RAMONA PARK ENTRY LANDSCAPE DESIGN	1,160.00
04/16/2021	14909(A)	ONE WAY PRODUCTS	JANITORIAL SUPPLIES	1,493.14
04/16/2021	14910(A)	ONSTAFF USA INC	TEMP EMPLOYEE SERVICES	1,919.60
04/16/2021	14911(A)	PARIS CLEANERS	LAUNDRY CONTRACT	1,186.55
04/16/2021	14912(A)	PAVER PET SUPPLY	PET SUPPLIES	63.00
04/16/2021	14913(A)	PECKELS, CHRISTINE	FITNESS INSTRUCTION	240.00
04/16/2021	14914(A)	PEOPLEFACTS, LLC	EMPLOYEE BACKGROUND CHECKS 1ST QTR	91.35
04/16/2021	14915(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	423.78
04/16/2021	14916(A)	QUADRANT II MARKETING, LLC	MAY/JUNE NEWSLETTER PRODUCTION	2,007.00
04/16/2021	14917(A)	R W LAPINE INC.	HVAC ON-CALL SERVICES AND PARTS	4,079.30
04/16/2021	14918(A)	RIDDERMAN & SONS OIL CO. INC.	BULK GASOLINE DELIVERY	14,498.75
04/16/2021	14919(A)	RIDGE AUTO NAPA	REPAIR/MAINT SUPPLIES	266.94
04/16/2021	14920(A)	ROE-COMM, INC.	MISC RADIO SERVICES	150.00
04/16/2021	14921(A)	S B F ENTERPRISES, INC.	PRINT & PROCESS WATER/SEWER BILLS	875.91
04/16/2021	14922(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINTENANCE	5,460.00
04/16/2021	14923(A)	SLAVIN, NATHAN	CENTER MASS SNIPER WORKSHOP TR	90.00
04/16/2021	14924(A)	TERMINAL SUPPLY CO.	FLEET SAFETY LIGHTS	3,401.82
04/16/2021	14925(A)	TRUCK & TRAILER SPECIALTIES	MAINTENANCE SUPPLIES	221.00
04/16/2021	14926(A)	UNITED PETROLEUM	PUMP REPAIR PARTS	669.48
04/16/2021	14927(A)	WEST MICHIGAN INT'L LLC	TRUCK REPAIRS	410.46
04/16/2021	14928(A)	WIGHTMAN	PROF ENGINEERING SVCS-MEREDITH/SPRINKLE	105.00
04/16/2021	14929(A)	WOLFE, MATTHEW	MACP POLICE EXECUTIVES SCHOOL	168.00
04/16/2021	14930(A)	XEROX CORPORATION	XEROX COPIER FEES	212.07
			Total ACH	640,196.53

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04/02/2021	316300	ALLEGRA PRINT & IMAGING	ST. PATRICK'S DAY EVENT POSTCARD & MAILING	416.00
04/02/2021	316301	ARROWHEAD SCIENTIFIC, INC.	MISC EVIDENCE SUPPLIES	479.12

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04/02/2021	316302	AT&T	ELECTRONIC COMMUNICATIONS	664.91
04/02/2021	316303	ATLAS BUSINESS SOLUTIONS, INC.	SCHEDULE ANYWHERE LICENSE	1,684.80
04/02/2021	316304	AVB CONSTRUCTION LLC	COMMUNITY SR CENTER CONSTRUCTION MGMT	263,568.00
04/02/2021	316305	BAREITHER GROUP CONSULTING	STRATEGIC PLANNING CONSULTING SERVICES	750.00
04/02/2021	316306	BARLOW, STEVEN	CAR INTERIOR CLEANING	85.00
04/02/2021	316307	BUSINESS SPEAKERS BUREAU	SHANIA TWIN JUNE 21 CONCERT	3,000.00
04/02/2021	316308	C&C PROFESSIONAL CLEANING SERVICE	CLEANING SERVICES	2,592.14
04/02/2021	316309	CASSEN, BRIAN	STUART MANOR RENTAL & DEPOSIT REFUND	320.00
04/02/2021	316310	CEREAL CITY WINDOW CLEANING	WINDOW CLEANING OUTSIDE	100.00
04/02/2021	316311	CINTAS CORP.	UNIFORM RENTAL FOR INSPECTORS	18.86
04/02/2021	316312	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	476,621.42
04/02/2021	316313	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGES	89.90
04/02/2021	316314	DEVON TITLE AGENCY	OVERPAYMENT 8181 BLACK FOREST WATER SEWER	79.51
04/02/2021	316315	DEVON TITLE AGENCY	OVERPAYMENT 2459 OAKLAND FARMS TRL WATER	113.52
04/02/2021	316316	EARTHPLANTER LLC	RAISED FLOWER PLANTERS	12,457.00
04/02/2021	316317	EMERGENCY VEHICLE PRODUCTS	OUTFITTING 4 POLICE VEHICLES	41,689.32
04/02/2021	316318	FACE, GEORGE	REIMB - FIRE TRAINING-TEXTBOOK	84.80
04/02/2021	316319	GEAR GRID LLC	LOCKERS - NEW FIRE STATION 2	3,023.00
04/02/2021	316320	GUTH ILLUSTRATION & DESIGN	SPONSORSHIP BROCHURE 2021	1,800.00
04/02/2021	316321	HALT FIRE, INC.	FIRE APPARATUS MAINT	4,225.13
04/02/2021	316322	HANNAH, FERRIE	BLACK HISTORY MONTH PRESENTATION	300.00
04/02/2021	316323	HEALTHY MOTHERS, HEALTHY BABIES	FIRE TRAINING SUPPLIES	350.00
04/02/2021	316324	HOLLINS, SEAN M	LOCAL LEADERS SPOTLIGHT FLYER	97.50
04/02/2021	316325	HOLLINS, SONYA	BLACK HISTORY MONTH PRESENTATION	300.00
04/02/2021	316326	HOME DEPOT	MISC BUILDING SUPPLIES	320.51
04/02/2021	316327	IMAGESTREAM, INC.	CONFERENCE CALLS -COVID19	179.45
04/02/2021	316328	KALAMAZOO COUNTY HEALTH & COMMUNITY	MILLENNIUM FOOD SERVICE LICENSE	855.00
04/02/2021	316329	KENT COUNTY DPW	WASTE DISPOSAL RED MED/DRUG	90.00
04/02/2021	316330	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER CONTRACT-COMM SVCS	364.00
04/02/2021	316331	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR	750.80
04/02/2021	316332	LYSTER EXTERIORS	STUART MANOR ROOF REPAIR	1,470.00
04/02/2021	316333	MCCANN INDUSTRIES, INC.	BACKHOE MAINTENANCE	415.25
04/02/2021	316334	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	106.00
04/02/2021	316335	MENARDS	CONCRETE SUPPLIES	237.23
04/02/2021	316336	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	3,815.23

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04/02/2021	316337	MIDWEST CUSTOM EMBROIDERY COMPANY	RANGER JACKET STITCHING	55.00
04/02/2021	316338	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	79.50
04/02/2021	316339	MORTON SALT, INC.	ICE CONTROL SALT	77,291.96
04/02/2021	316340	MOSES FIRE EQUIPMENT, INC.	FIRE APPARATUS MAINT	1,198.60
04/02/2021	316341	MUDIE, JEANNE	STUART MANOR DEPOSIT & FEES REFUND	320.00
04/02/2021	316342	NATIONAL COUNCIL ON THE AGING	ACCREDITATION FEE	1,400.00
04/02/2021	316343	NEOGOV	NEOGOV SUBSCRIPTION	1,575.00
04/02/2021	316344	ODOM, DONNA	BLACK HISTORY MONTH PRESENTATION	300.00
04/02/2021	316345	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,020.64
04/02/2021	316346	VOID		0.00
04/02/2021	316347	PINNACLE RESTAURANTS LLC	UTILITY BILL REFUND	1,121.45
04/02/2021	316348	PRI MANAGEMENT GROUP	LERM 2021 CONFERENCE	495.00
04/02/2021	316349	QED ENVIRONMENTAL SYSTEMS, INC.	CALIBRATION OF METERS/CONFINED SPACE	1,500.00
04/02/2021	316350	RATHCO SAFETY SUPPLY, INC.	SIGNS AND MATERIALS	196.00
04/02/2021	316351	RICE, AMANDA	SCHOOLHOUSE DEPOSIT REFUND	50.00
04/02/2021	316352	RIVERSIDE INTEGRATED SYSTEMS, INC.	ANNUAL SERVICE OF ALARM SYSTEM	267.75
04/02/2021	316353	ROWERDINK, INC.	MAINTENANCE SUPPLIES	96.33
04/02/2021	316354	S A MORMAN & CO.	WEDGEWOOD WELLHOUSE DOOR REPLACEMENT	4,170.00
04/02/2021	316355	SAFEBUILT MICHIGAN, LLC	FILL IN INSPECTIONS FOR BUILDING SERVICE	5,640.00
04/02/2021	316356	SCHURING JR CO, JOHN	NOTARY BOND FEE	60.00
04/02/2021	316357	SHERWIN WILLIAMS	TRASH BARREL PAINT	110.97
04/02/2021	316358	SHILTS, DAWN	REIMBURSEMENT FOR VIRTUAL TRAVEL FEES	553.44
04/02/2021	316359	SIMMONS, HEATHER	SCHRIER PARK RENTAL REFUND	350.00
04/02/2021	316360	SPARTAN DISTRIBUTORS INC.	VENTRAC V-PLOW	2,795.00
04/02/2021	316361	SPC SPECIALTY PRODUCTS, LLC	AQUAPHALT MATERIAL	3,438.50
04/02/2021	316362	SUPERIOR BUSINESS SOLUTIONS	POLICE BUSINESS CARDS	25.74
04/02/2021	316363	THIRD COAST TECH, LLC	UPDATE TO VIDEO CONFERENCING SYSTEM	12,894.64
04/02/2021	316364	TIMBER RIDGE SKI AREA	SKI LESSONS FEES	3,000.00
04/02/2021	316365	TRIFECTA NETWORKS, LLC	CISCO PHONES UPGRADE	6,833.00
04/02/2021	316366	TRUSS, MYLES	LAKEVIEW PARK & TENT REFUND	260.00
04/02/2021	316367	VARIPHY INC.	VARIPHY CALL REPORTING RENEWAL	1,700.00
04/02/2021	316368	WHENTOWORK, INC.	STAFF ONLINE SCHEDULING	330.00
04/02/2021	316369	WIGHTMAN	SURVEYING BISHOPS BOG TRAIL	1,200.00
04/02/2021	316370	WILD, JED	FIRE CONSULTANT	1,032.50
04/02/2021	316371	M M R M A	INSURANCE PREMIUM	252,136.50

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04/09/2021	316372	ALDER, SANDRA	LANTERN EVENT MUSICIAN	300.00
04/09/2021	316373	CITY OF PORTAGE	CITY OF PORTAGE GROUP UT BILLING	1,053.68
04/09/2021	316374	CRITCHLOW ALLIGATOR SANCTUARY	APRIL PROGRAM 2021	300.00
04/09/2021	316375	MICHIGAN ELECTION RESOURCES, LLC	AV APPLICATIONS AND POSTAGE	2,543.75
04/09/2021	316376	STATE OF MICHIGAN	SEX OFFENDER REGISTRATION	570.00
04/09/2021	316377	STATE OF MICHIGAN (TREASURY)	2019 IFT DISBURSEMENT TO STATE OF MICH	1,038,557.98
04/09/2021	316378	UNITED PARCEL SERVICE	UPS WEEKLY	24.19
04/09/2021	316379	USPS	REFILL POSTAGE METER	6,000.00
04/09/2021	316380	VERIZON CONNECT NWF, INC.	FLEET GPS SERVICES	1,387.58
04/09/2021	316381	VERIZON WIRELESS	CELLULAR TELEPHONES	3,108.47
04/16/2021	316382	10TH DISTRICT COURT	OUT OF COUNTY BOND	500.00
04/16/2021	316383	ACE-TEX ENTERPRISES, INC.	WIPING CLOTHS	939.42
04/16/2021	316384	ADVANCE II LLC	MAY SPECIAL ELECTION TEMP ASSISTANCE	1,556.06
04/16/2021	316385	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,868.00
04/16/2021	316386	ALLEN EDWIN HOME BUILDERS LLC	OVERPAYMENT FINAL WATER BILL 3954 DIAMON	204.17
04/16/2021	316387	ALLMAN, RICHARD	REFUND CREDIT BALANCE ON FINAL WATER BILL	171.02
04/16/2021	316388	ALTA EQUIPMENT CO.	MAINTENANCE SUPPLIES	894.09
04/16/2021	316389	ARROWHEAD SCIENTIFIC, INC.	MISC EVIDENCE SUPPLIES	587.71
04/16/2021	316390	AT&T	ELECTRONIC COMMUNICATIONS	6,582.67
04/16/2021	316391	BARRETT, DANIEL & SUSAN	OVERPAYMENT FINAL WATER BILL 9792 MARINE	122.36
04/16/2021	316392	BART'S BANNERS AND SIGNS	VEHICLE NUMBERS	26.00
04/16/2021	316393	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	420.00
04/16/2021	316394	BEHRE, CHRISTOPHER	LANTERN EVENT MUSIC	400.00
04/16/2021	316395	BLAIN SUPPLY, INC.	EQUIPMENT REPAIRS	100.10
04/16/2021	316396	BLUE CROSS/BLUE SHIELD OF MICH	BCBSM INSURANCE	16,609.56
04/16/2021	316397	BUSINESS SPEAKERS BUREAU	SHANIA TWIN JUNE 21 CONCERT	3,000.00
04/16/2021	316398	BUSINESS SPEAKERS BUREAU	DEPARTURE CONCERT JULY 2021	4,375.00
04/16/2021	316399	BYCE & ASSOCIATES, INC.	COMMUNITY SENIOR CENTER A&E DESIGN	5,400.00
04/16/2021	316400	C. STODDARD & SONS INC.	USED OIL REMOVAL	242.50
04/16/2021	316401	CAPITOL STRATEGIES, LLC	CONSULTING SVCS-FEDERAL, STATE, CITY ISSUES	6,000.00
04/16/2021	316402	CC CONSULTING LLC	CONSULTING SVC/RETAIL MARKETING ANALYSIS	1,500.00
04/16/2021	316403	CHICAGO TITLE OF MI	OP FINAL WATER BILL 10615 PORTAGE	5.46
04/16/2021	316404	CINTAS CORP.	UNIFORM RENTALS	170.16
04/16/2021	316405	CITY OF KALAMAZOO TREASURER	WATER SERVICES	26.95
04/16/2021	316406	CLEARNETWORK, INC.	UNIFIED SECURITY FEB	1,950.00

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04/16/2021	316407	COLTON, SARAH	LAKEVIEW PAV RENTAL REFUND	110.00
04/16/2021	316408	CONSORT DISPLAY GROUP	MESSENGER X BANNER STANDS	1,080.00
04/16/2021	316409	COPPER BAY CO LLC	OVERPAYMENT WATER BILL 10414 PENRIDGE TR	74.36
04/16/2021	316410	COPPER BAY CO LLC	OVERPAYMENT FINAL BILL 1999 BLUFF RIDGE	102.22
04/16/2021	316411	COSTAR REALTY INFORMATION, INC.	COMM REAL ESTATE DATABASE	1,468.92
04/16/2021	316412	D C PLUMBING	PLUMBING REPAIR	139.00
04/16/2021	316413	D L GALLIVAN INC.	PRINTER CONTRACT SERVICE	39.43
04/16/2021	316414	DIPERT, MIELISSA L	BD PAYMENT REFUND	1,530.00
04/16/2021	316415	DRIESEN & ASSOCIATES INC	MATERIALS TESTING SVC-COMMUNITY SR CENTER	13,206.25
04/16/2021	316416	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINT	1,071.60
04/16/2021	316417	FABRICATED FLEX & HOSE	VACTOR HOSES/SUPPLIES	667.43
04/16/2021	316418	FLEIS & VANDENBRINK ENGINEERING	LEXINGTON-GREEN RENOVATION A & E SVC	9,563.75
04/16/2021	316419	FLETCHER ENTERPRISES	GRAFFITI REMOVAL I94	4,605.00
04/16/2021	316420	FLIR COMMERCIAL SYSTEMS INC	FIRE THERMAL IMAGING	525.00
04/16/2021	316421	FORMULA K EQUIPMENT LLC	REPLACEMENT ROTOTILLER	799.99
04/16/2021	316422	H J DEATON & SON INC.	BALL DIAMOND DUST	1,515.54
04/16/2021	316423	HARRIS, MONICA A	CLASS INSTRUCTOR PAYMENT	90.00
04/16/2021	316424	HILL'S GUTTER SERVICE, LLC	CDBG GEBAUER 7710 JULIE GUTTERS	1,359.00
04/16/2021	316425	HOHLER, KYLE M	OAK TREE REMOVAL	1,450.00
04/16/2021	316426	HOLLAND, MICHAEL	REIMB-TR COURSES (3)-ASSESSORS	322.99
04/16/2021	316427	HOLOCENE ENVIRONMENTAL LLC	UST "A" AND "B" OPERATOR SERVICE	175.00
04/16/2021	316428	HOME DEPOT	FLEET MAINTENANCE SUPPLIES	2,547.34
04/16/2021	316429	VOID		0.00
04/16/2021	316430	INTEGRITY TREE SERVICE, LLC	TREE REMOVAL SERVICES	32,387.81
04/16/2021	316431	J & J LOCKSMITHS	SPARE KEY AND LOCK LUBRICANT	514.20
04/16/2021	316432	JUSTICE FENCE COMPANY	FENCE & GATE - NEW FIRE ST 2	30,000.00
04/16/2021	316433	KALAMAZOO COUNTY TREASURER	MOBILE HOME TAXES 2021	343.71
04/16/2021	316434	KALAMAZOO LANDSCAPE SUPPLIES	LANDSCAPE BED PLANTING MIX	9,120.00
04/16/2021	316435	L FARNUM INCORPORATED	CONSULTING-WINTER LOBBY FINANCIAL REPT	200.00
04/16/2021	316436	LEVANNES, INC	OVERPAYMENT DEL. PERSONAL PROPERTY PARC	256.18
04/16/2021	316437	LIVINGSTON COUNTY ASSESSORS ASSO	APEX V7 TRAINING	120.00
04/16/2021	316438	LUNAK, SUZANNE	200831 TRIP REFUND NEW YORK ED TED	50.00
04/16/2021	316439	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	91.00
04/16/2021	316440	MEISTER, DREW	ADULT SOFTBALL - NON-RESIDENT FEE REFUND	100.00
04/16/2021	316441	MENARDS	EAGLE SCOUT PROJECT- WLNP	2,485.70

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04/16/2021	316442	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	401.16
04/16/2021	316443	MICHIGAN ELECTION RESOURCES, LLC	ELECTION SUPPLIES	10,114.55
04/16/2021	316444	MITCHELL REPAIR INFORMATION CO	MITCHELL1 PRODEMAND SUBSCRIPTION	1,728.00
04/16/2021	316445	MLIVE MEDIA GROUP	LEGAL NOTICES MARCH 2021	4,025.20
04/16/2021	316446	MML UNEMPLOYMENT FUND	QUARTERLY UNEMPLOYMENT	3,507.27
04/16/2021	316447	MOORLAG, ALISEAH	RAMONA PARK PAV REFUND	110.00
04/16/2021	316448	MORRISON INDUSTRIAL EQUIPMENT	FORKLIFT REPAIRS	238.80
04/16/2021	316449	MOSES FIRE EQUIPMENT, INC.	FIRE HOSE MAINT	400.44
04/16/2021	316450	MPPOA	MEMBERSHIP APPLICATION/DUES	75.00
04/16/2021	316451	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,321.00
04/16/2021	316452	VOID		0.00
04/16/2021	316453	PAW PAW VETERINARY CLINIC, P.C.	CANINE PET CARE	111.75
04/16/2021	316454	PEERLESS, INC.	PEERLESS, INC	600.00
04/16/2021	316455	PETTY CASH-LARRY MOORE	REPLENISHMENT CHECK	309.02
04/16/2021	316456	PHILLIPS, ROMEO E.	BLACK HISTORY MONTH PRESENTATION	300.00
04/16/2021	316457	PORTAGE GLASS & MIRROR	CITY HALL SUPPLIES	450.00
04/16/2021	316458	PURITY CYLINDER GASES, INC	WELDING & MAINT SUPPLIES	225.50
04/16/2021	316459	R-COMM MEDIA	2021/2022 DISCOVER KALAMAZOO GUIDE	1,596.00
04/16/2021	316460	REV X PRODUCTS, INC.	BULK FUEL ADDITIVE	3,860.80
04/16/2021	316461	RICHARDS, RANDY	OVERPAYMENT FINAL WATER BILL HAYE0393004	5.76
04/16/2021	316462	ROWERDINK, INC.	MAINTENANCE SUPPLIES	32.83
04/16/2021	316463	SEELYE FORD, INC.	VEHICLE MAINTENANCE	3.84
04/16/2021	316464	SHI INTERNATIONAL CORP.	KNOWBE4 RENEWAL	6,052.50
04/16/2021	316465	SKILLQUEST INTERNATIONAL LLC	PRE-HIRE DRUG SCREENS	75.00
04/16/2021	316466	SPAROW, BRENDA	SCHRIER PARK DEPOSIT REFUND	150.00
04/16/2021	316467	SPARTAN DISTRIBUTORS INC.	TORO ANNUAL SERVICE	5,342.58
04/16/2021	316468	STATE OF MICHIGAN	SOR FEES	390.00
04/16/2021	316469	STATE SYSTEMS RADIO, INC	EQUIPMENT RADIO SERVICES	2,112.67
04/16/2021	316470	STEENSMA LAWN & POWER EQUIPMENT	REPAIR/MAINT SUPPLIES	1,518.97
04/16/2021	316471	SWANK MOTION PICTURES, INC.	JUNE MOVIE SERIES - JUMANJI	435.00
04/16/2021	316472	SYMPRO INC.	ANNUAL MAINTENANCE	8,086.77
04/16/2021	316473	THIRD COAST TECH, LLC	CONFERENCE RM 1 VIDEO CONFERENCING SYSTEM	22,423.06
04/16/2021	316474	ULINE, INC.	WEIGHTED A-FRAME SIGNS FARMERS MARKET	498.66
04/16/2021	316475	USPS	PORTAGER POSTAGE	8,500.00
04/16/2021	316476	VANDERVEEN, BRADY	STATE OF MI LARA MEMBERSHIP REIMB	150.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/28/2021 to 4/17/2021

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Check Date	Check	Vendor Name	Description	Amount
04/16/2021	316477	VANGUARD FIRE & SUPPLY CO., INC.	FIRE EXTINGUISHER MAINT	525.04
04/16/2021	316478	WADSWORTH & ASSOCIATES INC	ANNUAL UPS ULTRA SERVICE PLAN	4,153.00
04/16/2021	316479	WEDEL'S INC.	TRAIL HEAD DAIRY DOO	1,034.00
04/16/2021	316480	WILD, JED	FIRE CONSULTANT	1,111.25
04/16/2021	316481	WILLIAMS & WORKS	ENGINEERING SERVICES-LOVERS LANE	8,177.50
04/16/2021	316482	XAVUS SOLUTIONS	LICENSE FOR 3 PACK IPHONE MYSCENTER	300.00
Total Paper Checks				2,533,072.14

Check Type: Auto-Pay Payments

03/31/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	304.32
04/01/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	277.54
04/05/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	11,008.35
04/06/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	48,191.23
04/08/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	1,396.17
04/12/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	31,162.04
04/14/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	1,952.33
04/15/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	5,878.73
Total Auto-Pay Payments				100,170.71

Check Type: Electronic Payments

03/30/2021	SBF		WATER/SEWER BILL POSTAGE	2,082.84
03/29/2021	MULTIPLE		CM,DH,NU,PPOA, UAW PENSION PMTS	156,641.30
04/07/2021	ICMA		LOAN PAYOFF	743.52
04/07/2021	EAGLE CLAIMS		WORKERS' COMPENSATION	24,308.36
04/12/2021	ICMA		PENSION WITHHOLDINGS	40,049.05
04/15/2021	ATTORNEY		LEGAL & ARBITRATION	18,810.00
04/15/2021	MULTIPLE		RETIREE HEALTH SAVINGS	37,857.04
04/15/2021	MULTIPLE		IAFF, PPOA, PPOA, UAW PENSION PMTS	90,410.89
Total Electronic Payments				370,903.00

Check Type: Credit Card Transactions

03/01/2021	ICMA ONLINE		DCM WEBINAR	149.00
03/01/2021	BUZZSPROUT.COM PODCAST		MONTHLY PODCAST SUBSCRIPTION	24.00
03/02/2021	NRPA OPERATING		ANNUAL MEMBERSHIP DUES	175.00
03/02/2021	NRPA OPERATING		STUDY GUIDE FOR CERTIFICATION	59.31

ACCOUNTS PAYABLE REGISTER
Check Dates From: 3/28/2021 to 4/17/2021

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Check Date	Check	Vendor Name	Description	Amount
03/04/2021		CENTER FOR PUBLIC SAFETY	FIRE ACCREDITATION BOOKS	786.95
03/04/2021		WWW.DJI.COM	DRONE REPAIR	187.00
03/05/2021		MGFOA MEMBERSHIP DUES	ANNUAL MEMBERSHIP DUES	120.00
03/10/2021		FBI LEEDA INC	ANNUAL MEMBERSHIP DUES	50.00
03/11/2021		CKO WWW.ISTOCKPHOTO.COM	STOCK PHOTO CREDITS	520.00
03/11/2021		GPS CALHOUN CO SHERIFF BA	POLICE TRAINING	155.63
03/12/2021		DOLAN CONSULTING GROUP	POLICE TRAINING	195.00
03/15/2021		AMZN MKTP US CV8N52P83	DRINKING FOUNTAIN FILTERS	95.40
03/22/2021		BLN MONDAY.COM	PROJECT MGMT SOFTWARE	1,004.88
03/22/2021		APT US&C	ANNUAL MEMBERSHIP DUES	100.00
03/22/2021		SONESTA HOTELS	POLICE TRAINING	375.00
03/25/2021		MGFOA REGISTRATION FEE	ONLINE CONFERENCE	180.00
03/25/2021		COURTYARD BY MARRIOTT	POLICE TRAINING	188.70
03/29/2021		SONESTA HOTELS	POLICE TRAINING	385.52
03/31/2021		BUZZSPROUT.COM PODCAST	MONTHLY PODCAST SUBSCRIPTION	24.00
03/31/2021		ZOOM.US	ANNUAL VIDEO CONFERENCING SUB	317.79
Total Credit Card Payments				5,093.18
Grand Total				3,649,435.56

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Public Hearing on Fiscal Year 2021-2022 Budget

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Adopt the Resolution setting a public hearing on May 11, 2021 for the Fiscal Year 2021-2022 Proposed City Budget and the proposed 2021 tax levy.

To permit adoption of the Fiscal Year 2021-2022 Proposed Budget on May 25, 2021, as well as satisfy the requirements of the City Charter and Public Act 5 of 1982, known as the Truth in Taxation Act, a public hearing must be held at the regular City Council meeting of May 11, 2021.

Public Act 5 of 1982 requires that any millage rate above the “base tax rate” be identified separately in the Notice of Public Hearing on the proposed 2021 tax levy. The “base tax rate” as defined by Public Act 5 of 1982 is the prior year operating millage adjusted for the inflationary growth in the Taxable Value of property in the city. Adopting the millage rate through the budget hearing precludes the need for a Truth In Taxation hearing. The proposed millage rate for 2021 is 10.6400.

It is recommended that City Council adopt the Resolution setting a public hearing on May 11, 2021 for the Fiscal Year 2021-2022 Proposed Budget.

FUNDING: N/A

Attachments: 1. Resolution for 2021-2022 Proposed Budget Hearing

CITY OF PORTAGE
RESOLUTION OF CITY OF PORTAGE

At a regular meeting of the City Council for the City of Portage, Michigan, held electronically and in conformance with the Open Meetings Act (Act No. 267) as amended, on April 27, 2021, beginning at 7:00 p.m., local time, there were

Present: _____

Absent: _____

The following resolution was offered by:

Council member _____, and supported by:

Council member _____

NOW THEREFORE, BE IT RESOLVED:

That the City of Portage set a public hearing for 7:00 p.m., or as soon thereafter as may be heard, on May 11, 2021, on the proposed 2021-2022 City budget as required by Chapter Seven of the City Charter and state law.

Be it further resolved:

That notice, in substantially the following form, be published in a newspaper of general circulation within the City, giving notice of the City's intent to set the public hearing.

CITY OF PORTAGE, MICHIGAN
NOTICE OF PUBLIC HEARING
ON PROPOSED CITY BUDGET AND
PROPOSED PROPERTY TAXES

The City Council of the City of Portage will hold a public hearing at 7:00 p.m., or as soon thereafter as may be heard, on May 11, 2021 in a virtual meeting on the proposed 2021-2022 City budget and on the proposed 2021 City tax levy. Copies of the proposed budget are available for public inspection during regular business hours in the offices of the City Clerk and the Director of Finance and Purchasing.

The hearing is being held for the purpose of receiving testimony and discussing the proposed levy of the millage needed to support the proposed budget.

Public comments, oral or written, are welcome at the hearing on the proposed City budget and the proposed millage rate.

This notice published by:

CITY OF PORTAGE
7900 SOUTH WESTNEDGE AVENUE
PORTAGE, MICHIGAN 49002
(269) 329-4412

Dated: _____, 2021

City Clerk

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

RESOLUTION DECLARED ADOPTED _____

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a virtual meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on April 27, 2021, the original of which is in the official proceedings of the City Council.

The undersigned, being the duly qualified and acting Clerk of the City of Portage, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the City Council at a regular meeting held on April 27, 2021, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267) and the Governor's Executive Order No. 2020-48, as the same may be or has been expanded, extended, supplemented or replaced from time to time., Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

City Clerk

Approved as to form:



John R. Axe, Clark Hill PLC

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Dissolution of the Austin Lake Governmental Lake Board

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Direct the City Attorney to prepare a Resolution for the dissolution of the Austin Lake Governmental Lake Board and establish a public hearing on May 27, 2021, to consider the resolution in accordance with Public Act 451 of 1994.

As the City Council is aware, Austin Lake is completely within the jurisdiction of the City of Portage and the Austin Lake Governmental Lake Board (Lake Board) was established by resolution of City Council on April 23, 1996. The Lake Board has completed lake improvement projects since it was established in 1996. Notwithstanding, the Lake Board has determined that its continuation is no longer necessary for the improvement of Austin Lake, because the reasons for the Lake Board's establishment no longer exist.

On February 24, 2021, the Lake Board approved a resolution to order the dissolution of the Lake Board, and to initiate the process of requesting the City of Portage to approve dissolution of the Lake Board. In accordance with Public Act 451 of 1994, the Lake Board has paid all of their debts and the remaining fund balance of \$35,008.38 will be distributed to the City of Portage for future improvements, if required.

It is recommended that City Council favorably respond to the request of the Lake Board and on its own initiative direct the City Attorney to prepare a Resolution for the dissolution of the Austin Lake Governmental Lake Board and establish a public hearing on May 27, 2021, to consider the resolution in accordance with Public Act 451 of 1994.

FUNDING: N/A

Attachments:

1. Austin Lake Governmental Lake Board Resolution To Order Dissolution of Lake Board
2. Austin Lake Governmental Lake Board Confirmation of Payment of Debts

AUSTIN LAKE GOVERNMENTAL LAKE BOARD

RESOLUTION TO ORDER DISSOLUTION OF LAKE BOARD

At a regular meeting of the Austin Lake Governmental Lake Board, Kalamazoo County, Michigan, held (via WebEx) on the 24 day of February 2021, at 3:00 p.m.

PRESENT: Larry Pio, Lori Knapp, Victor Ledbetter, Jason Wiersma, Fran Bruder
Melgar

ABSENT: None

Resolution offered by: Lori Knapp

Seconded by: Fran Bruder Melgar

WHEREAS, Austin Lake is a public inland lake as defined by the Inland Lake Improvement Act, , MCL 324.30901 *et seq.*, (hereinafter "Act").

WHEREAS, the City of Portage established an Austin Lake Governmental Lake Board ("Lake Board") by Resolution on April 23, 1996;

WHEREAS, the Lake Board has determined that it is no longer necessary for the improvement of Austin Lake, because the reasons for its establishment no longer exist;

NOW, THEREFORE BE IT RESOLVED that the Lake Board makes the following findings:

1. The Lake Board is no longer necessary for the improvement of the lake because the reasons for the establishment of the Lake Board no longer exist.
2. Austin Lake is completely within the jurisdiction of the City of Portage.
3. All outstanding indebtedness and expenses of the Lake Board will be paid and settled in full prior to any action approved by the City of Portage to dissolve the Lake Board.

4. Any excess of funds of the Lake Board will be refunded based on the last approved assessment roll. However, if the excess funds are de minimis, the excess funds shall be distributed to the City of Portage, pursuant to MCL 324.30929.

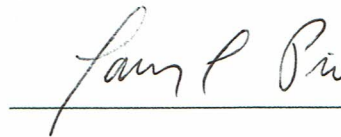
BE IT FURTHER RESOLVED that the Lake Board hereby orders the Lake Board dissolved, pending the City of Portage holding the required public hearing and undertaking the process required by law to dissolve the Lake Board.

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

YEAS: Larry Pio, Lori Knapp, Victor Ledbetter, Jason Wiersma, Fran Bruder Melgar

NAYS: None

ABSENT: None

A handwritten signature in cursive script, reading "Larry L Pio", is written over a horizontal line.

Chairman, Austin Lake Governmental Lake Board
Larry L Pio

3/20/21

Mayor Patricia Randall,
and the Portage Michigan City Council
7900 South Westnedge Avenue
Portage, MI 49024

Mayor Randall:

As Chair, and acting Treasurer of the Austin Lake Governmental Lake Board, I wanted to confirm to you that all of our bills have been paid, and we have no anticipated additional expenses.

Our GLB has approved a Resolution to Order Dissolution of our Lake Board, and payment of all our bills is the final step before a hearing by the City Council.

Thank you.

Larry L Pio
269-341-5964
Nalcoman1@aol.com

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Application for Liquor License - Lake Burgers (6800 South Westnedge)

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Recommend approval by the Michigan Liquor Control Commission (MLCC) of the Application for a Micro Brew license for Lake Burgers for 6800 South Westnedge (Suite F).

The Michigan Liquor Control Commission (MLCC) requires that the local government consider the attached Local Government Approval Resolution prior to the MLCC review of a request for a Micro Brewer License. The applicant, Lake Burger (Raffwood LLC), is applying for a Micro Brew License in collaboration with Latitude 42 to open a second restaurant location in the City of Portage at 6800 South Westnedge Avenue in the Carillon Centre (Suite F). The applicant's current operation is located at 4401 West Main Street in Kalamazoo.

Per the applicant, Lake Burger is planning to have a small Micro Brew system on site to brew its own beer, but also contract brew with Latitude 42 for special releases. The MLCC has advised the applicant that a Micro Brew license is required for both operations and is considered the most affordable and effective way for this concept. Lake Burger is not interested in a Class C liquor license or a Tavern License due to costs and state quota requirements. Per the MLCC, if a request includes the intent to sell beer a licensee manufactures under its Micro Brewer license in an approved tasting room located on the manufacturing premises under an On-Premises Tasting Room Permit, it must obtain the approval of the local legislative body of the local governmental unit where it will be licensed.

A micro brewer is required to obtain a special land use permit under City of Portage regulations from the Planning Commission. The Lake Burger application was on the April 15th Planning Commission agenda and received approval from the Planning Commission.

Additional positive reviews of the application were completed by the Departments of Finance and Fire Division - Public Safety. As such, it is recommended that City Council recommend approval by the Michigan Liquor Control Commission (MLCC) of the Application for a Micro Brew License for Lake Burger (Raffwood LLC) at 6800 South Westnedge Avenue (Suite F).

FUNDING: Not Applicable

- Attachments:**
1. Applicant Request
 2. Local Government Approval Resolution
 3. Landlord Recommendation
 4. April 15, 2021 Draft PC Minutes

Dear Governing Body,

My name is Beau Raffensperger. I am the proud owner of Lake Burger restaurant here in Kalamazoo, featuring farm fresh fare, including burgers, fries, shakes & more. We have had an incredible response from our local community thus far, with constant support and a high rate of return customers. Our newest concept will be similar; however, we are adding craft beer on tap & wine by the glass. Allow me to "introduce" my partner for this project, Joe Stoddard, the current owner of Latitude 42 Brewing Company of Kalamazoo & Portage. Our vision includes the continues support of our local vendors we currently have accounts with and look to grow business for us all, create more jobs and in return support our local community, economy and patrons alike. This restaurant is located at 6800 South Westnedge Avenue and is 2,300 SF. Our design includes a light renovation to the current space, creating a vibrant bar area and spacious family-friendly seating throughout. The floorplan will also include a separation knee wall to create a private and romantic dining area as well. This is fast casual eats meets a family friendly sit-down restaurant. Our menu features local grass-fed beef burgers, fresh cut fries, handspun milkshakes & Chicago style hot dogs. We will have rotating craft beer on tap, and a few wines by the glass. With your blessing, we will be able to submit this application for our Micro Brew License to the MLCC for further review and proceed with our project. Our goal is to be open for business in October of this year. We greatly appreciate your consideration and look forward to working together to bring the City of Portage another great local eatery.

Our local vendors include:

Carlson Farms

Renzema Bakery

Plainwell Ice Cream

Crispy Country Acres

Opes of Kalamazoo

Vienna Beef

Please see the attached letter of recommendation from our Landlord. Thank you.



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from RAFFWOOD LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): MICRO BREW LICENSE
(list specific licenses requested)

to be located at: 6800 S. WESTNEDGE AVENUE

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____
(regular or special) (date) (township, city, village)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059



TREYSTAR™

www.treystar.com

MEMO

TO: City of Portage – Community Development Department

FROM: Terry Patterson On Behalf of Carillon, LLC

SUBJECT: Raffwood, LLC – Carillon Centre Restaurant

DATE: 3/10/21

Please allow this memo to provide a recommendation for Raffwood, LLC to develop a Lake Burger restaurant featuring Burgers and Beer within the Carillon Centre @ 6800 S. Westnedge Ave.

We have a Landlord/Tenant relationship with Beau Raffensperger and his Lake Burger restaurant located at 4404 W. Main St. in Kalamazoo. We are excited that Mr. Raffensperger desires to open a second Lake Burger concept in Portage and has chosen the Carillon Centre. We believe this will be an excellent addition to The Carillon Centre and look forward to their opening during the 2nd half of 2021.

Should you have any questions or need any additional information, please feel free to contact me at your earliest convenience.

Thank you,

cc: Carillon Centre Raffwood, LLC File

PLANNING COMMISSION

April 15, 2021 Virtual Meeting

The City of Portage Planning Commission virtual meeting of April 15, 2021 was called to order by Chairperson Corradini at 7:00 p.m.

IN REMOTE ATTENDANCE

Christopher Forth, Deputy Director of Planning & Neighborhood Services; Roxanne Seeber, Assistant City Attorney; Kyle Mucha, Zoning & Codes Administrator; John Lovely, Plan Review Engineer.

ROLL CALL

Mr. Forth called the roll: Joshi (yes, Portage); Fries (yes, Portage); Pezzoli (yes, Portage); Baldwin (yes, Portage); Fawley (yes, Portage); Youngs (yes, Portage); Freiman (yes, Portage); Corradini (yes, Portage). Commissioner Myer was excused.

APPROVAL OF MINUTES:

A motion was made by Commissioner Youngs, supported by Commissioner Fries to approve the April 1, 2021 meeting minutes. Upon roll call vote, Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Fawley (yes); Freiman (yes); Youngs (yes); Corradini (yes). The motion was approved 8-0.

NEW BUSINESS:

Special Land Use Permit for Lake Burger, 6814 South Westnedge Avenue. Deputy Director Forth summarized the staff report, dated April 9, 2021, related to an application submitted by Beau Raffensperger, on behalf of Lake Burger, for a Special Land Use Permit to establish a brewpub/micro brewer at 6814 South Westnedge Avenue. The applicant proposes to occupy a tenant space at this location to establish a brewpub that would seat between 55 and 60 persons with brewing capabilities of an estimated 3 barrels per week.

Commissioner Pezzoli inquired with staff about any other brewpubs or micro brews being located within a shopping center/complex. Deputy Director Forth responded in the negative.

The applicant, Beau Raffensperger, was present to support the project and stated he was excited to open a second location in Portage.

Chairperson Corradini opened the public hearing. No person spoke for or against the application. Vice Chairperson Joshi made a motion, supported by Commissioner Freiman, to close the public hearing. Upon roll call vote, motion to close the public hearing was approved 8-0.

Commissioner Fries made a motion, supported by Commissioner Baldwin, to approve the Special Land Use Permit for Lake Burger, located at 6814 South Westnedge Avenue with the following conditions: 1) brewery production shall not exceed 18,000 barrels per year; 2) no outdoor storage of any kind shall be permitted; 3) the use shall also include a restaurant having a minimum seating occupancy of 50 persons serving food for consumption on premises. Upon roll call vote: Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Fawley (yes); Freiman (yes); Youngs (yes); Corradini (yes). The motion was approved 8-0.

The Oaks (Phase 2) Preliminary Plat at 4800 Bishop Avenue. Deputy Director Forth summarized the staff report dated April 9, 2021 regarding the preliminary plat review and approval for Landmark Development Partners, LLC. Deputy Director Forth indicated Phase 2 of "The Oaks" consists of construction on 50 single-family residential lots on approximately 16.9 acres. Deputy Director Forth mentioned two letters from neighborhood residents have been received and previously provided to the Commission.

Commission Youngs inquired about the maintenance of the new retention basin located on the north-east portion of the subject parcel. Deputy Director Forth responded that the City of Portage would maintain the retention basin.

Pat Flanagan of Ingersoll, Watson & McMachen, Inc., representing the applicant, was present to support the preliminary plat. Mr. Flanagan provided additional information to the Commission regarding storm water concerns raised by area residents. Mr. Flanagan also provided an overview of the retention basin design, which will convey storm water away from the proposed development by use of an overflow pipe to an adjacent wetland. Mr. Flanagan also indicated the new development has been designed to address potential storm water concerns from area residents and should help to alleviate some of the past high water level issues.

Commissioner Youngs inquired about the number of trees that would be removed. Mr. Flanagan referred Commissioner Youngs to the preliminary plat drawing that outlines areas of proposed tree removal. Mr. Flanagan also indicated that the intent is to retain trees in the proposed development, however, some trees will need to be removed for infrastructure projects and home construction.

Commissioner Baldwin inquired with the applicant about the former storm water basin and if it has been filled in or is it still in existence. Mr. Flanagan indicated the former basin has been filled in with the construction of the new basin to the north.

Chairperson Corradini opened the public hearing. No persons spoke for or against the proposed preliminary plat development. A motion was made by Commissioner Fries, supported by Vice Chairperson Joshi, to close the public hearing. Upon roll call vote: Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Fawley (yes); Freiman (yes); Youngs (yes); Corradini (yes). The motion was approved 8-0.

Vice Chairperson Joshi inquired with the applicant about mitigation efforts as it pertains to flooding and grading of the new proposed preliminary plat development. Mr. Flanagan responded that past flooding concerns were in relation to individual home construction and not part of the new development. Mr. Flanagan informed the Commission that the new roadways are designed to be set approximately three to five feet higher in elevation than those of the adjacent neighborhood along Jamaica Lane and Bahama Lane, which in turn raises the basement elevations of new construction in "The Oaks".

Plan Review Engineer John Lovely informed the Commission that the new retention basin construction and location has aided in reducing the impact on homes to the south and west and will be an improvement as it relates to storm water management.

Commissioner Youngs thanked the applicant regarding the level of detail provided regarding storm water management.

Commissioner Fries commended Mr. Flanagan and Mr. Hovestadt, Landmark Development Partners, LLC, on the proposed preliminary plat design and overall project.

Commissioner Fries made a motion, supported by Commissioner Fawley, to recommend to City Council that the preliminary plat of "The Oaks" (Phase 2), 4800 Bishop Avenue be approved subject to the following conditions as detailed in the Department of Community Development staff report: 1) request for a block length modification be approved; 2) the proposed street system, municipal water and sanitary sewer are acceptable in concept and the final design, will be addressed as part of the detailed engineering plan review; and 3) lots within the Oaks Phase 2 be included in the homeowners association for the purpose of maintaining the Bermuda Street median island entry feature. Upon roll call vote: Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Fawley (yes); Freiman (yes); Youngs (yes); Corradini (yes). The motion was approved 8-0.

STATEMENT OF CITIZENS/COMMISSIONERS

Commissioners Fries, Youngs and Fawley expressed concerns with not being provided a paper copy of the Planning Commission Agendas. The Commissioners indicated that a paper copy allows for easier accessibility to the supporting documents in the agendas instead of having to continuously change views on a mobile device or computer.

Chairperson Corradini thanked Vice Chairperson Joshi on stepping in at the last meeting during his absence. Chairperson Corradini also expressed his concerns regarding not receiving a paper copy of the Planning Commission Agendas and cited that having a paper copy allows for note taking while reviewing applications.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made by Vice Chairperson Joshi, supported by Commissioner Baldwin to adjourn the meeting. Chairperson Corradini adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director, Planning, Development & Neighborhood Services

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Minutes of Boards & Commissions

PLANNING COMMISSION

February 18, 2021 Virtual Meeting

The City of Portage Planning Commission virtual meeting of February 18, 2021 was called to order by Chairman Corradini at 7:03 p.m.

IN REMOTE ATTENDANCE

Kelly Peterson, Director of Community Development; Christopher Forth, Deputy Director of Planning & Neighborhood Services; Catherine Kaufman, City Attorney and Kyle Mucha, Zoning & Codes Administrator.

ROLL CALL

Mr. Forth called the roll: Joshi (yes, Portage); Fries (yes, Portage); Corradini (yes, Portage); Pezzoli (yes, Portage); Baldwin (yes, Portage); Myer (yes, Portage); Freiman (yes, Portage); Youngs (absent); and Fawley (excused).

APPROVAL OF MINUTES:

A motion was made by Commissioner Joshi, seconded by Commissioner Baldwin to approve the February 4, 2021 meeting minutes. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion was approved 7-0.

OLD BUSINESS:

Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue. Director Peterson summarized the staff report related to an application submitted by Mr. Andrew DeNooyer, representing 633 Group dated February 12, 2021, to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to change the land use designation of the property located at 4100 West Centre Avenue from commercial to multifamily residential. The applicant proposes to construct an apartment building, consisting of 48-60 residential units on the 1.45-acre parcel of land. Ms. Peterson informed the Commission that the proposed apartment building height, design, total number of units and setback distance from property lines will be finalized following the approval of the tentative plan amendment.

Mr. Andrew DeNooyer was present virtually to provide additional details regarding the proposed project. Mr. DeNooyer indicated that a recent market analysis was conducted that indicated Portage, and subsequently Woodbridge Hills, could support a higher density multi-family residential development project which is in high demand for the region. Mr. DeNooyer indicated that the proposed parcel development would allow tenant access to the Woodbridge Hills shopping complex, recreational amenities (trails, bikeways). Mr. DeNooyer also indicated that the proximity to US-131 makes the development of this parcel of land attractive and desirable. Mr. DeNooyer indicated that tenants will vary in age with units catering to young professionals and others to a more empty-nester lifestyle. Mr. DeNooyer also indicated that the proposed project will allow for further "place-making" and be attractive to area residents. Mr. DeNooyer further discussed the underground parking garage and its intent to minimize parking visualizations. Regarding resident concerns pertaining to storm water management, Mr. DeNooyer responded that storm water will be maintained on site and should alleviate runoff onto adjacent properties. In finalizing the summary, Mr. DeNooyer indicated that local businesses in the Woodbridge Hills shopping center are excited for a mixed-use development of this magnitude and welcome this proposal.

Commissioner Freiman inquired with the applicant regarding the following: if the proposed building would be a noise barrier between West Centre Avenue and Marsh Pointe Condominiums; storm water runoff; water level of the Hampton Bog and the proposed traffic signal at Marsh Pointe Drive & West Centre Avenue. Mr. DeNooyer responded that the proposed building could assist with reducing noise levels from West Centre Avenue. Mr. DeNooyer also stated that the storm water management of the site is under review, but does not see

any potential adverse impacts the proposed development proposal. Installation of the traffic signal would need to be coordinated with the city.

Commissioner Joshi inquired with the applicant regarding the need to change the current property designation from commercial to residential. Commissioner Joshi also expressed concerns with traffic congestion and indicated that the proposed designation may not be the right use for this particular parcel. Mr. DeNooyer responded to Commissioner Joshi and indicated that market change has made the proposed project necessary. Mr. DeNooyer reiterated the high demand for a mixed-use development, such as the current proposal. Mr. DeNooyer explained a proposal involving the redesign of the Woodbridge Shopping Village parking lot to increase safety of pedestrians and reduce traffic congestion. Mr. DeNooyer also summarized construction of an outdoor plaza area.

Commissioner Fries indicated that a hotel on this parcel would generate more vehicle traffic than the proposed project.

Commissioner Baldwin concurred with Commissioner Joshi's concerns regarding traffic congestion and traffic flow. Mr. DeNooyer responded to Commissioner Baldwin that any traffic increase will be minimal and in conjunction with parking lot updates, should be mitigated.

Commissioner Pezzoli expressed concerns with traffic congestion and signaling the intersection of Marsh Pointe Drive and West Centre Avenue. Commissioner Pezzoli noted that traffic already backs up on West Centre during peak hours and an additional signal may only exacerbate the problem. Commissioner Pezzoli also expressed concerns with the elevation change between the proposed project and Marsh Pointe Condominiums to the north and the proposed residential density being out of character for this area. Mr. DeNooyer responded to Commissioner Pezzoli by reviewing the proposed surface parking lot to the north of the proposed project, which would reduce the grade change between the two developments. Mr. DeNooyer also reiterated the desire for a type of residential development in this area of Woodbridge Hills.

Chairman Corradini opened the public hearing. Julie Place, on behalf of Marisa Royster, 4076 West Centre Avenue #211, phoned in and expressed concerns with the proposed project disturbing this peaceful and enjoyable area of Portage. Ms. Place indicated that the proposed project would be too densely populated and would prefer to see a two-story residential building instead of the proposed three-story. There being no further public comment, a motion was made by Commissioner Joshi, seconded by Commissioner Myer to close the public hearing. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion passed 7-0.

Commissioner Joshi commented that the density of the proposed project seems extreme for the size of the parcel and would prefer to see a project with less density.

Chairperson Corradini thanked Mr. DeNooyer for the presentation and all the residents who voiced their concerns about the proposed project. Chairperson Corradini indicated support for the project and commented that the impact of such a project will benefit the city.

Commissioner Myer commented that housing trends are shifting to high density, low land impact and voiced support of the proposed project.

Commissioner Baldwin commend that a two-story development would fit the parcel better and would allow for lower density.

Commissioner Fries commented that the projects completed in the past by Mr. DeNooyer have had a great impact on the area and viewed this project as another positive addition to the Woodbridge Hills area.

Commissioner Fries motioned, seconded by Commissioner Myer, to recommend to City Council that the Woodbridge Hills Tentative Plan Amendment be approved subject to the following conditions: 1) development standards be established consistent with attached tentative plan and the written narrative; 2) the requested density modification be approved to allow 41.3 units/acre (up to 60 total units on 1.45 acres) for this phase of the development; 3) the requested building setback modifications be approved to allow a setback distance of 10 feet from the west property line and 20 feet from the south and east property lines so as to avoid encroachment into the existing sanitary sewer easement; 4) applicant confirms they have the authority to use the easement area prior (Marsh Point Drive) prior to site plan approval; and 5) specific site design details, such as storm water, utilities, traffic and so forth, be finalized with submittal of the final (site) plan for this phase of the project. Upon roll call

vote, Joshi (no); Fries (yes); Corradini (yes); Pezzoli (no); Baldwin (yes); Myer (yes); Freiman (yes). Motion approved 5-2.

NEW BUSINESS

FY2021-2031 Capital Improvement Program - Deputy Director Forth provided an overview of the FY2021-31 Capital Improvement Program (CIP). Deputy Director Forth informed the Commissioners of formatting changes to the FY2021-31 CIP compared to those prepared in prior years. These changes include combining the Streets and Sidewalk categories, creating a Bikeway and Trailway category, including project costs on the project profiles, and fiscal years 6-10 were combined since projects in these years are more for planning purposes and subject to change from year-to-year. Deputy Director Forth summarized the FY2021-22 projects in each category. Deputy Director Forth indicated these are the first year projects and if the CIP is approved by City Council, these projects will be funded and completed. Mr. Forth also highlighted various projects set to take place in the coming years. Director Peterson provided further details to the Commission regarding current and proposed projects for the 2021-2022 Fiscal Year and how City Administration is focusing on closing out ongoing projects prior to beginning any new undertakings.

Chairperson Corradini thanked staff for assembling FY2021-31 Capital Improvement Program. Chairperson Corradini noted a significant amount of City Administration time and effort is devoted to this annual project. There being no further discussion involving the proposed FY2021-31 CIP, Chairperson Corradini motioned, and seconded by Commissioner Fries, to recommend to City Council the FY2021-2031 Capital Improvement Program be approved. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). Motion approved 7-0.

STATEMENT OF CITIZENS/COMMISSIONERS

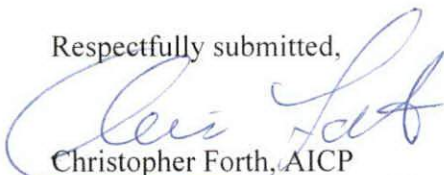
Commissioner Fries asked about the status of the Master Plan Update. Deputy Director Forth indicated that Requests for Qualifications (RFQ) were sent out to consulting firms and several have been received. The qualifications of these firms are being reviewed. The update process will begin before the end of this fiscal year.

Chairperson Corradini thanked the Department of Public Works staff members for their prompt attention and dedication to ensuring Portage roads were cleared of the recent snow/ice accumulation.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made by Commissioner Baldwin, seconded by Commissioner Freiman to adjourn the meeting. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion passed 7-0. The regularly scheduled meeting was adjourned at 8:55 p.m.

Respectfully submitted,



Christopher Forth, AICP

Deputy Director, Planning, Development & Neighborhood Services

PLANNING COMMISSION

April 1, 2021 Virtual Meeting

The City of Portage Planning Commission virtual meeting of April 1, 2021 was called to order by Vice-Chairperson Joshi at 7:00 p.m.

IN REMOTE ATTENDANCE

Christopher Forth, Deputy Director of Planning & Neighborhood Services; Catherine Kaufman, City Attorney and Kyle Mucha, Zoning & Codes Administrator.

ROLL CALL

Mr. Forth called the roll: Joshi (yes, Traverse City, Michigan); Fries (yes, Portage); Pezzoli (yes, Portage); Baldwin (yes, Portage); Myer (yes, Portage); Youngs (yes, Portage); Freiman (yes, Portage).
Chairperson Corradini & Commissioner Fawley were excused.

APPROVAL OF MINUTES:

A motion was made by Commissioner Baldwin, seconded by Commissioner Pezzoli to approve the February 18, 2021 meeting minutes. Upon roll call vote, Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes); Youngs (abstained). The motion was approved 6-0-1.

NEW BUSINESS:

Special Land Use Permit for AT&T Wireless Communication Tower, 7813 South 12th Street. Deputy Director Forth summarized the staff report, dated March 26, 2021, related to an application submitted by CelluSite on behalf of AT&T Wireless, to construct a 135-foot tall telecommunications tower and related site improvements at 7813 South 12th Street. Todd Wells, AT&T Wireless Legal Counsel, Derek McGrew and Jason Woodward were present virtually to speak on behalf of the application and supporting documents. Mr. Wells summarized the need for the wireless telecommunications tower and provided an overview of the proposed design. Mr. Wells also expressed the opinion that the crosses located on the proposed tower should not be considered advertisement/signs as defined in the City of Portage's ordinance.

Commissioner Fries commented that the current ordinance seems too restrictive and more flexibility is needed. Deputy Director Forth responded that the ordinance is designed to limit the number of telecommunication towers across the city and to promote shared antenna space on existing telecommunication towers. Commissioner Fries raised concerns with the increase of shadows on adjacent properties if a steeple were to be installed on the proposed tower design. Commissioner Fries also raised concerns with allowing signage on a tower, as proposed in the application, and the precedent it will set for future tower installations. Commissioner Fries inquired about locating the proposed tower on city owner property at 8267 South 12th Street. Deputy Director Forth and Mr. Woodward indicated that the parcel at 8267 South 12th Street did not meet the engineering requirements needed for the installation of a telecommunication tower.

Commissioner Youngs inquired with the applicant about the proposed fence height and utility building. Mr. McGrew responded that the utility building would be more in nature with a prefabrication style design, with a majority of the building being visually hidden by a screening fence.

Commissioner Freiman opinioned that an alternative tower structure looks more appealing than a standard cell tower design.

Vice Chairperson Joshi opened the public hearing. Jacob Horvath, 7876 South 12th Street, spoke in opposition to the proposed tower location, indicating that a residentially zoned property is intended to be the most restrictive in terms of development and as such, a telecommunications tower is not in character with the surrounding area. Mr. Horvath also expressed concerns with having the tower be 135 feet in height and suggested that an alternative location should be sought after.

There being no further public comment, Commissioner Fries motion, supported by Commissioner Freiman to close the public hearing. Upon roll call vote, motion passed 7-0.

Commissioner Baldwin inquired with the applicant about the ability to move the tower further south on the property. Mr. McGrew responded that if the proposed tower location is altered beyond 15 feet of the proposed location, new due diligence would be required and additional approval needed for the new amended location. Commissioner Baldwin inquired if the lease with the property owner of 7813 South 12th Street defines the type of tower required; Mr. Woodward responded in the affirmative.

Commissioner Youngs inquired about the type of the design regarding a classical bell steeple look or if the design can be modernized. Deputy Director Forth responded that if the proposed design is to be considered a bell steeple, then architectural elements commonly found with bell steeples should be supplied. Mr. McGrew responded that the proposed structure is most appropriate, as it is designed to match the existing architectural features of the existing building on site.

City Attorney Kaufman reiterated to the Commission that any sign or advertisement elements would need Zoning Board of Appeals approval prior to installation due to city ordinance prohibiting signs on alternative tower structures.

Commissioner Pezzoli expressed the opinion that the proposed design is more in line with a bell tower and not a bell steeple and that an alternative design, such as a flagpole, seems to be more intrusive than what is being proposed in the application. Mr. McGrew, in response to Commissioner Pezzoli's remarks, indicated that flagpole designs cause the internal equipment to overheat and wear out at a higher rate than the proposed design.

Commissioner Youngs expressed concerns with such a large structure being visible from Angling Road and raised an additional concern with the tower structure shadow being cast over US-131.

Vice Chairperson Joshi commended the applicant for proposed tower design and also indicated the need for enhanced wireless coverage due to the increase in wireless device use.

Commissioner Fries restated his concerns with allowing a cross as a sign/advertisement on the proposed tower.

A motion was made by Commissioner Freiman, supported by Commissioner Pezzoli, to accept the staff report as written and approve the Special Land Use Permit for AT&T Wireless at 7813 South 12th Street to allow construction of a 135-foot tall telecommunications tower subject to the following conditions: 1) the proposed tower incorporate architectural elements characteristic of a bell steeple; 2) Zoning Board of Appeals review and approval of a variance to allow a sign(s) on the tower be granted prior to issuance of the building permit; 3) two evergreen plant types at least 6-feet in height planted in a more staggered manner along the east and south sides of the proposed fence. The proposed tower is in close proximity to US-131 and in a highly visible area. This option would create a more natural appearance and reduce the visual impact of a six-foot high solid fence around the base of the tower; 4) subject to Planning Commission review and approval, and subject further to any public comment received during the public hearing, allow placement of the proposed tower in the front yard area adjacent to US-131.

Upon roll call vote: Joshi (yes); Fries (no); Pezzoli (yes); Baldwin (yes); Myer (yes); Youngs (yes); Freiman (yes). Motion passed 6-1.

A motion was made by Commissioner Baldwin, supported by Commissioner Pezzoli, to incorporate bells into the design of the tower. Upon roll call vote: Joshi (yes); Fries (no); Pezzoli (yes); Baldwin (yes); Myer (no); Youngs (no); Freiman (no). Motion failed 4-3.

Site Plan for AT&T Wireless Communications Tower, 7813 South 12th Street. Deputy Director Forth summarized the staff report dated March 26, 2021. Deputy Director Forth indicated City Administration has reviewed the proposed site plan and recommends approval subject to the conditions outlined in the staff report.

No public comment was received regarding the proposed site plan.

A motion was made by Commissioner Youngs, supported by Commissioner Myer, to approve the site plan subject to the three conditions outlined in the staff report: 1) sheet C02 shows installation of an underground electric utility line within an 8- foot wide easement area along the north and east ends of the existing Berean Baptist Church parking lot. Also along the north and east ends of the parking lot is a row of trees that were required for screening purposes as part of the church expansion project in 2002-03 (see current photo to the right). Given the limited amount of area between the edge of asphalt, staff requested that the applicant clearly delineate the location of the tree line and easement area on the site plan to ensure the required screening trees

would not be impacted (refer to the attached Department of Community Development letter dated March 16, 2021). The applicant provided a response in the attached letter that states "the utility easement runs under the approximate location of the tree canopy and no trees are being removed." Staff consulted the City's contract arborist and he stated any trenching within the critical root zone (generally the drip line) can stress and then damage a tree. In order to ensure the trees are not impacted due to installation of the electrical line, the site plan needs to be revised to clearly show the location of the easement area, trench where the electrical line will be buried and the critical root zone for the existing trees; 2) per the Fire Department, the access drive that leads from the parking lot to the fenced in area must be minimum of 20-feet wide for fire apparatus access. The plans show a 12-foot wide access drive; 3) the landscaping around the perimeter of the solid fence enclosure must be consistent with any Special Land Use Permit conditions of approval.

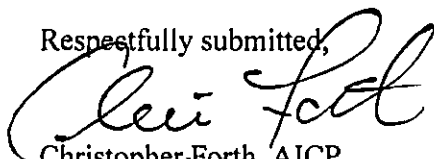
STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Baldwin encouraged citizens to sign up at a vaccination clinic.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made by Vice Chairperson Joshi, supported by Commissioner Baldwin to adjourn the meeting. Upon roll call vote: Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Youngs (yes); Freiman (yes). The motion passed 7-0. The regularly scheduled meeting was adjourned at 8:24 p.m.

Respectfully submitted,



Christopher Forth, AICP

Deputy Director, Planning, Development & Neighborhood Services

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – March 8, 2021

The City of Portage Zoning Board of Appeals virtual meeting was called to order by Chair Finch at 7:00 p.m.

MEMBERS PRESENT: Linda Finch, Jay Eichstaedt, Lena Jomaa, Alexander Philipp, Lynn Haddow

MEMBERS EXCUSED: Linda Fry

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator; Catherine Kaufman, City Attorney.

APPROVAL OF THE MINUTES: Philipp moved and Eichstaedt seconded a motion to approve the February 8, 2021 minutes as submitted. Upon roll call vote, the motion was approved 5-0.

NEW BUSINESS:

ZBA #20-10; 7171, 7000 Portage Road: Mais summarized the request for variances to construct an approximate 400,000 square foot two-story building addition that is: a) within 50 feet of the (north) front property line where a minimum 100-foot setback is required, b) is 66 feet 8 inches high where a maximum 60 feet is permitted, and c) construct a temporary off-street parking lot at 7000 Portage Road with an asphalt milling surface where asphalt or concrete is required. Joshua Slater was present on behalf of Pfizer to answer any questions. Eichstaedt inquired if the pedestrian bridge over Portage Road would be temporary or permanent. Mr. Slater responded it will be removed after construction is completed. Finch inquired if the temporary bridge would have adequate clearance height for semis. Mr. Slater responded yes and they are currently working out the details with the City. Finch inquired why the additional 12 inches of building height is needed. Mr. Slater stated to adequately align with the existing building 41. Jomaa inquired if the applicant agrees with the condition to remove the temporary parking lot within 30 days of completion. Mr. Slater responded yes.

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 Eichstaedt, seconded by Jomaa, to grant variances to construct an approximate 400,000 square foot two-story building addition that is: a) within 50 feet of the (north) front property line where a minimum 100-foot setback is required, b) is 66 feet 8 inches high where a maximum 60 feet is permitted, and c) construct a temporary off-street parking lot at 7000 Portage Road with an asphalt milling surface where asphalt or concrete is required, conditioned upon removal of the asphalt milling surface and restoration to its original state within 30 days of completing construction of the MAP facility, for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zoning district, which include the operation of internal manufacturing processes, the unique nature of the manufacturing campus, and compliance with FDA regulations; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district, the manufacture of pharmaceuticals; 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 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: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Philipp-Yes, Haddow-Yes. Motion passed 5-0.

ZBA #20-11; 7215 South Westnedge Avenue: Mais summarized the requests for: a) a variance from the requirement that a medical marijuana dispensary be allowed to locate within 972 feet from a park where a minimum 1000 feet separation distance is required; and b) a variance from the requirement that a ten-foot greenstrip be provided between the right-of-way and parking lot. Mais stated both variances had already been approved by the Board but had expired due to construction not commencing and the applicants were

now seeking renewal of both variances. James Brayton stated they had run into several covid-related delays with both the State and with contractors and were unable to start construction when they initially wanted to.

A public hearing was opened. The owner of 7130 South Westnedge Avenue stated he did not think a medical marijuana dispensary should be allowed at 7215 South Westnedge Avenue, as it would promote the use of drugs in the community and would devalue surrounding properties. Eichstaedt stated he works in commercial real estate and seriously doubts the clinic would negatively affect surrounding property values and noted similar buildings and operations in Kalamazoo are indistinguishable in both appearance and impacts from any other professional offices. Eichstaedt added the City of Portage spent years of study and held numerous public hearings and ultimately decided medical marihuana facilities are allowed in commercial areas. Eichstaedt inquired if anyone objected to either variance request during the Board's two previous public hearings. Mais responded no. Attorney Kaufman reminded the Board they had previously granted the requested variances, made findings of practical difficulties, and should be focusing now on whether the previously cited practical difficulties concerning site design are still applicable. The public hearing was closed.

After additional discussion a motion was made by Eichstaedt, seconded by Philipp, to grant: a) a variance from the requirement that a medical marihuana dispensary be allowed to locate within 972 feet from a park where a minimum 1000 feet separation distance is required; and b) a variance from the requirement that a ten-foot greenstrip be provided between the right-of-way and parking lot, conditioned upon a ten-foot greenstrip with trees and shrubs as otherwise required by the Zoning Code be provided within the right-of-way for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zoning district, which include; the presence of wetlands, creek and railroad tracks between the subject property and park, and the irregular right-of-way width; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district, the right to operate a medical marihuana dispensary; 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 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: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Philipp-Yes, Haddow-Yes. Motion passed 5-0.

ZBA #20-12; 3428 East Shore Drive: Mais summarized the request for a variance to construct a 376 square-foot attached pergola 32 feet 9 inches from the rear (south) property line where a minimum 40-foot rear yard setback is required. Eichstaedt requested clarification who the applicant is. Mais stated Sumner Brinker is the contractor and Vishal Gupta is the property owner. Mr. Brinker explained the pergola will be attached to the house to provide additional support, would be ten feet high, and features a retractable cover that can deploy when it rains outside. Philipp inquired what part of the pergola the rear setback is calculated from. Mais responded from the vertical support posts. Jomaa inquired how the applicant felt about a detached pergola. Mr. Gupta stated they wanted to construct an attached pergola. Eichstaedt inquired how the applicant might feel about a lesser variance. Mr. Gupta stated they already purchased the materials to construct the pergola as requested. Eichstaedt inquired if the pergola could be considered detached if it were only an inch or two from the dwelling. Mr. Brinker stated they may be able to move the pergola so it isn't contacting the wall but would want to extend flashing between the pergola and house. Mais stated the pergola is subject to the main building setbacks if it shares any contact with either the roof or wall of the dwelling. Finch inquired if electric would be run to the pergola. Mr. Brinker responded yes.

A public hearing was opened. Susan Sandmeyer, 3520 East Shore, spoke in support of the request. Mr. Gupta stated all of the neighbors have said they like how the proposed pergola will look. Attorney Kaufman reminded the Board the standard for approving a variance is not whether the neighbors like how something will look but, rather, if there is a practical difficulty present that prevents complying with code. The public hearing was closed.

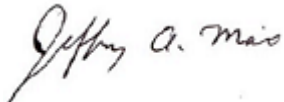
After additional discussion, a motion was made by Finch, seconded by Philipp, to deny the requested variance for the following reasons: there are no exceptional circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district; the variance is not necessary for the preservation and enjoyment of a substantial property right enjoyed by other properties in the same zoning district in the vicinity because there are conforming alternatives available, such as constructing a shallower attached pergola or a detached pergola; the immediate practical difficulty causing the need for the variance request was created by the applicant; and the variance would materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments 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: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Philipp-Yes, Haddow-Yes. Motion passed 5-0.

OTHER BUSINESS: Finch inquired when the Board might again meet in person. Attorney Kaufman responded the State has changed its covid restrictions after March 31, 2021 to allow up to 25 people in a room, however, the decision of how and when to conduct meetings in person will be up to the city administration. Mais stated it was not known when in person meetings would resume, but Board members will be notified of any changes in meeting format taking place as soon as it is known.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeff A. Mais".

Jeff Mais
Zoning & Codes Administrator

TO: Honorable Mayor and City Council

FROM: Joseph S. La Margo, City Manager



SUBJECT: New Business Item H.1 for April 13, 2021 City Council Agenda

COUNCILMEMBER REID: REQUEST TO BE ADDED TO THE APRIL 13, 2021 CITY COUNCIL AGENDA AS NEW BUSINESS ITEM H.1: Background information relating to Councilmember Reid's request to add the topic of the 10% Senior Citizen Water Discount to the agenda for the purpose of referral to the Human Services Board for review and report.

Attachments



Portage council agrees to reinstate senior citizens discount on water bills

Tom Haroldson | Special to MLive By Tom Haroldson | Special to MLive

on February 12, 2014 at 11:48 AM, updated February 12, 2014 at 11:50 AM

PORTAGE, MI – Portage senior citizens who are city water customers will get their discount back in August.

The **Portage City Council** Tuesday, after a long discussion, reinstated the 10 percent discount on water bills for seniors who are 65 years and older. The discount that had been in place in Portage for more than 30 years ended last October after the city's bond counsel questioned it for favoring a particular group.

Councilman Nasim Ansari led the charge to reinstate the discount, arguing that Portage had if for years without any problems, other cities including Three Rivers give seniors discounts and that it gives a benefit, however small, to seniors who could use a break.



Portage City Councilman Nasim Ansari successfully argued for the reinstatement of the 10 percent senior citizens discount on water bills.
Chuck Miller/MLive.com

"This is another benefit for our senior citizens and we should show some compassion for our seniors," said Ansari, who like unsuccessful council candidate Connor Farrell, had made reinstating the discount a campaign issue last November.

City Attorney Randall Brown said he never called the discount unconstitutional, nor did bond counsel John Axe. But, Brown said, Axe felt that the discount was a free service that might violate bond rules.

"I did not say it was unconstitutional, but I said the argument could be presented that classifications that are different could be unfair," Brown said.

But Mayor Pro-tem Jim Pearson said he thought the council was told it was unconstitutional to have a senior discount on water bills, and that's why he voted for it. He was sorry he did, he said.

"It's the one thing I voted for that I regret in my two years on the council," Pearson said.

The city administration estimated that the discount would save seniors about \$2 a month, and cost the city about

\$80,000.

Ansari and others said that while the amount was not that much on a typical water bill, it was the principle that matters.

"We've been giving this discount for 30 years," Ansari said. "It's not something new."

Councilman Terry Urban, who like Councilwoman Claudette Reid voted against restoring the discount in the 5-2 vote, said that if the city was going to have a discount it should be "needs based" and be available for all.

"It was a tradition and it was a wonderful tradition, but it's a tradition that has passed its time," Urban said. "It needs to be available to all segments of our population."

The issue became where the discount revenue would come from – the general fund or the water fund. The council ultimately decided on the water fund at the suggestion of City Manager Maurice Evans.

At the suggestion of Deputy City Manager Brian Bowling, the discount will start Aug. 11 after the following two billing cycles. The city bills on a quarterly basis. The discount is only on water bills, not sewer bills.

The discount had formerly been for seniors over the age of 62, but Councilman Richard Ford proposed amending that to age 65.

Councilwoman Patricia Randall, who supported the reinstatement, said that seniors weren't happy when it was stopped last fall.

"I personally heard from hundreds of people when we canceled this," Randall said. "This is a very small gesture. By reinstating it we will make some amends. This is just a token. That's all it is."

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CITY COUNCIL MEETING MINUTES FROM APRIL 24, 2012

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Pastor Clayton Smith, First Reformed Church of Portage gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Jim Pearson, Patricia M. Randall, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATIONS: Mayor Strazdas issued a National Arbor Day Proclamation and a National Children's Mental Health Awareness Day Proclamation.

APPROVAL OF MINUTES: Councilmember Pearson corrected himself and asked that the minutes reflect that he meant to use the word "debt" instead of "deficit" when referring to the Proposed Budget. Motion by Reid, seconded by Sackley, to approve the April 10, 2012 Regular Meeting Minutes as amended. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Pro Tem Reid asked Councilmember Campbell to read the Consent Agenda. Councilmember Sackley asked that Item F.4, MDOT Contract for Funding of a Flashing Beacon Installation at the Osterhout Avenue/Oakland Drive Intersection, be removed from the Consent Agenda. Discussion followed. Motion by Campbell, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF APRIL 24, 2012:** Motion by Campbell, seconded by Reid, to approve the Accounts Payable Register of April 24, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

REZONING APPLICATION #11-02, 1106 WEST CENTRE AVENUE: Mayor Strazdas opened the public hearing and introduced Community Development Director Vicki Georgeau, who reviewed the history of this request from Nathan Cronenwett, who was present to support the application to rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential, and R-1B, one family residential in keeping with the current zoning. Ms. Georgeau indicated that Mr. Cronenwett plans to build a high-end salon and spa on the property and she described the property and surrounding properties and explained the level of consistency of the proposed and existing zonings with each of the zonings of the surrounding properties. She also reflected that Jim Bischoff, 1119 Tanglewod Drive, requested that the north 75-foot R-1B zoned buffer remain and explained his reasoning. Discussion followed. Mayor Strazdas opened the public hearing to the public. There being no discussion, motion by Reid, seconded by Campbell, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Campbell, seconded by Reid, to approve Rezoning Application #11-02 and rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential, and R-1B, one family residential for the reasons stated in the March 16, 2012 report. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 227 of City of Portage Ordinance Book No. 12.

2012 UTILITY RATE FINANCIAL STUDY: Mayor Strazdas opened the public hearing and introduced Transportation & Utilities Director Chris Barnes, who reviewed the activities of the Water & Sewer Rate Committee, including presentation to City Council in order to set the public hearing. Mr. Barnes mentioned the approval by City Council in November of 2010 of a contract with Utility Financial Solutions to perform a comprehensive analysis to determine the cost of providing water and waste water services for the public. He explained the study using charts depicting water production and sanitary sewer service activity and said that the cost analysis revealed that the rate structure was insufficient to pay for the fixed cost of water production and sanitary sewer service needs.

He explained the quarterly charge commonly known as the meter charge includes all of the costs necessary to provide for all of the fixed expenses and maintenance costs and “readiness to serve” costs of the utility and are independent of the amount of water or sewer that is sold and need to be charged fairly to each customer in the system.

He analogized the system fixed cost with the fixed cost of owning a vehicle and indicated that the proposed 2012-13 utility rates are based in large part on the results of the comprehensive analysis performed in 2011 by Utility Financial Solutions.

To address the inadequacy in the basic quarterly charges, the 2011-12 utility rates began this trend of shifting the revenue collection to the basic quarterly charge while keeping the commodity rate increases in line with normal inflationary cost to provide water and sewer services and the 2012-13 water and sewer rate study continues this trend. He indicated that the focus of the annual rate analysis has changed from retained earnings in 2007 to an emphasis on working capital, debt service and fund balance retained in the utility funds; and, in accordance with an agreement with the State of Michigan, the 2012-13 utility rate study reflects a positive working capital in Fiscal Year 2012-13 for the combined water sewer funds. He noted that there have been a series of rate increases to maintain working capital; that this is the last year of those rate increases; and there will be a significant rate reduction from now on with rate increases declining from this year’s 4.85 % to .093 % combined funds over the next three years as this is the amount needed to ensure the strength of the utility funds.

Similarly, he broke down the proposed 6.1% base quarterly charge that reflects the increase in the fixed cost of the sanitary sewer which is based for the most part on the treatment charges from the City of Kalamazoo at 5%. He showed that the sewer treatment cost has increased from \$1.05 per 1,000 gallons in 2003 to \$1.93 per 1,000 gallons this year.

Mr. Barnes also analyzed the 2012 Utility Rate Financial Study recommendation that the water commodity rate be increased from \$3.10 to \$3.19 per 1,000 gallons of metered water and the base quarterly charge be increased and together equal an inflationary increase of 3.33%, or \$13.00 for the typical residential user. He concluded that for a typical residential customer, this is 4.85% increase, or a charge of \$3.41 per month for both water and sewer services, that would result from the recommended increases.

He reviewed regulated expenses to both the water and sewer funds, including: environmental improvement projects and unfunded mandates such as storm water permitting, arsenic removal and other unregulated contaminate monitoring and testing. He reviewed some of the projects and presented a letter requiring monitoring additional unregulated compounds in our drinking water at additional cost that will have to be calculated.

He compared the City of Portage rates with other communities in the area and demonstrated that the City of Portage rates comparably with other cities of similar size. Discussion followed.

He reviewed the 10% senior citizen discount for 2,924 residents of 62 years of age or older through the Treasury Department, and he outlined some of the various utility fees required. He introduced Utilities Engineer Kendra Gwin and offered that he or she were available to answer any questions.

Mayor Strazdas summed up and discussion followed regarding outsourcing using United Water to save approximately \$1 million per year; refinancing the utility capital bonds; annual preventive maintenance plan for both water and sewer with United Water for all water and sewer facilities; and a reduction of administrative staff. Discussion followed.

In answer to Councilmember Randall, Mr. Barnes indicated that there is no need-based program for water and sewer rates, except for mandatory sewer.

In answer to Councilmember Pearson, Mr. Barnes said that the monitoring of additional unregulated compounds in our drinking water is an unfunded mandate by the Environmental Protection Agency for contaminants not yet monitored, and that it is probably a part of the rule-making process to determine the list of contaminants that need to be monitored. He said based upon past experience, the expense will be around \$30,000, and the City of Portage has a deadline of 90 days to register. Discussion followed.

In answer to Councilmember Sackley, Mr. Barnes indicated that over time the senior citizen discount is paid for by those not eligible for the discount as it is internally funded and discussion followed regarding need-based mechanisms available to Portage citizens, the uniqueness of the City of Muskegon water system and costs associated with stormwater retention and well-head protection plan.

City Manager Maurice Evans pointed out that the contract with United Water is in the first year of a five-year contract and is therefore cost neutral and is significant as an administrative effort to contain costs. He said in 2008, the City of Portage received a letter from the State of Michigan requiring a financial plan to rectify the water fund deficit that was probably caused by conservation efforts, the City growth that has leveled off, plus two major capital improvement program projects. As a positive note, he mentioned that the City is in the fourth year of the five-year plan, and next year is looking better for the City.

In answer to the question from Mayor Pro Tem Reid, who asked what happens at the end of the five-year plan, Mr. Barnes cited the fairly accurate predictions that the process affords and indicated that once the utility savings account reaches the level required, the rates will level off.

Larry Newhouse, 707 Gabardine, asked how the City of Kalamazoo compares with the City of Portage on the charts as presented by Mr. Barnes, and Mr. Barnes showed the chart and indicated that they are lower and explained.

Denise Tyler, 7432 Gregg Court, compared the City of Kalamazoo rates with the City of Portage rates further and indicated that the rates in Portage are significantly higher and asked for the justification. Mayor Strazdas asked for further explanation and Utilities Engineer Kendra Gwin reiterated the explanation presented by Mr. Barnes earlier and noted that how the City of Kalamazoo funded water and sewer operations is unknown. Discussion followed.

Marc Meulman, 9439 South Westnedge Avenue, objected to the discount based upon age instead of need saying that it is counterintuitive, unfortunate and unjust; that those who are 65 and older have the lowest poverty in the community; that the poverty rate for children is three times higher than people who are older; so young families, single parent families, people in poverty are subsidizing a discount for people who do not need it. Discussion followed.

David Crawshaw, 6535 Evergreen Street, asked what is the gross revenue for the water and sewer department fiscally; what is the net profit of the fiscally; and what happens to the net profit. Mr. Barnes answered that the total operating revenue projected for fiscal year 2012-13 is \$15,006,000 and for fiscal year 2011-12 is \$13,000,789. He indicated that there is no profit as these are enterprise funds and explained that all extra funds from the utility bills go into the rainy day fund as required by the State of Michigan. Councilmember Sackley provided a detailed explanation and discussion followed.

Councilmember Pearson asked for answers to some of the comparison questions posed by Denise Tyler earlier with the City of Kalamazoo for the Sewer and Water Rate Committee for next year.

Councilmember Randall asked that the Administration look into offering a discount for lower income households; look at how long the senior citizen discount has been in place; and look at what other cities are doing as she has been approached by this many times and is sensitive to the needs of lower income people in Portage.

There being no discussion, motion by Sackley, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Reid, to adopt the 2012 Sewer and Water Rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges

as outlined in the 2012 Utility Rate Financial Study and as recommended by the City Administration and the City Council Water and Sewer (Utility) Rate Study Committee. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 387 and 391 of City of Portage Resolution Book No. 44.

REPORTS FROM THE ADMINISTRATION:

* **PROPOSED LABOR AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS:** Motion by Campbell, seconded by Reid, to authorize the Mayor and City Clerk to execute a three-year labor agreement with the International Association of Fire Fighters subsequent to city acceptance of health insurance plan documents. Upon a roll call vote, motion carried 7 to 0.

* **PUBLIC HEARING ON FISCAL YEAR 2012-2013 BUDGET:** Motion by Campbell, seconded by Reid, to adopt the Resolution setting a public hearing on May 8, 2012, for the Fiscal Year 2012-2013 proposed city budget and the proposed 2012 tax levy. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 397 of City of Portage Book No. 44.

* **REZONING APPLICATION #11-03, ROMENCE ROAD PARKWAY:** Motion by Campbell, seconded by Reid, to accept Rezoning Application #11-03 for first reading and set a public hearing for May 22, 2012; and, subsequent to the public hearing, consider approving Rezoning Application #11-03 and rezone: 1901 Romence Road Parkway to OTR, office technology and research, with the exception of the northwest area that is to remain R-1B, one family residential, and the southwest area that is to be rezoned to OS-1, office service; 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service. Upon a roll call vote, motion carried 7 to 0.

MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) CONTRACT FOR A FLASHING BEACON INSTALLATION AT THE OSTERHOUT AVENUE/OAKLAND DRIVE INTERSECTION: In response to Councilmember Sackley, Mr. Barnes indicated that the funding of a flashing beacon installation at the Osterhout Avenue/Oakland Drive intersection is made possible as part of an annual traffic safety analysis and explained that it is the safety issue and a fatality that makes this intersection qualified. He indicated that the improvement is paid for by Federal Safety Funds and cited other past examples. Discussion followed. In answer to Councilmember Sackley, Mr. Barnes indicated that these funds are not applicable to railroad crossings, but a separate railroad protection funding mechanism through the federal government and the state. Also, he said that last winter, the Michigan Department of Transportation, the Rail Road and City staff performed a diagnostic team review for safety, and one of the main topics was the installation of gates, but because of the geometrics and the proximity of the tracks to Shaver Road and the proximity of the outside rail, the gates cannot be constructed.

In answer to Councilmember Campbell, Mr. Barnes indicated that the intersection of West Centre Avenue and Old Centre Avenue, accidents per million vehicle miles so accidents per cars is the measure and high volume of cars is compared with the number of accidents; restricted to Federal Ave Routes; and, there is a threshold for the funds as all projects in the county are presented based upon accidents. He indicated that he will be proposing a remedy for the intersection of West Centre Avenue and Old Centre Avenue as he is aware of the number of accidents at that intersection.

Motion by Sackley, seconded by Reid, to approve Contract 12-5119 between MDOT and the City of Portage for funding of a flashing beacon installation at the Osterhout Avenue/Oakland Drive intersection and adopt a Resolution authorizing the City Manager to sign Contract 12-5119 and any other documents related to this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 399 of City of Portage Resolution Book No. 44.

* **MARCH 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT - INFORMATION ONLY:** Motion by Campbell, seconded by Reid, to receive the communication from the City Manager regarding the March 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Campbell, seconded by Reid, to receive the Department Monthly Reports. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATION:

PRESENTATION BY HUMAN SERVICES BOARD CHAIRPERSON MARC MEULMAN: Human Services Board Chair Marc Meulman updated City Council regarding the Human Services Board FY 2011-2012 goals by reading the progress statements from his communication dated March 29, 2012, for each of the five goals approved by City Council for the Board. Discussion followed.

Motion by Urban, seconded by Reid, to receive the presentation by Human Services Board Chairperson Marc Meulman. Upon a voice vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Zoning Board of Appeals of March 12, 2012.
Portage Environmental Board of March 14, 2012.
Portage Youth Advisory Committee of March 26, 2012.
Portage Board of Education Special and Regular of March 26, 2012.
Portage Planning Commission of April 5, 2012.

AD HOC COMMITTEE REPORTS:

FEES (TRANSPARENCY/FAIRNESS) COMMITTEE: Mayor Pro Tem Reid indicated that the Committee consisted of Councilmember Pearson, Mayor Strazdas and herself, and it looked at cases where "Fees" had been a subject of complaint and found that the City is handling them fair and with clear focus, including the information on all fees, how they were established based upon the service provided, and trends or patterns where transparency can be improved. Discussion followed.

Councilmember Sackley noted that Joe Gesmundo, 4200 West Centre Avenue, representing Greenspire, Hinman Company and Gesmundo Associates, was present and asked whether the Committee discussed the Greenspire Retail sanitary sewer. Councilmember Reid acknowledged that that was one of the tow cases discussed. She explained that the city had brought the sewer up to a point and, at its own cost, the company brought the sewer line across an undeveloped tract of land to service Greenspire Apartments. She indicated that now that the land is being developed, the question became why is a charge being charged at this time, and the Committee found that the related hook-up charges were incurred because the entire system becomes available to the property being developed. Discussion followed.

Councilmember Sackley asked for a clarification if the Committee is making a decision on behalf of the City or a recommendation, and Mayor Pro Tem Reid indicated that the Committee was taking two situations where there had been citizen queries about why a fee was charged, how the fee was established and to determine whether the process used was fair, transparent or showed a pattern or trend that would require a change in the way of looking at things. She stated that the Committee was not trying to review or make a decision on either one of these cases, but was only attempting to see if the process was clear and fair. Also, the Committee was trying to determine whether there was a need for a change in the way of looking at things. She acknowledged that both situations were unusual and difficult to explain, and it was easy to see why the citizens did not see it the same way as the City because there were many issues involved.

City Attorney Brown indicated that the Committee cannot make decisions, only recommendations, and it sounds like the Committee had an assigned task; and, the task was to investigate this particular issue; and the Committee has come back with the recommendation that nothing has to be done on that particular issue, so if the City Council chooses to accept that then the motion should read that nothing be done on that particular issue. Discussion followed.

Joe Gesmundo, 4200 West Centre Avenue, representing Greenspire, Hinman Company and Gesmundo Associates, indicated that he has paid for a sewer line once, and now is being asked to pay for it again. He asked, "If the payee situation was reversed....if city had paid for it years ago and we had been assessed would we be asked to pay it again?" He indicated that the answer is, "No." He distinguished this situation by saying the City feels it deserves a "windfall" and to get payment for the sewer pipe, so his opinion was that the Ordinance should be changed. Discussion followed.

Mr. Barnes concurred with Mayor Pro Tem Reid and her explanation, reiterated the matter a second time and provided a history of the installation. Discussion followed on the merits with Mr. Barnes relying on the 1991 Special Assessment Policy and the City Ordinance. Each City Councilmember who did not serve on the Committee felt a need for more information. Discussion followed.

Motion by Reid, seconded by Sackley, to receive the report from Mayor Pro Tem Claudette Reid regarding the recent activity of the Fees (Transparency/ Fairness) Committee, and to delegate or request of staff to provide information for the May 22, 2012 Regular City Council Meeting regarding the particular situation and the ordinance involved to all Councilmembers and refer to the entire Committee of the entire Council a discussion of whether or not there is the appropriateness to change or consider change of ordinance in this situation, including the integration of the ordinance and the policy into the report and what possible remedies or recommendations from staff are available to the City Council to move this forward. Discussion followed and Mr. Joe Gesmundo expressed a concern that he perceives that there is some risk of not having an occupancy permit which is required in order for his first tenant to open and do business. Deputy City Manager Brian Bowling explained that the city has indicated that the Administration would proceed with this process under a Temporary Certificate of Occupancy so as not to provide a hindrance to the business that is occupying the site at this point. Upon a roll call vote, motion carried 7 to 0.

BID TABULATION:

*** FOREST DRIVE RECONSTRUCTION AND WATER MAIN REPLACEMENT-LOVERS LANE TO PORTAGE ROAD:** Motion by Campbell, seconded by Reid, to award an engineering services contract to Wightman & Associates, Incorporated, for the Forest Drive reconstruction and water main replacement from Lovers Lane to Portage Road, in the not to exceed amount of \$24,100 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.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Randall announced the Leaders Breakfast to be held, Wednesday, April 25, 2012, from 8 a.m. until 10 a.m. at Cityscape, Kalamazoo, for a "Placemaking" discussion or "What makes Michigan cities vibrant and exciting places to live, work and play." She also mentioned that the Y.M.C.A. is sponsoring a "Get Out and Walk" on Sunday, April 29, 2012; and, she reminded everyone that the Kalamazoo Marathon takes place on Sunday, May 6, 2012.

Councilmember Pearson indicated that he and his wife plan to attend the Greenathon coordinated by Deputy City Clerk Adam Herringa with the support of the City Council Youth Advisory Committee, the Parks Department, Park Board and Environmental Board, that will take place on Saturday, April 28, 2012, from 12 noon until 4 p.m. at Celery Flats.

Mayor Pro Tem Reid indicated that she will be attending the American Occupational Therapy Association Conference in Indianapolis, Indiana, and indicated that it is National Occupational Therapy Month.

Mayor Strazdas gave credit to John Milowe and Bill Deming of the Parks Department for celebrating Portage as a Tree City with the planting of a tree earlier in honor of National Arbor Day; and thanked those participants of the Greenathon for their fine efforts and indicated that good, sustainable things are being created in our community.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:01 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 11, 2014

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Father Stan Witek of St. Catherine of Siena Catholic Church of Portage gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Reid, to approve the January 21, 2014 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 11, 2014:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of February 11 2014. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: County Commissioner Phil Stinchcomb, 1607 Bellaire Avenue, provided an update regarding Kalamazoo County activities, including the restructuring of a \$63 million retiree benefit fund and other post employment benefits, and he provided examples and a discussion of the findings and changes. He publicly congratulated City Manager Maurice Evans on his retirement and wished him well. He also wished City Council well in their search for a new City Manager. Discussion followed.

House of Representatives Member Margaret O'Brien, 1220 Forest Drive, expressed her appreciation to Mr. Evans for his exemplar service as a City Manager and his responsiveness to her questions. She also provided an update regarding the State of Michigan activities, including road projects and transportation, the \$51.6 billion budget, education funding for all levels and a tax relief plan proposed by Governor Snyder in the amount of \$102.7 million. She noted that there is a 3% increase in Constitutional revenue sharing and a 15% increase in Economic Vitality Incentive Program (EVIP), formally known as statutory revenue sharing. She also outlined a plan for growing the State savings account to accommodate State emergencies, the unfunded liabilities of \$52 billion and efforts to pay down debt. Discussion followed.

Bob Hassing, 1821 West Milham Avenue, expressed dismay for receiving two complaint-driven warnings and a citation to appear in District Court for failure to remove the snow and ice on his sidewalk as he was away during the recent storms. Mayor Strazdas provided a review of the many past discussions and special meetings of City Council that addressed this issue and, at his request, Mr. Evans explained the several day complaint-driven process used before a citation is actually issued. Discussion followed. In answer to Councilmember Randall, Mr. Hassing indicated that there probably is a fine associated with the citation since the matter is now being handled in Circuit Court, and Councilmember Randall suggested the need for a grace period until there is a thaw because of the severity of the storm and the difficulty involved in removing the ice and snow. Mr. Hassing concurred that it is impossible for him to personally remove his ice and snow at this time and the danger he faces trying to enter

Milham Avenue from his driveway because of the snow mounds. Councilmember Reid expressed an interest in having City Manager Evans investigate the extenuating circumstances involved in the snow and ice removal situation of Bob Hassing, 1821 West Milham Avenue. Discussion followed. Councilmember Ansari concurred with Councilmember Reid.

At the request of Mayor Pro Tem Pearson, Community Development Director Vicki Georgeau indicated that there have been 100-150 complaints, mainly during the month of January, which resulted in 300 to 350 violation notices. She noted that the complaints are usually concerning major streets and where pedestrians or school children have to walk. She said the Department responds to complaints, sends letter requesting cooperation that snow be removed within 24 hours, and allows for a couple of days for the property owner to receive their mail and make an effort to remove the snow. She also said if it is snowing on the day set for re-inspection, the Department delays the inspection to allow for a reasonable time for people to respond.

She indicated that about ten citations were issued which results when: more than two notices were sent; no response was received; and no effort at all was attempted to remove the snow. She also indicated that, in some of those cases, there may have been problems in previous years and/or there may have been repeated complaints from citizens. However, she emphasized that with only ten citations issued out of 100-150 complaints, most people are doing their best to remove the snow, especially considering the amount of snowfall this winter, and cited the challenges for the neighbors and the Community Development Department. Discussion followed.

Motion by Reid, seconded by Ansari, to direct City Manager Evans to investigate the specific situation of Bob Hassing, 1821 West Milham Avenue, and the snow removal issues related to the citation he has received and report back to City Council at the next Regular City Council Meeting, February 25, 2014. Discussion followed.

Councilmember Urban took exception to the comment by Mayor Pro Tem Pearson that past City Councilmembers “punted” because they could not find another solution beyond the requirements of the City Ordinance. He noted that City Council spent at least one Saturday morning and many hours in other Regular City Council Meetings in an attempt to try to work through the problem where no solution or change was feasible. He empathized with Mr. Hassing and said he wished “it were different, too,” but sometimes there is not an answer that works for everyone, and City Council has to balance the responsibilities of the property owner in these cases with the needs of people who need to walk somewhere, and this is where Council found that balance. Upon a roll call vote, motion carried 7 to 0. Discussion followed and when Mr. Hassing offered his pictures of his situation, Mayor Strazdas suggested he communicate with Community Development Director Vicki Georgeau.

REPORTS FROM THE ADMINISTRATION:

* **CITY OF PORTAGE - PAVILION TOWNSHIP SANITARY SEWER TRANSPORT AGREEMENT:** Motion by Urban, seconded by Reid, to approve the Sanitary Sewer Transport Agreement between the City of Portage and Pavilion Township and authorize the Mayor and City Clerk to sign the agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ORDINANCE AMENDMENT 14-A, SIGN REGULATIONS:** Motion by Urban, seconded by Reid, to accept Ordinance Amendment 14-A, Sign Regulations for first reading and set a public hearing for March 11, 2014, at 7:30 p.m. or as soon thereafter as may be heard; and, subsequent to the public hearing, consider approving Ordinance Amendment 14-A, Sign Regulations. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

RESTORATION OF THE 10% SENIOR CITIZEN DISCOUNT: Mayor Strazdas deferred to Councilmember Ansari, who indicated that for over 30 years “the City of Portage offered a Senior Citizen Discount that provided a 10 percent reduction on water charges to utility customers over the age of 62 years. After a staff review, the program was determined to be non-compliant with current non-discrimination requirements. City Council voted to discontinue the program as of October 1, 2013. Council was advised that the discount was ‘unconstitutional’ and that continuation of the discount could lead to possible litigation. Giving seniors a water discount is a time-honored tradition of appreciation by communities.” He cited some Michigan cities he discovered using Google where a senior citizen discount water rate is available, and some from across the country, and indicated that he could not find where the practice had been challenged. Finally, he emphasized it is a benevolent benefit that shows compassion for seniors for their services and noted that the budget impact is minimal.

Motion by Ansari, seconded by Pearson, to rescind the previous action taken by City Council and restore the 10% reduction Senior Citizen Discount that was terminated on October 1, 2013. Councilmember Urban called for a point of order and City Attorney Brown explained. Discussion followed.

Mayor Pro Tem Pearson reflected on the discussion and action on October 1, 2013, by City Council. He said at that time, City Council had an opinion by the City Attorney that the long time senior citizen discount was unconstitutional. He noted that the subject came up when the Human Services Board Chair asked why there was no discount for low income people which was referred to staff who informed Council that we not only can not do that, but that we also can no longer give the senior citizen discount because it could be unconstitutional. He expressed his dismay that he voted for rescinding the discount as he was against it, but understood that it could be unconstitutional, and indicated that it was the one vote he regretted during his two years as a Councilmember. He said that the legal opinion from Bond Counsel John Axe indicated that the 10% discount was defined to be a free service interpreted as a free service, but he disagreed, explained and provided justification for his position.

City Attorney Brown offered a clarification of his opinion on this matter stating that his opinion did not state that this program was unconstitutional. He admitted that he said that an argument could be presented that there are classifications that are different and that may be unfair, as a possibility, but it is up to City Council to decide whether it wants the program or not and emphasized that he did not say that it is unconstitutional. He then expressed his thought that the City Council decided this question on the basis that Bond Counsel John Axe expressed his opinion that this was a free service under the Bond Instrument and he said that a free service was like a discount; furthermore, Mr. Axe clearly said that this discount would be in violation of the Bond Instrument. Mr. Brown said that he understood that this is the reason City Council used to vote that the discount program was over and that City Council relied on the decision by John Axe, Bond Counsel, to come to that conclusion. He noted that he saw some issues with the program, but that he could not and did not say it was unconstitutional.

Mayor Pro Tem Pearson apologized for his misunderstanding, explained himself and thanked Mr. Brown for his clarification. Mayor Strazdas concurred and asked Mr. Brown to interpret, again, the opinion of Mr. Axe.

Mr. Brown referred to the March 21, 2013 opinion of Mr. Axe where he dealt with the low income water and sewer discount program with a 10% discount on utilities and he cited a provision in the bond instrument that reads, “Free service shall not be furnished by a public improvement to a person, firm or corporation.” He indicated that Mr. Axe interpreted that free service to mean, “service provided to any customer of the system without taking into account the water usage by that customer,” and that he (Mr. Axe) felt quite certain that a low income water and sewer discount program with a 10% discount on utilities would be a free service and would violate the bond. In response to Mayor Strazdas, Mr. Brown indicated that it was the opinion of John Axe, Bond Counsel, that it would violate the bond instrument. Discussion followed.

Mayor Strazdas indicated that he was generally in favor of the motion, but expressed the need for the motion to indicate when the program would start and what fund would be used. Councilmember Ansari responded that he is not asking for something new, that the Program should continue as it has for over 30 years, and that it did not matter which fund is used to provide the \$80,000 in discounts.

Motion by Pearson, seconded by Ansari, to amend the motion to also read, "...to restore the senior citizens discount immediately under the same conditions that it (sic) existed for 20 years, (with the) same source of funding, in everything, in every regard, as we are just continuing what we had for a long time." Discussion followed.

Councilmember Reid expressed her concern that there is a difference between the General Fund and an Enterprise Fund and inquired whether it would be preferable to somehow fund the Program through the General Fund. Discussion followed.

City Attorney Brown clarified that if City Council rescinds the previous action taken by City Council and reinstates the 10% reduction Senior Citizen Discount, that it would go back to just the way it was before was terminated; however, he noted that a date needs to be added of when the motion becomes effective and the Program begins. Mayor Pro Tem Pearson stated February 11, 2014, and Councilmember Ansari concurred. Discussion followed.

After expressing his analysis and rationale, Councilmember Ford offered a friendly amendment to change the age requirement of the senior citizen discount to 65 years to put Portage in accordance with the Social Security Administration stance on retirement. He mentioned that this defines the class more appropriately, helps City Council to move forward and making the age factor less arbitrary and explained. Both Councilmember Ansari and Mayor Pro Tem Pearson agreed with the amendment. Discussion followed.

Mayor Strazdas asked the motion makers if they would be interested in considering the low income people who are in need of this discount program. Councilmember Ansari expressed a concern that the amount of money involved is a lot more, but agreed that it could be considered sometime in the future. Mayor Pro Tem Pearson concurred that it would cost a lot of money as it would be applied to both sewer and water, expressed a caveat that a person's income has to be validated each year, but once a person reaches 65, it does not have to be tracked. So, he opined that a program based on low income is too complicated and would take a lot of staff time.

Councilmember Urban pointed out that the \$80,000 in question is equal to the entire subsidy currently provided to the Senior Center and argued that the \$5.00 per month to the single mother making \$12,000 or \$13,000 a year is a lot. He acknowledged that the senior discount program is a wonderful tradition that has passed its time, and noted that in all age groups in the City, there are people of various means with some of the wealthiest individuals in the County who over the age of 65 living in the City of Portage. He admitted that the motion proposes a "feel good" program, but a low income-based program could be set with in the parameters at near the \$80,000 figure, and he indicated that he cannot go against the advice of Bond Counsel in this matter. He argued that a discount program for utilities should be needs-based and available to all segments of our population; and, City Council needs to decide what the amount should be and not just pick an age of 65 and fund whatever the amount of subsidy might be. Discussion followed.

Mayor Strazdas recognized Deputy City Manager Brian Bowling, who asked for time to accommodate the billing as part of the motion to reinstate the Senior Citizen Discount Program owing to some practical difficulties, preferably two billing cycles. Discussion followed. Mayor Pro Tem Pearson proposed August 11, 2014, as such a date. Discussion followed. Councilmember Ansari concurred.

Councilmember Reid expressed her concern that City Council has expressed an interest in going forward with doing something where Bond Counsel has some significant issues, and in a way that is putting the City at a potential risk. She pointed out that Bond Counsel or the banks could bring this up as an issue and this could potentially have an impact on the City Bond Rating. She noted that City Council is doing something very quickly without really having all of the information about how this is going to impact the City, plus we have the opinion of Bond Counsel that this is a problem and explained her position.

Mayor Strazdas said he was in favor of the proposal, and expressed his concern regarding the funding source and his wish to do it right. Discussion followed regarding funding and Councilmember Ansari advocated taking it from the fund balance or the “rainy day fund” and said he is not concerned about the issues raised by Councilmember Reid. Discussion followed. City Attorney Brown restated that if City Council reinstates the Program, the funds would come from the exact fund it came from before. Discussion followed. City Manager Evans indicated that the proper funding source would be the Water Fund and any rate adjustments would be addressed by City Council at a later time. Discussion followed.

The motion with the amendments was made by Ansari, seconded by Pearson, to rescind the previous motion eliminating the 10% Senior Citizen Discount on water and restore the 10% Senior Citizen Discount on water billing for persons who are 65 years of age, effective August 11, 2014, to be funded by the water fund. Upon a roll call vote, motion carried 5 to 2. Yeas: Councilmembers Ansari, Ford, Randall, Mayor Pro Tem Pearson and Mayor Strazdas. No: Councilmembers Urban and Reid.

UNFINISHED BUSINESS:

* **SALE OF CITY OUTLOTS - 7200 BALFOUR DRIVE AND 1600 FRIENDLY AVENUE:** Motion by Urban, seconded by Reid, to adopt the resolutions to sell 7200 Balfour Drive and 1600 Friendly Avenue. Upon a roll call vote, motion carried 7 to 0.

* **NEW CEMETERY RULES - PETS:** Motion by Urban, seconded by Reid, to adopt the proposed amendments to the City of Portage Code of Ordinances Chapter 18, Cemeteries, Section 18-10, Section 18-23 and Section 18-29. Upon a roll call vote, motion carried 7 to 0.

* **DRAFT 2014 REVISIONS TO GENERALLY ACCEPTED AGRICULTURE AND MANAGEMENT PRACTICES (GAAMPs) FOR LIVESTOCK:** Motion by Urban, seconded by Reid, to accept the communication regarding draft 2014 revisions to Generally Accepted Agricultural and Management Practices for Livestock. Upon a roll call vote, motion carried 7 to 0.

BOARD OF REVIEW APPOINTMENTS: Motion by Ford, seconded by Randall, to appoint Wes Mazurek, Marianna Singer and Keith Hearit to the first Board of Review, and appoint Michael Quinn, William Brandt and Lori Knapp to the second Board of Review. Upon a roll call vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the following Boards and Commissions:

Portage Public Schools Board of Education Policy Governance Retreat and Regular Business of December 9, 2013; Special of December 30, 2013; Special of January 6, 2014; and Policy Governance Retreat and Organizational Meeting of January 13, 2014.

Portage Park Board of January 8, 2014.

Portage Human Services Board of January 23, 2014.

Portage Planning Commission of January 23, 2014.

BID TABULATION:

* **2014 STORMWATER RETENTION REHABILITATION PROGRAM:** Motion by Urban, seconded by Reid, to award two separate contracts for the 2014 Stormwater Retention Rehabilitation Program to the low bidders: Lounsbury Excavating Incorporated, for Divisions 1 & 2 in the not to exceed amount of \$36,875; Quantum Construction for Division 3 in the not to exceed amount

of \$4,700; and authorize the City Manager to execute all documents related to these contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Mayor Strazdas provided a review of the City Council Retreat Activities earlier in the day at the Fetzer Institute, Oshtemo. He noted that discussion centered around City Council dialogue and team building; the Rules and Procedure for the newly instituted Committee of the Whole Meetings, fewer task forces and fewer subcommittees. He also indicated that time was spent on understanding the relationships among Councilmembers and policy considerations on this matter. He said some of the topics discussed were in the area of Financial, such as taxes, services and potential tax base increases; changing from paper to electronic agendas, affordable housing trends in the City of Portage and vehicles and opportunities for contraction of budget expenses. Discussion followed.

Mayor Strazdas and City Council expressed appreciation for the hospitality of the Fetzer Institute staff, pledged to send a letter of thanks to them and expressed a willingness to work together for the betterment of Portage. Also, they wished City Manager Evans good luck in his retirement.

Councilmember Reid indicated that she attended the “Wear Red for Women” luncheon with the theme, *Heart Disease – the Number one Killer of Women in the U.S.*, in order to provide awareness for women to exercise, watch what foods they eat and to handle their stress because the best gift for Valentine’s Day is a healthy heart.

City Manager Evans expressed kudos to Bill Deming and Ray Waurio for snow removal efforts by the Department, especially considering the volume of snowfall.

RECESS: 9:18 p.m.

RECONVENE: 9:25 p.m. in Conference Room #1.

The City Clerk noted the following members present: Councilmembers Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were Deputy City Manager Brian J. Bowling, City Attorney Randy Brown and City Clerk James R. Hudson.

City Council discussed the procedure options for selecting a new City Manager and the need to identify the desired qualities necessary for a Portage City Manager. There was a consensus of City Council to meet either Tuesday, February 18, 2014, or Thursday February 20, 2014, from 5:30 p.m. to 6:30 p.m. to receive an educational seminar on the procedure options for selecting a new City Manager from Sheri Welsh, a Consultant who volunteers for the Chamber of Commerce and owns a search firm business.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:30 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**

MATERIALS TRANSMITTED

Friday, April 16, 2021

1. Communication from the City Manager regarding the Bi-Monthly Financial Report – Information Only.



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: Bi-Monthly Financial Report

SUPPORTING PERSONNEL: Lauren VanderVeen, 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 through the most recently completed bi-weekly period.

Attachments: April 7, 2021 Financial Report

04/07/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 04/07/2021

		2020-21	2020-21	2020-21	77%
		ORIGINAL	AMENDED	ACTIVITY	Percent of
FUND	DESCRIPTION	BUDGET	BUDGET		Amended
					Collected/Used
REVENUES					
	Totals for dept 0000 -	24,708,791	24,801,791	23,844,563	96%
	Totals for dept 1720 - City Manager	500	500	0	0%
	Totals for dept 2053 - Finance Treasury	1,500	1,500	1,324	88%
	Totals for dept 2110 - Technology Services	0	0	2,583	0%
	Totals for dept 2133 - Public Information	215,000	215,000	0	0%
	Totals for dept 2415 - City Clerk	197,050	197,050	158,091	80%
	Totals for dept 2491 - City Clerk Elections	25,000	46,507	80,744	174%
	Totals for dept 2865 - Parks Maintenance	2,000	2,000	1,691	85%
	Totals for dept 2876 - Cemeteries	68,000	68,000	45,949	68%
	Totals for dept 2877 - Parks & Rec - Parks	65,500	65,500	28,453	43%
	Totals for dept 2878 - Parks & Rec - Kalamazoo In Bloom	0	0	0	0%
	Totals for dept 2881 - Parks & Rec - Farmers Market	9,100	9,100	4,128	45%
	Totals for dept 2882 - Parks & Rec - Team Sports	120,000	120,000	29,968	25%
	Totals for dept 2885 - Parks & Rec - Programs	7,050	7,050	10,636	151%
	Totals for dept 2886 - Parks & Rec - Ramona Park	59,600	59,600	37,360	63%
	Totals for dept 2887 - Parks & Rec - Special Events	17,000	17,000	22,464	132%
	Totals for dept 2888 - Parks & Rec - Millennium Park	47,800	47,800	0	0%
	Totals for dept 3005 - Police Administration	152,700	152,700	86,013	56%
	Totals for dept 3010 - Police Patrol	1,500	1,500	3,440	229%
	Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	3,022	34%
	Totals for dept 3030 - Police Public Safety Dispatch/ts	9,800	9,800	19,853	203%
	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	75%
	Totals for dept 3310 - Fire Admin	100	100	0	0%
	Totals for dept 3340 - Fire Prevention	1,000	1,000	770	77%
	Totals for dept 3710 - Comm Dev Building Services	700,000	700,000	542,247	77%
	Totals for dept 3720 - Comm Dev Planning & Development	60,000	60,000	32,811	55%
	Totals for dept 3730 - Comm Dev Neighborhood Services	189,500	189,500	90,971	48%
	Totals for dept 6720 - Senior Center	199,576	199,576	46,750	23%
	Totals for dept 6721 - Senior Center Trips	394,000	394,000	0	0%
	Totals for dept 6722 - Senior Center Activities	15,000	15,000	0	0%
	Totals for dept 6725 - Aging Mastery Program	1,000	6,000	5,000	83%
TOTAL REVENUES - GENERAL FUND		27,348,067	27,467,574	25,151,331	92%

04/07/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 04/07/2021

		2020-21	2020-21	2020-21	77%
		ORIGINAL	AMENDED	ACTIVITY	Percent of
FUND	DESCRIPTION	BUDGET	BUDGET		Amended
					Collected/Used
EXPENDITURES					
	Totals for dept 1001 - City Council	92,955	92,955	58,282	63%
	Totals for dept 1085 - City Council-Human Services	174,234	174,234	87,117	50%
	Totals for dept 1720 - City Manager	794,795	838,252	580,266	69%
	Totals for dept 2001 - Finance Accounting	321,078	321,078	235,868	73%
	Totals for dept 2002 - Finance & Budget	364,261	364,261	168,307	46%
	Totals for dept 2053 - Finance Treasury	211,778	211,778	130,480	62%
	Totals for dept 2110 - Technology Services	818,635	818,635	541,620	66%
	Totals for dept 2133 - Public Information	465,499	468,499	325,894	70%
	Totals for dept 2209 - Assessor	520,464	520,464	363,097	70%
	Totals for dept 2247 - Assessor Board Of Review	37,163	37,163	20,010	54%
	Totals for dept 2310 - Attorney	250,937	250,937	188,431	75%
	Totals for dept 2415 - City Clerk	163,857	163,857	121,669	74%
	Totals for dept 2416 - City Clerk Records Management	66,297	66,297	50,140	76%
	Totals for dept 2491 - City Clerk Elections	264,368	285,875	228,851	80%
	Totals for dept 2610 - Human Resources	657,960	657,960	445,227	68%
	Totals for dept 2733 - Purchasing	85,800	85,800	52,266	61%
	Totals for dept 2734 - Purchasing Risk Management	25,429	25,429	12,748	50%
	Totals for dept 2865 - Parks Maintenance	1,344,835	1,344,835	709,786	53%
	Totals for dept 2876 - Cemeteries	70,201	70,201	37,867	54%
	Totals for dept 2877 - Parks & Rec - Parks	689,738	689,738	436,367	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	212,462	212,462	132,668	62%
	Totals for dept 2881 - Parks & Rec - Farmers Market	22,635	22,635	13,731	61%
	Totals for dept 2882 - Parks & Rec - Team Sports	68,957	68,957	20,888	30%
	Totals for dept 2885 - Parks & Rec - Programs	42,295	42,295	21,152	50%
	Totals for dept 2886 - Parks & Rec - Ramona Park	158,726	158,726	65,364	41%
	Totals for dept 2887 - Parks & Rec - Special Events	129,103	129,103	66,984	52%
	Totals for dept 2888 - Parks & Rec - Millennium Park	91,655	91,655	19,836	22%
	Totals for dept 3005 - Police Administration	1,226,781	1,230,414	549,646	45%
	Totals for dept 3006 - Police Youth Services	525,441	529,191	351,469	66%
	Totals for dept 3007 - Police Investigation	710,632	716,382	530,375	74%
	Totals for dept 3010 - Police Patrol	6,108,429	6,149,579	4,267,581	69%
	Totals for dept 3020 - Police Training	328,778	333,982	136,721	41%
	Totals for dept 3021 - Police Training-Grant Funded	9,000	9,000	2,545	28%
	Totals for dept 3030 - Police Public Safety Dispatch/ts	69,619	69,619	49,513	71%
	Totals for dept 3031 - Police Emergency Sirens	23,676	23,676	0	0%
	Totals for dept 3040 - Police Records & PST	675,952	675,952	492,482	73%
	Totals for dept 3050 - Police Drug Law Enforcement	341,060	344,060	251,259	73%

04/07/2021

BUDGET REPORT FOR CITY OF PORTAGE
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		2020-21	2020-21	2020-21	77%
		ORIGINAL	AMENDED	ACTIVITY	Percent of
FUND	DESCRIPTION	BUDGET	BUDGET		Amended
					Collected/Used
	Totals for dept 3065 - Police Facility Management	270,993	270,993	98,221	36%
	Totals for dept 3090 - Police KCCDA support	756,793	756,793	378,397	50%
	Totals for dept 3310 - Fire Admin	728,028	782,885	527,041	67%
	Totals for dept 3320 - Fire Operations	4,033,702	4,080,546	2,930,972	72%
	Totals for dept 3330 - Fire On Call Firefighters	95,308	100,308	40,497	40%
	Totals for dept 3331 - Fire Emergency Operations	4,950	4,950	2,078	42%
	Totals for dept 3340 - Fire Prevention	140,913	140,913	80,255	57%
	Totals for dept 3350 - Fire Training	216,263	239,007	130,416	55%
	Totals for dept 3365 - Fire Facility Management	443,781	443,781	207,746	47%
	Totals for dept 3710 - Comm Dev Building Services	595,810	595,810	452,615	76%
	Totals for dept 3720 - Comm Dev Planning & Development	392,760	392,760	190,559	49%
	Totals for dept 3730 - Comm Dev Neighborhood Services	404,006	404,006	195,479	48%
	Totals for dept 3765 - Comm Dev Building Maintenance	238,004	238,004	158,275	67%
	Totals for dept 4210 - City-wide Services	712,689	730,689	517,021	71%
	Totals for dept 6050 - Contagious Diseases	0	4,489	26,797	0%
	Totals for dept 6720 - Senior Center	411,215	415,215	245,443	59%
	Totals for dept 6721 - Senior Center Trips	406,396	406,396	23,580	6%
	Totals for dept 6725 - Aging Mastery Program	1,200	2,200	960	44%
	Totals for dept 9610 - Transfers Out	617,000	617,000	617,000	100%
TOTAL APPROPRIATIONS - GENERAL FUND		28,650,296	28,937,681	18,604,985	64%
202	Major Street Fund - Revenues	5,120,098	5,120,098	3,282,633	64%
	Major Street Fund - Expenditures	5,090,545	5,279,460	3,164,532	60%
203	Local Streets Fund - Revenues	1,850,283	1,850,283	1,045,609	57%
	Local Streets Fund - Expenditures	1,821,280	1,873,715	900,139	48%
204	Municipal Streets Fund - Revenues	1,551,700	1,551,700	1,515,790	98%
	Municipal Streets Fund - Expenditures	1,608,000	1,608,000	1,608,000	100%
223	Curbside Recycling - Revenues	626,500	626,500	581,400	93%
	Curbside Recycling - Expenditures	742,758	742,758	417,464	56%
226	Leaf Pickup/Spring Cleanup - Revenues	643,000	643,000	591,195	92%
	Leaf Pickup/Spring Cleanup - Expenditures	850,632	859,138	357,130	42%
230	CDBG Program Income Fund - Revenues	125,000	125,000	15,747	13%
	CDBG Program Income Fund - Expenditures	125,000	125,000	123,349	99%

04/07/2021

BUDGET REPORT FOR CITY OF PORTAGE
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		2020-21	2020-21	2020-21	77%
		ORIGINAL	AMENDED	ACTIVITY	Percent of
FUND	DESCRIPTION	BUDGET	BUDGET		Amended
					Collected/Used
252	West Lake Weed Mgmt - Revenues	36,050	36,050	106	0%
	West Lake Weed Mgmt - Expenditures	32,500	32,500	8,000	25%
296	Community Development Block Grant - Rev	221,794	456,535	124,805	27%
	Community Development Block Grant - Exp	221,794	456,535	135,828	30%
298	Cable Television Fund - Revenues	767,215	767,215	386,560	50%
	Cable Television Fund - Expenditures	766,663	878,463	322,132	37%
400	Capital Improvement General - Revenues*	26,543,000	21,090,752	9,050,144	43%
	Capital Improvement General - Expenditures*	26,543,000	43,346,192	13,661,277	32%
490	Capital Improvement Sewer - Revenues*	1,510,000	5,515,000	0	0%
	Capital Improvement Sewer - Expenditures*	1,510,000	2,820,121	150,045	5%
491	Capital Improvement Water - Revenues*	3,365,000	9,601,974	0	0%
	Capital Improvement Water - Expenditures*	3,365,000	9,123,522	2,170,903	24%
590	Sewer Fund - Revenues	9,234,691	9,234,691	6,898,492	75%
	Sewer Fund - Expenditures	8,500,093	8,552,206	5,977,015	70%
591	Water Fund - Revenues	6,811,397	6,811,397	5,941,316	87%
	Water Fund - Expenditures	5,907,131	6,007,605	4,683,954	78%
TOTAL REVENUES - ALL FUNDS **		85,753,795	90,897,769	54,585,128	60%
TOTAL EXPENDITURE - ALL FUNDS **		85,734,692	110,642,896	52,284,753	47%

* 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: CIP and Proposed Budget Questions and Answers

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

Attached for the information of City Council are the responses for questions asked by the Mayor and City Councilmembers during the CIP review meetings held in March and the 2021-2022 Budget review meetings held in April.

Attachments: CIP City Council Review Questions and Answers
2021-2022 Proposed Budget Questions and Answers

CIP City Council Review
Questions and Answers

Community Development Responses:

Regarding the house that was recently purchased at Milham and Oakland Drive behind the fire station (currently on land contract?) - What prevents the City from paying off the purchase price and raze the building?

The City can pay off the purchase price and raze the building. However, funds would need to be identified in the budget and demolition arranged (including any necessary environmental abatement such as for asbestos). Should City Council wish this course of action, staff can coordinate internally to identify budget. We would also need to coordinate with the seller as we have a current arrangement for monthly payments.

Lake Center District:

Several Councilmembers would like to see plans for the Lake Center District (LCD) identified in the CIP. A \$6 million figure for improvements was referenced on several occasions and raised the question of how much funding is actually included in the CIP for the LCD.

All the Lake Center District Study projects appear in the Streets and Sidewalks section of the CIP, and are projected across multiple years noted by the segments of Portage Road that are within the boundaries of the study (Portage Road from Centre Ave to the north, and Osterhout Ave to the south). As projects advance, there may be potential state and federal funding sources that can be identified or may become available to supplement CIP funding for transportation projects on Portage Road.

Zylman/Portage project – What has happened at that property to date? When was it purchased and how much was it purchased for? What has been spent to date on converting that space, ie concrete removal, grass seed planting? How does this space and the \$175,000 fit into the overall lake center district master plan?

The City of Portage paid \$147,585.48 for the property and closed on 3-19-20

The scope completed to date by DPW for a cost of \$5,992.06 includes:

- DPW removed asphalt aprons, concrete light pole pads, curbs and bushes
- DPW installed top dirt and graded and applied grass seed

City staff reviewed this project and determined that the proposed improvements can be incorporated elsewhere as part of the overall Lake Center District Master Plan. Additionally, bond counsel was consulted regarding this particular project and the determination was made that, without assurance the property will be owned by the city long term, the project is not eligible to be funded with bond proceeds.

Due to the above, the project is being removed from the proposed 21-22 CIP.

Are improvements to Lakeview Park included in the proposed CIP? In particular, there have been discussions regarding a pier to park boats.

There is a Lakeview Park Concept Plan developed which was put on hold until approval of the Lake Center District plan. Depending on the plan, next fiscal year CIP will include infrastructure for Lakeview Park including possible pier enhancements.

Complete Streets Policy:

What is the community outreach plan for those neighborhoods (such as Kalarama) that will have sidewalks added as part of street reconstruction efforts? Under what practice or policy are sidewalks being added to these areas? Will residents be afforded the opportunity to be heard as to whether they want sidewalks in front of their homes?

Several Councilmembers would like to revisit and offer an opt out opportunity for sidewalks. There was a suggestion that a “51% opt-out petition” and program be developed.

Sidewalk installation during road projects is currently covered by the “Complete Streets” policy and the “Safe Routes to School” program. Should City Council desire, Community Development can coordinate with Transportation and Utilities to develop a program and form should members of a particular block want to opt out of sidewalk installation. However there are certain streets (arterials/near schools) where sidewalks will need to be installed. These areas are key components of the Safe Routes to School program and relate directly to the safety of children walking along collector and arterial streets near schools.

Informational mailings to property owners are sent well in advance of planned sidewalk installations.

Transportation and Utilities Responses:

There is a statement regarding the potential installation of a traffic signal near the Woodbridge Shopping Plaza indicating “traffic warrants have been met.” Please explain.

Based on the traffic study completed in March 2020, this intersection would meet the warrant for a 4-Hour vehicular volume with the planned buildout of the three (3) vacant parcels. At the time of the traffic study, the proposed developments consisted of a mid-rise multi-family housing on two parcels and a fast food restaurant with a drive-thru window on the third parcel.

Under “Revenues and Other Sources” – MAP funding is lower than in previous years. Please explain.

The Moving Ahead for Progress in the 21st Century Act (MAP-21), signed in 2012, funds Surface Transportation Programs (STP) and National Highway Performance Programs (NHPP). The Kalamazoo Area Transportation Study (KATS) as the Metropolitan Planning Organization (MPO) distributes the STP and NHPP funds through the KATS Transportation Improvement Plan (TIP).

KATS has a prioritization process for receiving funding through the TIP. Portage, along with other eligible agencies, submits project applications for projects that agencies would like to receive funding from STP & NHPP. KATS currently calls for project applications every 4 years. Projects are evaluated on average daily traffic, percentage of commercial traffic, PASER rating, safety improvements, national functional classification as well as other factors.

In the FY 20-23 TIP cycle, Portage has or will be receiving \$6,157,299 of the estimated \$15,669,294 STP and NHPP funding or approximately 40% of the available funding. In FY 21-22, Portage has smaller scale road projects that scored well in the prioritization process and are receiving funding. Smaller projects equate to less funding for the FY21-22. In the FY 20-23 TIP cycle Portage will also receive \$1,555,000 in other state funding sources for road improvements.

Parks and Recreation Responses:

The cost of the East Central Trail way and Austin Lake Trail are higher than in last year's CIP. Why the cost increase?

Increases in construction material and labor have risen significantly over the past year and a half. Preliminary funding is listed in the CIP and, based on current costs, will be adjusted during the Engineering Design phase of the project when more specifics of the trails are known. Some of these specifics include how much boardwalk will actually be required based on the wetland delineation and the potential addition of a culvert on East Central Trail way.

Austin Lake Trail – Why is it being pushed out another year? What is the status of efforts to acquire the O'Brien property?

The current options for the O'Brien property are to present a Good Faith Offer for the parcels based on the appraisals. The appraisals are significantly lower than Mr. O'Brien's past asking amount. Should an agreement be unreachable, alternative options will be explored. For example, one possibility is to re-route the biking route along East Shore Drive parallel to the O'Brien property, however this route has very narrow shoulders with limited room for bicycles and safe passing of vehicles.

Have we considered swapping Superdeck replacement at West Lake Nature Preserve vs. Bishop's Bog.

The Department of Parks and Recreation and Department of Public Works revisited these trailways and concur that Bishop Bog Boardwalk should be replaced first since this is the only access into this Park, provides north connectivity for Schrier Park and provides a popular walking loop through Schrier Park, Bishop's Bog, South Westnedge Park, and Eliason Nature Reserve. The Bishop's Bog boardwalk also supports connection to the new Eliason Nature Reserve boardwalk and South Westnedge Park. The West Lake Nature Preserve boardwalk, while in need of replacement, is less critical in nature and is in better condition than the boardwalk in Bishop' Bog. The West Lake boardwalk can still be used in lower water conditions, which will be monitored by Park Rangers and only closed when required.

Elijah Root Mill Dam – Is it really going to be a \$1 million to repair? Can we get better estimates on what kind of state and federal grants we can expect to get to rebuild a failing dam?

After the Feasibility Study is concluded in July, staff will have a significantly better idea of the requirements for dismantling the dam safely. Some of the factors investigated that will impact cost include the amount of silt built-up behind the dam and if partial dredging will be required; and the hydrology affect to the Milham Road Bridge and what mitigation measures will be needed. A large list of grants has already been compiled that will address different issues of the mitigation, and tiered grant financing will be used to offset the costs. These grants include funding for infrastructure, wetlands, fisheries, dam removal, recreation, and historic and cultural projects that are all applicable to this project. A more specific cost estimate and applicable funding sources will be available with the new round of CIP submittals.) See potential grants listed below.

GRANTS (POTENTIAL)

ELIJAH ROOT DAM GRANTS	Agency	\$\$\$	Application Day
FISHERIES HABITAT	MDNR	1,850,000	January 8
DAM MANAGEMENT	MDNR	350,000	November 11
AQUATIC HABITAT	MDNR	1,250,000	Late August
INVASIVE SPECIES	MDNR	400,000	December 11
BOATING INFRASTRUCTURE	MDNR	1,250,000	April 1
LAND & WATER	MDNR	500,000	April 1
RECREATION PASSPORT	MDNR	150,000	April 1
WATERWAYS	MDNR		April 1
KALAMAZOO RIVER GRANT			
WATERSHED COUNCILS	EGLE	40,000	February
CLEAN BOATS, CLEAN WATER	EGLE	3,000	February
SUSTAIN OUR GREAT LAKES	EGLE		February
MIDWEST GLACIAL LAKES	EGLE	300,000	October
LOCAL BRIDGE PROGRAM	MDOT		1-May
NATIONAL FISH PASSAGE	Fish & Wildlife	2,000,000	30-Sep
GREAT LAKES HABITAT RESTORATION	NOAA		
HABITAT PROTECTION & RESTORATION	Great Lakes Fishery Trust		February
CULTURAL ARTS	MCACA		June
NATIONAL TRUST FUND	NTF	5,000	Feb/June/Oct
MICHIGAN HUMANITIES COUNCIL	MHC		
MICHIGAN HISTORIC PESERVATION NETWORK	MNPN		

Please provide information related to revenues, expenses and usage of the Millennium Park Ice Rink.

Please see attached Appendix A.

Public Safety Responses:

Is Fire Station No. 2 now complete? At the ribbon cutting it appeared to be missing several amenities such as mattresses and finish-work. Please confirm these items have been placed.

The construction on Station #2 is complete – all that remains are punch list items that are minor in nature. All items will be completed by the end of April 2021.

Police is doing a \$300,000 conversion 800 MHz radios this year, why is the \$500,000 radio conversion for the Fire Division out 2 years?

The 800 MHz radio project within the Police Division for 2021/2022 is the second phase of a project that began in 2020/2021 which consists primarily of making the second payment on the two-year project costs. The 2023/2024 Radio project for the Fire Division will be similar to the Police Division project - replacement and upgrading from a single VHS system to a dual band (VHS/800) system. The Fire Division radio project was pushed out in anticipation of the completion and validation of the KCCDA and Police Division 800 MHz radio system project. It is anticipated that all fire agencies within the County will at some point transition to the 800 MHz system so this sets up the Portage Fire Division to be well situated once this countywide transition takes place.

The radios that are being purchased are covered under the State of Michigan bid (Motorola). As a result, the future purchase of radios for the Fire Division are anticipated to be similar in cost as to what has been experienced for the Police Division.

Treasury/Assessing Response:

IFT Breakdown – What is the breakdown of the current IFT's. Please provide information as to what businesses have existing tax abatements and related details such as number of years left and abatement amounts. What kind of increase in tax capture can we expect when they expire?

Please see attached Appendix B.

APPENDIX A

Millennium Park Ice Rink Overview

Millennium Park Ice Rink		2018 - 2019	Millennium Park Ice Rink		2019 - 2020
Revenues			Revenues		
Admissions	\$	43,412.00	Admissions	\$	37,210.00
Concessions	\$	5,430.75	Concessions	\$	4,780.50
Gross	\$	48,842.75	Gross	\$	41,990.50
Expenditures			Expenditures		
Personnel	\$	10,097.99	Personnel	\$	8,512.48
Operations and Maintenance	\$	9,226.52	Operations and Maintenance	\$	10,788.78
Equipment	\$	6,604.80	Equipment	\$	2,142.40
Utilities	\$	27,547.48 **	Utilities	\$	27,098.78 **
Other	\$	804.00	Other	\$	776.16
Total Expenditures	\$	54,280.79	Total Expenditures	\$	49,318.60
Net	\$	(5,438.04)	Net	\$	(7,328.10) *

*Season 2019-20 ended a month early (Covid-19) leading to a decrease in revenue and personnel cost and a larger NET loss.

**Annual energy costs for Millennium Park - \$38,000

Leaking Calcium Chloride Brine. System is corroded and unusable.

Replacing everything would cost \$900K to \$1M.

Replacing chiller is approximately \$95K

Chiller will make system usable to several years. Current chiller has been in place over 15 years.

As chiller has aged, maintenance demands have increased.

Attendance:

Attendance averages between 11,000-12,000 per season.

Closures:

2018/19 – Closed 7 days due to inclement weather

2019/20 – Closed 8 days due to inclement weather, also entire month of March

City of Portage

2020 MBOR

Active IFT Summary Report

Parcel #	Owner Name	Property Address	Class	Assessed	Taxable	IFT Cert. #	\$ Approved	IFT Expires	IFT Type
99999-139-A	FEMA CORPORATION	1716 VANDERBILT AVE	901	613,300	472,227	2008-053	1,390,000	12/30/2020	IFT - Post 1994 Rates
99999-139-B	FEMA CORPORATION	1716 VANDERBILT AVE	951	29,200	29,200	2008-053	1,760,000	12/30/2014	IFT - Post 1994 Rates *
99999-145-B	STRYKER INSTRUMENTS	6300 S SPRINKLE RD	951	49,200	49,200	2009-278	4,307,387	12/30/2018	IFT - Post 1994 Rates *
99999-147-A	MANN+HUMMEL USA, INC	6700 S SPRINKLE RD	901	1,182,900	1,144,744	2012-499	2,635,438	12/30/2021	IFT - Post 1994 Rates
99999-153-A	KENCO LOGISTIC SERVICES	6501 PORTAGE RD	901	7,121,200	6,010,512	15-005	12,388,601	12/30/2024	IFT - Post 1994 Rates
99999-155-A	MANN+HUMMEL USA, INC	6400 S SPRINKLE RD	901	825,800	825,800	2014-196	1,978,000	12/30/2023	IFT - Post 1994 Rates
99999-155-B	MANN+HUMMEL USA, INC	6400 S SPRINKLE RD	951	-	-	2014-196	598,000	12/30/2020	IFT - Post 1994 Rates
99999-156-A	PHARMACIA & UPJOHN COMPANY	7171 PORTAGE RD	901	17,021,500	16,654,434	2016-139	38,929,000	12/30/2028	IFT - Post 1994 Rates
99999-157-A	PHARMACIA & UPJOHN COMPANY	7171 PORTAGE RD	901	28,241,500	28,241,500	2017-058	61,487,000	12/30/2029	IFT - Post 1994 Rates
99999-158-A	STRYKER CORPORATION	1941 STRYKER WAY	901	70,851,900	70,851,900	2017-062	143,718,466	12/30/2029	IFT - Post 1994 Rates
99999-158-B	STRYKER CORPORATION	1941 STRYKER WAY	951	-	-	2017-062	10,862,750	12/30/2023	IFT - Post 1994 Rates
99999-159-A	FEMA CORPORATION	1716 VANDERBILT AVE	901	684,200	684,200	2017-147	2,250,000	12/30/2023	IFT - Post 1994 Rates
99999-160-A	PHARMACIA & UPJOHN COMPANY	7171 PORTAGE RD	901	-	-	2018-044	148,000,000	12/30/2033	IFT - Post 1994 Rates
99999-161-A	STRYKER CORPORATION	3800 E CENTRE AVE	901	16,013,600	16,013,600	2018-095	35,758,639	12/30/2032	IFT - Post 1994 Rates
99999-162-A	STRYKER CORPORATION	3800 E CENTRE AVE	901	198,200	198,200	2019-100	6,265,544	12/30/2031	IFT - Post 1994 Rates
Total	15			<u>\$142,832,500</u>	<u>\$141,175,517</u>		<u>\$472,328,825</u>		

City Summary for 2020 Taxes

City of Portage Total IFT Taxable Value	
Taxes on IFT Parcels (Based on 2019 Millage Rates)	4,756,240
Taxes on IFT Parcels (Without Abatements)	8,657,420
Tax Savings To All Companies (With City Approved Abatements)	<u>3,901,180</u>

* Personal Property IFT Parcel Remains Active Per ESA

City of Portage

2020

Revenue Forecast Due to Expiring IFT

Taxable	IFT Cert. #	IFT Expires	Est. Total Taxes (Abatement)	Est. Total Taxes (No Abatement)	Total Tax Abated	Est. COP Total Taxes (Abatement)	Est. COP Taxes (No Abatement)	COP Tax Abated
472,227	2008-053	12/30/2020	15,913	28,965	13,052	2,512	5,024	2,512
29,200	2008-053	12/30/2014 *	546.04	1,092.07	546	155	311	155
49,200	2009-278	12/30/2018 *	920.03	1,840.06	920	262	523	262
1,144,744	2012-499	12/30/2021	38,576	70,215	31,639	6,090	12,180	6,090
6,010,512	15-005	12/30/2024	202,546	368,667	166,122	31,976	63,952	31,976
825,800	2014-196	12/30/2023	27,828	50,652	22,824	4,393	8,787	4,393
-	2014-196	12/30/2020	-	-	-	-	-	-
16,654,434	2016-139	12/30/2028	561,231	1,021,535	460,304	88,602	177,203	88,602
28,241,500	2017-058	12/30/2029	951,699	1,732,252	780,553	150,245	300,490	150,245
70,851,900	2017-062	12/30/2029	2,387,609	4,345,850	1,958,241	376,932	753,864	376,932
-	2017-062	12/30/2023	-	-	-	-	-	-
684,200	2017-147	12/30/2023	23,057	41,967	18,910	3,640	7,280	3,640
-	2018-044	12/30/2033	-	-	-	-	-	-
16,013,600	2018-095	12/30/2032	539,636	982,228	442,592	85,192	170,385	85,192
198,200	2019-100	12/30/2031	6,679	12,157	5,478	1,054	2,109	1,054
\$141,175,517			\$4,756,240	\$8,657,420	\$3,901,180	\$751,054	\$1,502,108	\$751,054

Estimated Revenue Increase Following Expiration of Certificate		
	Total	COP
Next Year (Expires on or before 2020)	\$14,518	\$2,929
Next 5 Years (Expires on or after 2021 & on or before 2024)	\$239,495	\$46,099
Next 10 Years (Expires on or after 2025 and on or before 2029)	\$3,199,098	\$615,778
Over 10 Years (Expires on or after 2030)	\$448,070	\$86,247

City of Portage

PA-198 Industrial Development and Plant Rehabilitation Districts - Master List and Job Report Summary Last Updated: June 2020

Dist. No.	Name	Council Approval	Cert. No.	Parcel No.	Transfer Year(s)	EMPP Extension	Active Expired	Reported Facility Cost	Exemption Cert. (50%)	New Jobs	Original Application Jobs Retained	New Jobs	Job Verification Jobs Retained	Last Update
#1-A	Permafit Corporation	10/21/75			(T-89)		Expired	\$403,200	\$201,600	35	New	N/A	N/A	Not Required to Report
#1-B	Summit Polymers	01/10/78			(T-90)		Expired	222,200	111,100	8	25	N/A	N/A	Not Required to Report
#1-C	Summit Polymers	12/19/78			(T-90)		Expired	379,000	189,500	4	3	N/A	N/A	Not Required to Report
#1-D	Permafit Corporation	01/09/79			(T-93)		Expired	802,000	401,000	15	27	N/A	N/A	Not Required to Report
#1-E	Summit Polymers	07/20/82			(T-97)		Expired	914,000	457,000	8	New	N/A	N/A	Not Required to Report
#1-F	Mueller Plastics (T)	08/17/82			(T-97)		Expired	610,000	305,000	12	New	N/A	N/A	Not Required to Report
#1-G	Summit Polymers	11/22/83			(T-98)		Expired	1,255,000	627,500	10	New	N/A	N/A	Not Required to Report
#1-H	Colonial Plumbing	03/19/85					Expired	969,000	484,500	21	New	N/A	N/A	Not Required to Report
#1-I	Mueller Plastics (T)	01/19/93			(T-97 P/P)		Expired	1,025,000	512,500	15	New	N/A	N/A	Not Required to Report
#1-J	Mueller Plastics	09/30/97	97-500	99999-070-X	(T-04 R)		Expired	815,889	407,945	30	New	N/A	N/A	Not Required to Report
#1	Mueller Plastics	09/30/97	97-500	99999-070-Y	(T-01 P/P)		Expired	5,130,874	2,565,437	30	New	N/A	N/A	Not Required to Report
#1-K	Mueller Plastics	10/06/98					Expired	3,740,000	1,870,000	1	119	N/A	N/A	Not Required to Report
#1	Mueller Plastics	03/17/00	00-101	99999-110-B	(T-04 P/P)		Expired	1,911,800	955,900	0	134	N/A	N/A	Not Required to Report
#1	Mueller Plastics	03/19/01	01-168	99999-117-B	(T-05 P/P)		Expired	600,000	300,000	0	134	N/A	N/A	Not Required to Report
#1	Mueller Plastics	07/25/05	05-331	99999-130-B	(T-09 P/P)		Expired	1,176,000	588,000	0	170	N/A	N/A	Not Required to Report
#1	Mueller Plastics	10/23/12	12-499	99999-147-A	(T-18R)		Revoked 2013	2,635,438	1,317,719	1	78	N/A	N/A	Not Required to Report
#1	Mueller Plastics	10/23/12	12-499	99999-147-B	(T-18P/P)		Revoked 2013	23,898,201	11,949,101	1	78	N/A	N/A	Not Required to Report
#2	Pharmacia & Upjohn	10/28/75			(T-90)		Expired	7,116,000	3,558,000	30	New	N/A	N/A	Not Required to Report
#3-A	Valley Plastics	11/25/75			(T-89)		Expired	309,200	154,600	23	New	N/A	N/A	Not Required to Report
#3-B	Valley Hydro	05/24/77			(T-91)		Expired	200,000	100,000	35	8	N/A	N/A	Not Required to Report
#3-C	Valley Plastics	01/31/84			(T-98)		Expired	1,650,000	825,000	60	New	N/A	N/A	Not Required to Report
#4-A	Ronningen-Petter	07/06/76			(T-89)		Expired	450,000	225,000	15	92	N/A	N/A	Not Required to Report
#4-B	Ronningen-Petter	06/25/86			(T-99)		Expired	188,000	94,000	12	New	N/A	N/A	Not Required to Report
#4-C	Ronningen-Petter	07/24/90			(T-94 & 97)		Expired	668,000	334,000	13	New	N/A	N/A	Not Required to Report
#4-D	Ronningen-Petter	08/18/98	98-407	99999-071-D	(T-02 P/P)		Expired	575,000	287,500	4	161	N/A	N/A	Not Required to Report
#5-A	Unifab Corporation	08/17/76			(T-89)		Expired	151,600	75,800	6	27	N/A	N/A	Not Required to Report
#5-B	Unifab Corporation	01/09/79			(T-91)		Expired	669,600	334,800	5	10	N/A	N/A	Not Required to Report
#5-C	Unifab Corporation	04/17/84			(T-97)		Expired	365,400	182,700	5	New	N/A	N/A	Not Required to Report
#6-A	Pharmacia & Upjohn	12/14/76			(T-90)		Expired	5,132,000	2,566,000	50	New	N/A	N/A	Not Required to Report
#6-B	Pharmacia & Upjohn	10/14/80			(T-95)		Expired	5,665,000	2,832,500	29	14	N/A	N/A	Not Required to Report
#7	Pharmacia & Upjohn	06/21/77			(T-92)		Expired	3,233,000	1,616,500	24	New	N/A	N/A	Not Required to Report
#8-A	Kalamazoo Spring	05/16/78			(T-91)		Expired	176,600	88,300	10	74	N/A	N/A	Not Required to Report
#8-B	Spring Tools	04/20/99	99-172	99999-071-G	(T-03)		Expired	830,000	415,000	4	54	N/A	N/A	Not Required to Report
#8	Stainless Steel Fabricating & Eng.	10/24/06	06-638	99999-134-B	(T-10 P/P)		Expired	262,000	131,000	2 or 3	5	N/A	N/A	Not Required to Report
#9-A	Michigan Fiber & Plastics	12/06/77			(T-90)		Expired	130,000	65,000	15	New	N/A	N/A	Not Required to Report
#9-B	Michigan Fiber & Plastics	03/04/80			(T-93)		Expired	145,000	72,500	4	New	N/A	N/A	Not Required to Report
					(T-92 P/P)									
#10	Plastic Engineering	03/14/78			(T-93 R)		Expired	2,330,200	1,165,100	39	New	N/A	N/A	Not Required to Report
#11	Wilson Air	07/11/78			(T-94)		Expired	398,400	199,200	9	9	N/A	N/A	Not Required to Report
#12	Prab Robots (Stryker Instruments)	02/02/82			(T-91+92)		Expired	650,000	325,000	30	New	N/A	N/A	Not Required to Report
#13	Pharmacia & Upjohn	09/12/78			(T-93)		Expired	8,907,000	4,453,500	23	New	N/A	N/A	Not Required to Report
#14	Roto Finish	09/19/78			(T-91)		Expired	147,000	73,500	10	New	N/A	N/A	Not Required to Report
#15	Webers	09/26/78			(T-91)		Expired	52,600	26,300	4	16	N/A	N/A	Not Required to Report
#16	West Michigan Hydraulics	10/17/78			(T-92)		Expired	56,000	28,000	10	13	N/A	N/A	Not Required to Report
#17	Pharmacia & Upjohn	10/24/78			(T-92)		Expired	2,320,000	1,160,000	1	New	N/A	N/A	Not Required to Report
#18	Pharmacia & Upjohn	10/24/78			(T-93)		Expired	12,000,000	6,000,000	100	New	N/A	N/A	Not Required to Report
#19	O. C. Conversion	No Exemption Ever Occurred - (District Only)												
#20-A	W.L. Molding	10/02/79			(T-93)		Expired	329,800	164,900	20	New	N/A	N/A	Not Required to Report
#20-B	LaRos Equipment	05/08/84			(T-97)		Expired	234,000	117,000	20	8	N/A	N/A	Not Required to Report
#20-C	W.L. Molding	02/14/89			(T-97 P/P)		Expired	833,200	416,600	25	New	N/A	N/A	Not Required to Report
#21	Portage Steel	12/04/79			(T-91)		Expired	371,400	185,700	12	10	N/A	N/A	Not Required to Report
#22	Nehi-Royal	01/08/80			(T-93)		Expired	214,200	107,100	14	New	N/A	N/A	Not Required to Report
#23-A	Fema Corporation	04/27/80			(T-93)		Expired	158,600	79,300	10	25	N/A	N/A	Not Required to Report
#23-B	Fema Corporation	04/12/83			(T-96)		Expired	172,000	86,000	11	New	N/A	N/A	Not Required to Report
#24	Reclamet	Pending (District Only)												
#25-A	Pharmacia & Upjohn	10/07/80			(T-94)		Expired	4,203,000	2,101,500	10	42	N/A	N/A	Not Required to Report
#25-B	Pharmacia & Upjohn	11/14/95	95-787	99999-091-C	(T-02 R)		Expired	933,200	466,600	6	67	N/A	N/A	Not Required to Report
#25-B	Pharmacia & Upjohn	11/14/95	95-787	99999-091-D	(T-02 P/P)		Expired	5,617,900	2,208,950					
#26	Southern Supply (Rejected)													
#27-A	Spectrum Color	08/04/81			(T-94)		Expired	390,000	195,000	17	13	N/A	N/A	Not Required to Report
#27-B	Spectrum Color	12/21/82			(T-96)		Expired	113,400	56,700	4	New	N/A	N/A	Not Required to Report
#27-C	Spectrum Color	12/10/85			(T-99)		Expired	888,000	444,000	6	New	N/A	N/A	Not Required to Report
#28	Pharmacia & Upjohn	08/04/81			(T-96)		Expired	33,600,000	16,800,000	50	235	N/A	N/A	Not Required to Report
#29	S & S Industrial	02/02/82			(T-95)		Expired	253,000	126,500	2	5	N/A	N/A	Not Required to Report
#30-A	LeVannes	04/27/82			(T-95)		Expired	90,400	45,200	4	12	N/A	N/A	Not Required to Report

City of Portage

PA-198 Industrial Development and Plant Rehabilitation Districts - Master List and Job Report Summary Last Updated: June 2020

Dist. No.	Name	Council Approval	Cert. No.	Parcel No.	Transfer Year(s)	EMPP Extension	Active Expired	Reported Facility Cost	Exemption Cert. (50%)	New Jobs	Original Application Jobs Retained	New Jobs	Job Verification Jobs Retained	Last Update
#30-B	LeVannes	09/30/97	97-501	99999-070-V	(T04 R) (T-01 P/P)		Expired	107,262	53,631	2	New	N/A	N/A	Not Required to Report
#30-C	LeVannes (P/P only)	05/19/98			(T-02 P/P)		Expired	233,909	116,955					
#31	Kalamazoo Printing	05/11/82			(T-95)		Expired	379,500	189,750	2	New	N/A	N/A	Not Required to Report
#32	Domino-Payne	09/28/82			(T-96)		Expired	150,000	75,000	2	13	N/A	N/A	Not Required to Report
#33	Peterman, Inc.	10/12/82			(T-96)		Expired	563,400	281,700	12	New	N/A	N/A	Not Required to Report
#34-A	North American Color	12/07/82			(T-96)		Expired	49,800	24,900	3	3	N/A	N/A	Not Required to Report
#34-B	North American Color	10/23/84			(T-98)		Expired	1,694,400	847,200	46	22	N/A	N/A	Not Required to Report
#34-C	North American Color	01/16/89			(T-95)		Expired	2,877,400	1,438,700	19	New	N/A	N/A	Not Required to Report
#35	(Transferred to #38)							1,600,000	800,000	8	New	N/A	N/A	Not Required to Report
#36	Pharmacia & Upjohn	10/25/83			(T-98)		Expired	11,105,000	5,552,500	10	New	N/A	N/A	Not Required to Report
#37	Pienta	Canceled 12/91												
#38	Sun Chemical	No Exemption Ever Occurred - (District Only)												
#39-A	Rathco	02/28/84			(T-96)		Expired	204,000	102,000	3	4	N/A	N/A	Not Required to Report
#39-B	Rathco	06/23/87					Expired	68,000	34,000	3	New	N/A	N/A	Not Required to Report
#40-A	Stryker	05/22/84			(T-97)		Expired	2,950,000	1,475,000	39	New	N/A	N/A	Not Required to Report
#40-B	Stryker (Transfer)	08/06/85			(T-96)		Expired	112,000	56,000	1	New	N/A	N/A	Not Required to Report
#40-C	Stryker	10/15/85			(T-98)		Expired	762,800	381,400	5	New	N/A	N/A	Not Required to Report
#40-D	Stryker	12/23/86			(T-94)		Expired	322,000	161,000	1	New	N/A	N/A	Not Required to Report
#40-E	Stryker	09/30/92			(T-97 P/P)		Expired	5,030,000	2,515,000	125	New	N/A	N/A	Not Required to Report
#40-F	Stryker	02/16/93			(T-97)		Expired	2,655,000	1,327,500	57	New	N/A	N/A	Not Required to Report
#40-G	Stryker	05/15/01	01-169	99999-114-B	(T-05 P/P)		Expired	1,245,000	622,500	49	10	N/A	N/A	Not Required to Report
#40-H	Stryker Medical	06/01/99	99-268	99999-071-N	(T-06 R)		Expired	699,756	349,900	6	15	N/A	N/A	Not Required to Report
	Stryker	06/01/99	99-268	99999-071-O	(T-03 P/P)		Expired	544,145	272,100			N/A	N/A	Not Required to Report
#40	Stryker Instruments Division	06/26/06	06-264	99999-133-A	(T-19 R)		Expired	2,327,286	1,163,643	10	50	N/A	N/A	Not Required to Report
#40	Stryker Instruments Division	06/26/06	06-264	99999-133-B	(T-19 P/P)	EMPP	Expired	977,000	488,500			N/A	N/A	Not Required to Report
#40	Stryker Instruments Division	08/04/09	09-278	99999-145-A	(T-16R)		Expired	667,969	333,985	2	10	N/A	N/A	Not Required to Report
#40	Stryker Instruments Division	08/04/09	09-278	99999-145-B	(T-19 P/P)	EMPP	Extended	4,307,387	2,153,694			N/A	N/A	Not Required to Report
#41-A	KEPCO	09/17/85			(T-99)		Expired	612,800	306,400	9	New	N/A	N/A	Not Required to Report
#41-B	KEPCO	03/20/90			(T-97 P/P)		Expired	274,800	137,400	4	New	N/A	N/A	Not Required to Report
#41-C	KEPCO	02/25/97						832,000	416,000	10	New	N/A	N/A	Not Required to Report
#41-D	Summit Polymers, Inc.	11/18/08	09-041	99999-142-B	(T-12 P/P)		Expired	250,000	125,000	0	48	N/A	N/A	Not Required to Report
#42	Howard Printing	11/12/85						262,200	131,100	5	12	N/A	N/A	Not Required to Report
#43	Zwart	Rejected - STC												
#44	Pharmacia & Upjohn	10/28/86						47,543,000	23,771,500	176	New	N/A	N/A	Not Required to Report
#45-A	Kalamazoo Derusting	05/13/86			(T-99)		Expired	372,000	186,000	10	New	N/A	N/A	Not Required to Report
#45-B	Kalamazoo Derusting	03/31/87			(T-98)		Expired	251,400	125,700	12	New	N/A	N/A	Not Required to Report
#45-C	Kalamazoo Derusting	TC Canceled 12/91												
#46-A	Vanco	11/14/86			(T-96)		Expired	70,000	35,000	8	7	N/A	N/A	Not Required to Report
#46-B	Vanco	06/21/88			(T-95)		Expired	175,000	87,500	2	New	N/A	N/A	Not Required to Report
#47	CRS	Rejected												
#48-A	Geiger Plastics	12/22/87			(T-95 P/P)		Expired	2,238,000	1,119,000	50	New	N/A	N/A	Not Required to Report
#48-B	Geiger Plastics (Revised)	09/14/93			(T-95 + 98)		Expired	1,776,600	888,300	30	New	N/A	N/A	Not Required to Report
#48-C	Geiger Tech	04/21/98		99999-071-B	(T-02)		Expired	12,535,000	6,267,500	79	New	N/A	N/A	Not Required to Report
#48-D	Mann-Hummel		98-180	99999-071-A	(T-05)		Expired	5,268,650	2,634,300			N/A	N/A	Not Required to Report
#48-E	Mann-Hummel	09/28/09	05-500	99999-129-B	(T-13 P/P)		Expired	4,648,463	2,324,232	0	231	N/A	N/A	Not Required to Report
#48-E	Mann-Hummel		99-477	99999-071-P	(T-03)		Expired	7,927,662	3,963,800	30		N/A	N/A	Not Required to Report
#1-48	Mann-Hummel/09	09/28/09	09-357	99999-144-B	(T-16 P/P)	EMPP	Expired	11,696,568	5,848,284	71	169	71	169	10/30/2017
#1-48	Mann-Hummel/13	03/20/13	13-077	99999-148-B	(T-20PP)		Expired	15,896,163	7,948,082	50	377	50	377	6/25/2018
#1-48	Mann-Hummel/Comstock	05/27/14	11-463	99999-154-B	(T-18PP)		Expired	6,700,000	3,350,000	27	75	N/A	N/A	Not Required to Report
#1-48	Mann-Hummel/Mueller	5/27/14	12-499	99999-147-A	(T-22RE)		Active	2,635,438	1,317,719	N/A	N/A	N/A	N/A	Not Required to Report
#1-48	Mann-Hummel/NEW RE	05/27/14	14-196	99999-155-A	(T-24RE)		Active	1,978,000	989,000	20	377	85	518	10/7/2019
#1-48	Mann-Hummel/NEW PP	05/27/14	14-196	99999-155-B	(T-21PP)	EMPP	Active	598,000	299,000			-	-	-
#49	Quality Air	Pending	Never Approved											
#50-A	Liberty Manufacturing	05/10/88			(T-96 P/P)		Expired	361,200	180,600	6	7	N/A	N/A	Not Required to Report
#50-B	Liberty Manufacturing	01/16/96	96-025	99999-070-P	(T-03 R) (T-00 P/P)		Expired	142,000	71,000	6	21	N/A	N/A	Not Required to Report
							Expired	487,500	243,750			N/A	N/A	Not Required to Report
#51	Pharmacia & Upjohn	08/16/88	88-380	99999-051-A	(T-03 R) (T-95 P/P)		Expired	5,289,000	2,644,500	13	New	13	New	Not Required to Report
							Expired	5,289,000	2,644,500			N/A	N/A	Not Required to Report
#52-A	Production Tooling	08/16/88			(T-95)		Expired	130,000	65,000	2	New	N/A	N/A	Not Required to Report
#52-B	Production Tooling (Real Only)	06/22/93					Expired	45,000	22,500	12	New	N/A	N/A	Not Required to Report
#52-C	Production Tooling (P/P Only)	07/09/96					Expired	107,000	53,500	2	New	N/A	N/A	Not Required to Report
#53-A	Bowers Manufacturing	09/13/88			(T-96 P/P)		Expired	3,325,000	1,662,500	25	New	N/A	N/A	Not Required to Report
#53-B	Bowers Manufacturing	07/20/93			(T-97 P/P)		Expired	700,600	350,300	6	New	N/A	N/A	Not Required to Report

City of Portage

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Dist. No.	Name	Council Approval	Cert. No.	Parcel No.	Transfer Year(s)	EMPP Extension	Active Expired	Reported Facility Cost	Exemption Cert. (50%)	Original New Jobs	Application Jobs Retained	Job Verification New Jobs	Job Verification Jobs Retained	Last Update
#53-C	Bowers Manufacturing	05/07/96	96-239	99999-070-K	(T-03)		Expired	2,766,547	1,383,273	40	New	N/A	N/A	Not Required to Report
#53-D	Bowers Manufacturing	12/19/00	01-034	99999-116-A	(T-08 R)		Expired	1,565,000	782,500	30	318**	N/A	N/A	Not Required to Report
				99999-116-B	(T-05 P/P)		Expired	3,621,000	1,810,500			N/A	N/A	Not Required to Report
#53-E	Bowers Manufacturing	06/10/07	07-252	99999-136-A	(T-14 R)		Expired	550,000	225,000	10	330	N/A	N/A	Not Required to Report
				99999-136-B	(T-11 PP)		Expired	703,815	351,908					
#53	Bowers Manufacturing	02/15/13	13-002	99999-150-A	(T-20R)		Active	2,148,000	1,074,000	215	25	108	215	6/1/2018
#53	Bowers Manufacturing	02/15/13	13-002	99999-150-B	(T-17PP)		Expired	663,445	331,723			N/A	N/A	Not Required to Report
#54	Micro Machine	Denied 5/9/89												
#55	Fema Corporation	09/12/17	17-147	99999-159-A	(T-24 R)		Active	2,250,000	1,125,000	14	150	6	150	8/5/2019
#55-A	Fema Corp. (1716 Vanderbilt)	06/20/89	89-311		(T-97 P/P)		Expired	640,000	320,000	25	New	N/A	N/A	Not Required to Report
#55-B	Fema Corporation	08/20/96	96-769	99999-070-I	(T-03 R)		Expired	538,247	269,123	5	New	N/A	N/A	Not Required to Report
					(T-00 P/P)		Expired	186,897	93,448			N/A	N/A	Not Required to Report
#55-C	Fema Corporation	10/08/02	02-514	99999-119-A	(T-09 P/P)		Expired	329,000	164,500	5	0	N/A	N/A	Not Required to Report
#55-D	Fema Corporation	02/24/04	04-299	99999-122-A	(T-17-R/E)		Expired	1,055,000	527,500	2	96	N/A	N/A	Not Required to Report
			04-299	99999-122-B	(T-11-PP)		Expired	305,000	152,500					
#55-E	Fema Corporation	12/18/07	08-053	99999-139-A	(T-21-R/E)		Active	1,390,000	695,000	5	24	5+	24	8/5/2019
	Fema Corporation		08-053	99999-139-B	(T-15-PP)	EMPP	Extended	1,760,000	880,000			"	"	"
#55-E	Fema Corporation	09/11/12	12-316	99999-146-A	(T-19R)		Expired	1,707,000	853,500	40	8	8	40	9/14/2018
	Fema Corporation			99999-146-B	(T-16P/P)		Expired	1,947,000	973,500			N/A	N/A	Not Required to Report
#56-A	Summit Polymers	11/14/89	89-701	99999-056-A	(T-04 R)		Expired	550,000	275,000	15	New	N/A	N/A	Not Required to Report
					(T-98 P/P)		Expired	812622	406,311			N/A	N/A	Not Required to Report
#56-B	Summit Polymers	12/11/90			(T-94 R)		Expired	3,749,000	1,874,500	38	New	N/A	N/A	Not Required to Report
#56-C	Summit Polymers	08/04/92			(T-99 R)		Expired	3,087,000	1,543,500	49	New	N/A	N/A	Not Required to Report
#56-D	Summit Polymers	12/19/95			(T-99 P/P)		Expired	1,237,000	618,500	12	New	N/A	N/A	Not Required to Report
#56-E	Summit Polymers	12/17/96	97-009	99999-070-R	(T-03 R)		Expired	595,000	297,500	90	175	N/A	N/A	Not Required to Report
#56	Summit Polymers	12/17/96	97-009	99999-070-S	(T-00 P/P)		Expired	2,118,000	1,059,000			N/A	N/A	Not Required to Report
#56-F	Summit Polymers	05/04/99	99-179	99999-071-H	(T-06 R)		Expired	370,000	185,000	5	266	N/A	N/A	Not Required to Report
#56	Summit Polymers		99-179	99999-071-I	(T-03 P/P)		Expired	1,096,000	548,000			N/A	N/A	Not Required to Report
#56	Summit Polymers	06/08/04	04-585	99999-121-B	(T-08 P/P)		Expired	4,469,700	2,234,850	30	0	N/A	N/A	Not Required to Report
#56	Summit Polymers	11/18/08	09-042	99999-143-B	(T-12 P/P)		Expired	850,000	425,000	0		N/A	N/A	Not Required to Report
56	Summit Polymers	02/28/13	13-078	99999-151-A	(T-20 R)		Expired	1,194,619	597,310	17	231	41	231	6/8/2018
56	Summit Polymers	02/29/13	13-078	99999-151-B	(T-17 P/P)		Expired	1,792,370	896,185	17	231	N/A	N/A	Not Required to Report
57	Buck Chuck	11/14/89	89-700	99999-057-A	(T-03 P/P)		Expired	1,100,000	550,000			N/A	N/A	Not Required to Report
					(T-97 P/P)		Expired	100,000	50,000			N/A	N/A	Not Required to Report
#58	Neo-Tec	Canceled 12/91												
#59-A	Interfibe Corporation	03/06/90			(T-99 P/P)		Expired	1,277,400	638,700	9	New	N/A	N/A	Not Required to Report
#59-B	Interfibe Corporation	02/04/92					Expired	71,400	35,700	0	New	N/A	N/A	Not Required to Report
#59-C	Interfibe Corporation	06/28/94			(T-98 P/P)		Expired	2,690,000	1,345,000	5	New	N/A	N/A	Not Required to Report
#59-D	Interfibe Corporation	01/28/97					Expired	390,000	195,000	3	New	N/A	N/A	Not Required to Report
#60-A	Pharmacia & Upjohn	04/17/90	90-160	99950-001-A	(T-05 R)		Expired	20,146,000	10,073,000	11	New	N/A	N/A	Not Required to Report
					(T-99 P/P)		Expired	20,599,000	10,299,500			N/A	N/A	Not Required to Report
#60-B	Pharmacia & Upjohn	11/14/95	95-788	99999-091-E	(T-02 R)		Expired	682,800	341,400	7	17	N/A	N/A	Not Required to Report
#60-C	Pharmacia & Upjohn	11/14/95	95-788	99999-091-F	(T-02 P/P)		Expired	9,501,700	4,750,850			N/A	N/A	Not Required to Report
#61	Howard Printing	03/06/90			(T-98 P/P)		Expired	1,045,000	522,500	10	(See #42)	N/A	N/A	Not Required to Report
#62	North American Color (P/P Only)	06/12/90			(T-99)		Expired	3,000,000	1,500,000	40	New	N/A	N/A	Not Required to Report
					(T-96 P/P)		Expired					N/A	N/A	Not Required to Report
#63-A	Stryker (Instruments) Corp.	12/03/91			(T-99 R)		Expired	16,090,000	8,045,000	220	New	N/A	N/A	Not Required to Report
#63-B	Stryker (Instruments) Corp.	04/25/95			(T-99 P/P)		Expired	3,798,000	1,899,000	30	New	N/A	N/A	Not Required to Report
#63-C	Stryker (Instruments) Corp.	04/12/00	00-013	99999-107-A	(T-07 R)		Expired	2,157,000	1,078,500	30	50	N/A	N/A	Not Required to Report
#63-C	Stryker (Instruments) Corp.	04/12/00	00-013	99999-107-B	(T-04 P/P)		Expired	694,300	347,150	30	50	N/A	N/A	Not Required to Report
#63	Stryker (Instruments) Corp.		01-085	99999-113-B	(T-05 P/P)		Expired					N/A	N/A	Not Required to Report
#63	Stryker Instruments Division	10/10/06	06-490	99999-135-A	(T-20 R)		Expired	4,085,094	2,042,547	30	372	N/A	N/A	Not Required to Report
#63	Stryker Instruments Division	10/10/06	06-490	99999-135-B	(T-20 P/P)		Expired	1,326,989	663,495			"	"	
#63	Stryker Instruments Division	02/25/13	13-052	99999-149-A	(T-20R)		Expired	4,590,937	2,295,469	18	18	N/A	N/A	Not Required to Report
#63	Stryker Instruments Division	02/25/13	13-052	99999-149-B	T-17PP)		Expired	1,051,770	525,885	18	18	N/A	N/A	Not Required to Report
#64	Pharmacia & Upjohn	06/09/92			(T-97 P/P)		Expired	14,931,000	7,465,500	0	10	N/A	N/A	Not Required to Report
					(T-96 P/P)		Expired					N/A	N/A	Not Required to Report
#65	Pharmacia & Upjohn	08/04/92			(T-99 R)		Expired	25,250,000	12,625,000	0	8	N/A	N/A	Not Required to Report
#66	Pharmacia & Upjohn	11/10/92			(T-97 P/P)		Expired	8,500,000	4,250,000	0	4	N/A	N/A	Not Required to Report
#67-A	R S Insulation	09/14/93					Expired	170,000	85,000	10	New	N/A	N/A	Not Required to Report
#67-B	N L Fabricating	05/21/96	96-238	99999-070-G	(T-03 R)		Expired	131,269	65,634	8	New	N/A	N/A	Not Required to Report
#67	AGIO Imaging (Transfer)	11/23/04	02-218	99999-127-B	(T-09 P/P)		Expired	659,132	329,158	2 (Kazoo)	15 (Kazoo)	N/A	N/A	Not Required to Report
#67	AGIO Imaging	11/12/04	05-312	99999-128-A	(T-12 R)		Expired	165,000	82,500	4	12	N/A	N/A	Not Required to Report
#67	AGIO Imaging	11/12/04	05-312	99999-128-B	(T-08 P/P)		Expired	650,000	325,000	4	12	N/A	N/A	Not Required to Report

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#68	Av Tech Lab (4/94 STC Denied)	10/26/93					Expired	1,350,000	675,000	5	15	N/A	N/A	Not Required to Report
#68	Av Tech Laboratories, Inc.	02/15/01	00-085	99999113-B	(T-05 P/P)		Expired	835,649	417,825	20		N/A	N/A	Not Required to Report
#69	Auto Diagnostics	10/26/93			(T-97 P/P)		Expired	597,800	298,900	79		N/A	N/A	Not Required to Report
#70	Custom Design/Inject Mold	06/27/95			(T-99 P/P)		Expired	1,900,000	950,000	20		N/A	N/A	Not Required to Report
#71	American Winding	(Withdrawn 1/97)												
#72	Summit Polymers	01/14/97	97-030	99999-072-A	(T-04 R)		Expired	5,398,000	2,699,000	42		N/A	N/A	Not Required to Report
#72	Summit Polymers		97-030	99999-072-B	(T-01 P/P)		Expired					N/A	N/A	Not Required to Report
#72	Summit Polymers	10/10/13	13-401	99999-152-A	(T-20 R)		Expired	2,152,464	1,076,232	23	201	17	218	6/8/2018
#72	Summit Polymers	10/10/13	13-401	99999-152-B	(T-17 P/P)		Expired	3,533,174	1,766,587	23	201	N/A	N/A	Not Required to Report
#73	Select Products	11/03/98	98-738	99999-071-S	(T-05 R)		Expired	533,865	266,933	11	21	N/A	N/A	Not Required to Report
#73	Select Products	11/03/98	98-738	99999-071-T	(T-02 PP)		Expired	38,000	19,000	11	10	N/A	N/A	Not Required to Report
#74	Colonial Engineering	12/01/98	98-739	99999-071-J	(T-04 R)		Expired	1,600,000	800,000	10	15	N/A	N/A	Not Required to Report
#74	Colonial Engineering	12/01/98	98-739	99999-071-K	(T-02 P/P)		Expired	902,700	451,400			N/A	N/A	Not Required to Report
#75	Pharmacia & Upjohn	04/20/99	99-191	99999-071-L	(T-06 R)		Expired	1,250,900	625,450	0	0	N/A	N/A	Not Required to Report
#75	Pharmacia & Upjohn	04/20/99	99-191	99999-071-M	(T-03 P/P)		Expired	2,301,200	1,150,600			N/A	N/A	Not Required to Report
#76	Business Cards Plus	08/13/99	99-355	99999-071-Q	(T- 06 R)		Expired	590,641	295,320	8	49	N/A	N/A	Not Required to Report
#76	Business Cards Plus	08/13/99	99-355	99999-071-R	(T-03 P/P)		Expired	270,954	135,477			N/A	N/A	Not Required to Report
#77	Kalamazoo Machine Tool, Inc.	03/15/01	00-716	99999-118-A	(T- 08 R)		Expired	410,000	205,000	7		N/A	N/A	Not Required to Report
#78	IDEA Design & Dev. Co.	01/15/01	00-715	99999-115-A	(T-08 R)		Expired	465,000	232,500	3	2	N/A	N/A	Not Required to Report
#78	IDEA Design & Dev. Co.	01/15/01	00-715	99999-115-B	(T- 05 P/P)		Expired	63,500	31,750			N/A	N/A	Not Required to Report
#78	PharmOptima, LLC (6710)	09/25/07	07-550	99999-137-A	(T-14 R)		Expired	623,506	311,753	10	24	N/A	N/A	Not Required to Report
#78	PharmOptima, LLC (6710)	09/25/07	07-550	99999-137-B	(T-11 PP)		Expired	785,923	392,962			N/A	N/A	Not Required to Report
#79	Interfibe Corporation	05/01/01	01-086	99999-111-A	(T-07R)		Expired	245,000	122,500	2	20	N/A	N/A	Not Required to Report
			01-086	99999-111-B	(T-05P/P)		Expired	1,170,000	585,000			N/A	N/A	Not Required to Report
#79	Interfibe Corporation	06/01/03	03-151	99999-120-A	(T-15R)		Revoked	250,000	125,000	2	20	N/A	N/A	Not Required to Report
				99999-120-B	(T-10P)		Expired	507,000	253,500			N/A	N/A	Not Required to Report
#80	Stryker Instruments Division	Withdrawn	12/19/03											
#81	Pharmacia & Upjohn Company	Withdrawn	11/24/03											
#82	Stryker Medical Division	10/26/04	04-584	99999-126-A	(T-17 R)		Expired	24,817,000	12,408,500	65	630	N/A	N/A	Not Required to Report
#82	Stryker Medical Division	10/26/04	04-584	99999-126-B	(T-17 P/P)		Expired	7,763,000	3,881,500			N/A	N/A	Not Required to Report
#82	Stryker Corporation	06/26/18	2018-095	99999-161-A	(T-33R)		Active	35,758,639	17,879,320	150	1,011	CIP	CIP	
#82	Stryker Corporation	09/17/19	2019-100	99999-162-A	(T-32R)		Active	6,265,544	3,132,772	0	1,011	CIP	CIP	
#83	Stryker Instruments Division	10/26/04	04-583	99999-124-A	(T-17 R)		Expired	13,679,000	6,839,500	70	318	N/A	N/A	Not Required to Report
#83	Stryker Instruments Division	10/26/04	04-583	99999-124-B	(T-17 P/P)		Expired	4,110,258	2,055,129			N/A	N/A	Not Required to Report
#85	Eliason Corporation	09/26/05	05-332	99999-125-A	(T-12 R)		Expired	517,741	258,870	10	20	N/A	N/A	Not Required to Report
#85	Eliason Corporation	09/26/05	05-332	99999-125-B	(T-09 P/P)		Expired	70,529	35,265			N/A	N/A	Not Required to Report
#86	Precision Printer Services Inc	03/28/06	06-142	99999-131-A	(T-13 R)		Expired	752,604	376,302	1	24 (Kazoo)	N/A	N/A	Not Required to Report
#86	Precision Printer Services Inc	03/28/06	06-142	99999-131-B	(T-10 P/P)		Expired	35,000	17,500			N/A	N/A	Not Required to Report
#87	AVTECH Laboratories, Inc	03/28/06	06-143	99999-132-A	(T-13 R)		Expired	3,500,000	1,750,000	30	47	N/A	N/A	Not Required to Report
#87	AVTECH Laboratories, Inc	03/28/06	06-143	99999-132-B	(T-10 P/P)		Expired	3,000,000	1,500,000			N/A	N/A	Not Required to Report
#88	PharmOptima, LLC (6740)	09/25/07	07-560	99999-138-A	(T-14 R)		Expired	812,500	406,250	10	6	N/A	N/A	Not Required to Report
#88	PharmOptima, LLC (6740)	09/25/07	07-560	99999-138-B	(T-11 PP)		Expired	605,388	302,694			N/A	N/A	Not Required to Report
#89	Eliason Corporation	10/07/08	08-601	99999-140-A	(T-14 R)		Expired	1,469,156	734,578	0	24	N/A	N/A	Not Required to Report
#90	Kenco Logistic Services	10/21/17	15-005	99999-153-A	(T-25 R)		Active	12,388,601	6,194,301	10	108	106	108	9/23/2019
#91	Pharmacia & Upjohn Company	08/23/16	16-139	99999-156-A	(T-29 R)		Active	38,929,000	19,464,500	26	0	CIP	CIP	
#91	Pharmacia & Upjohn Company	08/23/16	17-058	99999-157-A	(T-30 R)		Active	61,487,000	30,743,500	0	26	CIP	CIP	
#91	Pharmacia & Upjohn Company	04/10/18	2018-044	99999-160-A	(T-34R)		Active	148,000,000	74,000,000	450	200	CIP	CIP	
#92	Stryker Corporation	03/14/17	17-062	99999-158-A	(T-30 R)		Active	143,718,466	71,859,233	105	966	CIP	CIP	
				99999-158-B	(T-24 PP)		Active	10,862,750	5,431,375			"	"	

DNR Did not report
CIP Construction in Progress

Report prepared by City Assessor's Office - Last Updated June 2020

Plant Rehabilitation Districts - Pharmacia & Upjohn Company Only - Each 12-Years

Note: There are no active Plant Rehabilitation Abatements

Note: There are no active Plant Rehabilitation Abatements

							Investment	Frozen Values	Original Application		Job Verification		
									New Jobs	Jobs Retained	New Jobs	Jobs Retained	Last Update
#1-A	Pharmacia & Upjohn	09/14/93 (Rehab)							0	116	N/A	N/A	Not Required to Report
	Fluids/Ointments - Real		93-395	99999-100-A	(T-06 R)	Expired	7,110,100	450,000					
	Fluids/Ointments - Personal		93-395	99999-100-B	(T-06 P/P)	Expired	7,616,400	79,700					

City of Portage

PA-198 Industrial Development and Plant Rehabilitation Districts - Master List and Job Report Summary Last Updated: June 2020

Dist. No.	Name	Council Approval	Cert. No.	Parcel No.	Transfer Year(s)	EMPP Extension	Active Expired	Reported Facility Cost	Exemption Cert. (50%)	Original New Jobs	Application Jobs Retained	Job Verification New Jobs	Jobs Retained	Last Update
#1-B	Pharmacia & Upjohn Control Labs - Real Control Labs - Personal	12/28/93 (New)	94-001 94-001	99999-091-A 99999-091-B	(T-07 R) (T-07 P/P)		Expired Expired	14,456,000 2,760,000	Processed as "New Facility" Processed as "New Facility"	0	51	N/A	N/A	Not Required to Report
#1-C	Pharmacia & Upjohn Sterile 2000 - Real Sterile 2000 - Personal	10/08/96 (Rehab)	96-553 96-553	99999-101-A 99999-101-B	(T-09 R) (T-09 P/P)		Expired Expired	25,470,000 53,174,400	1,135,600 1,248,300	0	126	N/A	N/A	Not Required to Report
#2	Pharmacia & Upjohn Clinical Packaging - Real	08/19/97 (Rehab)	97-398	99999-102-A	(T-10 R)		Expired	13,420,000	221,300	2	23	N/A	N/A	Not Required to Report
#3	Pharmacia & Upjohn API Handling - Real API Handling - Personal	04/20/99 (Rehab)	99-256 99-256	99999-104-A 99999-104-B	(T-12 R) (T-12 P/P)		Expired Expired	1,530,000 4,564,000	58,400 81,800	2	40	N/A	N/A	Not Required to Report
#4	Pharmacia & Upjohn Purified Water Generation - Real Purified Water Generation - Personal	04/20/99 (Rehab)	99-255 99-255	99999-105-A 99999-105-B	(T-12 R) (T-12 P/P)		Expired Expired	355,500 10,868,200	42,200 227,600	6	6	N/A	N/A	Not Required to Report
#5	Pharmacia & Upjohn Ceftiofur Mastitis - Real	04/20/99 (Rehab)	99-254	99999-106-A	(T-12 R)		Expired	2,900,000	351,100	5	0	N/A		Not Required to Report
#6	Pharmacia & Upjohn Bldg. 41 - Packaging - Personal	06/22/99 (Rehab)	99-334	99999-103-B	(T-12 P/P)		Expired	10,879,100	759,600	0	200	N/A	N/A	Not Required to Report
#7	Pharmacia & Upjohn (Bldg. 91 - M & E - Personal)	01/11/00 (Rehab)	00-046	99999-108-B	(T-13 P/P)		Expired	4,901,600	125,900	2	20	N/A	N/A	Not Required to Report

Note: Rehab facilities are total exemptions with taxation on frozen obsolete valuations only.

- #1-A - Pharmacia/Upjohn (Fluids/Ointments) \$529,700 frozen taxable valuation
- #1-C - Pharmacia/Upjohn (Sterile 2000) \$2,383,900 frozen taxable valuation
- #2 - Pharmacia/Upjohn (Clinical Packaging) \$221,300 frozen taxable valuation
- #3 - Pharmacia/Upjohn (API Handling) \$140,200 frozen taxable valuation
- #4 - Pharmacia/Upjohn (Purified Water Generation) \$269,800 frozen taxable valuation
- #5 - Pharmacia/Upjohn (Ceftiofur Mastitis) \$351,100 frozen taxable valuation
- #6 - Pharmacia/Upjohn (Packaging Line Upgrade) \$759,600 frozen taxable valuation
- #7 - Pharmacia/Upjohn (B-91 East Pilot Plant Upgrade) \$125,900 frozen taxable valuation

Report prepared by City Assessor's Office - Last Updated June 2020

**Operating Budget City Council Review
Questions and Answers**

Public Safety Q&A:

The replacement of patrol rifles is proposed. Please provide the rationale for why these rifles need to be replaced.

The UPR (Urban Patrol Rifle) replacement program has been in place for several years now. Prior to the initiation of this program police officers were sharing Vietnam era rifles that were provided to the Department through the 1033 Program. These rifles were more than 40 years old causing the repair and maintenance to be very difficult. Through our UPR replacement program we have returned these weapons back to the U.S. government.

Having officers share weapons is a risky cost saving measure as individuals and rifles are unique – a rifle sighted in for one officer is not sighted in for the next. This year's budgeted patrol rifles purchases would be the last in the UPR replacement program as all sworn personnel authorized to carry a UPR will be outfitted with a Colt platform M-4 UPR.

Are there Tasers on the market that are less like firearms in design?

We are in the 1st of a three year process of transitioning from the Taser X-26 to the Taser 7. Our current X-26 Tasers are approaching their end-of-life use in accordance with the manufactures recommendations. The Taser 7 is the latest model made by Axon which has some design changes making it look less like a handgun. The Taser 7 is made of a high-vis, yellow polymer, they have a much wider cartridge port on the front, and a smaller handle.

Parks, Recreation & Senior Citizen Services Q&A:

What is the cost of collecting fees for non-resident use of Ramona Park (such as gate attendant, stickers, etc.) v. revenue generated?

Fees collected at the gate each year are approximately \$40,000/annually. The cost of the gate attendant and stickers is approximately \$8,000 annually.

Regarding Ramona Park, please explain the increase in expenditures between 2018/19 and 2021/22.

Additional lifeguards were added between FY 19/20 and 20/21 to handle increased beach usage (between 2017 and 2019 beach usage increased 30%) and to cover expansion of the beach area. In 20/21 a part-time seasonal supervisor was added to meet increasing usage demands and in 19/20 a part-time swim instructor was added (with costs offset by registration fees). Additionally, there was an increase in wages to be more competitive in the market to attract lifeguard candidates. Most recently there have been upgrades to worn out beach rental equipment such as life jackets and paddle boards (with additional upgrades in the proposed budget); addition of capital outlay to address aging

infrastructure/equipment; and a switch from beach house land line phone to radios for better communication in the park.

What is the total amount of received from the Senior Millage and how is it used?

Kalamazoo County's fiscal year runs Oct 1-Sept 30. The RFP for millage applications are typically released in August for the upcoming FY. This current fiscal year, we have been awarded \$108,000 for "Senior Center Operations" and \$54,000 for "Healthy Living Programs." Both grants combined are budgeted to provide approximately \$57,000 in underwritten staffing costs. These dollars cover the current Program & Volunteer Coordinator (part-time), Wellness Coordinator (position currently posted, also part-time), as well as 50% of the Trip Coordinators position and 10% of the Senior Citizen Services Manager position. This funding runs until September 30, 2021. Please note, Kalamazoo County administers funds on a "reimbursement" basis and submittals occur on a quarterly basis.

Regarding the next Kalamazoo County FY, requests for proposals have not yet occurred. Funding levels similar to this year are anticipated. Parks, Recreation and Senior Citizen Services will be including the new full-time position in their next application in August. They are confident that this position will be approved. This position is not slated to start until October, so we will know ahead of time if it is approved as part of the millage funding. If for some reason we do NOT get the anticipated funding, adjustments will be made. City Council will be kept apprised of the awarding of funds by Kalamazoo County and whether funding of the planned position is approved.

Finance Q&A:

What is the planned percentage change in salary levels to reach market rate?

The preliminary market analysis review indicates that, at the time of the study, salaries were below market rate by an average 8.23%. The current and proposed budgets provide funding to reach market rates. The adjustments are "baked into" each department's personnel budgets.

The Retiree Medical Insurance Program recently underwent a significant change. How is the new program working?

The Medicare Advantage started March 1, 2021. At this point, no concerns or compliments have been received.

All indications are that the City of Portage should anticipate receiving approximately \$5 million in American Rescue Plan funding. How can these funds be spent and what is the plan to allocate these funds?

At this moment specific information as to how these funds may be spent is lacking. We anticipate receiving additional information from the U.S. Treasury Department within the next few weeks. Finance staff is closely monitoring this program. It is important to note that municipalities have several years in which to utilize these funds. City staff is committed to developing a plan and working with City Council on how to maximize the benefit of funds received via the ARP.

Information Technology Q&A

Regarding firewall and security, can you please detail what Technology Services is doing to filter out harmful messages (phishing e-mails, malware, etc.).

Regarding email specifically: All inbound mail is routed through and filtered by the primary Secure Messaging Gateway spam filter prior to user receipt. In addition, we also block internet traffic originating in many foreign countries at the firewall. If a user receives an email that seems suspicious for any reason, they have a “Phish Alert” button in their Outlook client which will forward the email to the IT Department to test for malicious content using various applications. Beginning in 2017, the IT Department also began conducting continuous staff security awareness training and simulated phishing tests. The IT Department also works with several security organizations to keep abreast of new threats that continue to escalate annually. It is important to note that the vast majority of harmful email messages sent to the city are successfully blocked, quarantined or forwarded to Phish Alert. In 2020, nearly 380,000 malicious email messages were blocked, as well as nearly 970 serious network intrusion attempts. The system is constantly barraged on a daily basis by bad actors, including state-sponsored organizations with large financial backing. The IT Department continues to evaluate all systems and makes changes to address the constantly changing landscape. Despite the ongoing efforts, not all harmful emails are caught. Further, City Administration and Council email and other contact information is provided publicly, which significantly increases the likelihood of attack attempts.

Are there any proposed increases in this budget related to the above?

Yes, approximately \$24k of additional network security will assist with detection and mitigation of harmful email.

Public Works Q&A

Citizens have recently been expressing their desire for the City to incorporate environmental concerns into our budgets. We are working with Noresco. Where are we in that process? Are any of the recommendations generated from that work incorporated into this year's budget?

Noresco is in the process of finalizing the results of their audit and putting together the finishing touches on their proposed year one projects. They estimate having this proposal completed by mid-May. Sample projects include:

City Hall: LED Lighting upgrade both inside and outside, Extend & Optimize HVAC controls, air & water balance and hands-free plumbing fixtures including faucets, urinals & toilets.

Public Works: New service garage cooling system, infrared heat in the garage, new CO exhaust fan controls, a heat pump system in maintenance office to replace window air conditioners, new garage door system controls and hands-free plumbing fixtures including faucets, urinals & toilets.

Public Safety: LED Lighting upgrade, optimize HVAC control systems, replace end of life roof-top units, new high efficiency boiler, new high efficiency chiller and hands-free plumbing fixtures including faucets, urinals & toilets.

Fire Station #1: New high efficiency windows

Parks and Recreation: LED Lighting upgrades-exterior and hands-free plumbing including faucets, urinals & toilets.

Building Envelope: NORESKO is also preparing a report on any potential heat or energy loss from the buildings.

A report from Noresko is planned to be provided to City Council on their efforts at the second City Council meeting in May or first meeting in June.

As per the contract, Noresko will engage in the above projects and be reimbursed via both energy & budget stabilization savings. Energy costs are spread across each department and payment for this service will come from savings realized in these accounts.

Are there any other budget changes (other than those brought to our attention by Noresko) that we could identify as advancing our efforts to be more environmentally sustainable?

There is no specific line item in the budget. However, a key component of strategic planning effort is focused on Council's goal of environmental sustainability. For example, we are looking to reduce facility energy usage by 20% over the next three to five years (which is where Noresko is beneficial).

Additionally:

- Electric vehicle charging stations are incorporated into the new Portage Community Senior Center. DPW recently received news that they received a grant to offset costs with purchase and installation.
- DPW is planning to engage with the City of Kalamazoo on a trial biodiesel program.
- DPW is looking to reduce vehicle idle time and utilize route mapping to promote efficiencies
- DPW is developing an electric vehicle/alternative fuel plan
- Landscaping efforts are focusing more on utilizing plants that require limited watering, attract pollinators, etc.

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue.

SUPPORTING PERSONNEL: Kelly Peterson, Director of Development Services

ACTION RECOMMENDED: Adopt the Tentative Plan Amendment for Woodbridge Hills Planned Development (4100 West Centre Avenue) including the five conditions in the February 12, 2021 Department of Community Development report.

An application has been received from Mr. Andrew DeNooyer, representing 633 Group, requesting to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to 1) change the land use designation from commercial to multifamily residential and 2) construct a three story (with a lower level parking garage) multi-family residential apartment building that would include between 48 and 60 residential units and be setback 10 feet from the west property line and 20 feet from the south and east property lines. The 1.45-acre vacant parcel is located just east of Angling Road, north of the Lake Michigan Credit Union facility.

During the March 23, 2021 City Council meeting, additional information was requested regarding shadow cast diagrams and existing and proposed topographic elevations for the subject property as well as surrounding properties. The following additional documents have been included:

- Shadow cast animations for both the winter and summer solstice periods. The summer solstice shadow cast shows the shadow of the proposed building never reaching a Marsh Point residential building. During the winter solstice, the shadow from the proposed building reaches the two westernmost Marsh Point building during the early morning hours. Cloud cover during the month of December increases on average from 63% at the beginning of the month to 68% by the end of the month.
- Topographic map of the proposed development site. This topographic map shows the existing and proposed elevations. The existing topographic elevations on the north side of the building that will be occupied by the proposed parking range in height from 895 feet on the west end to 883 feet on the east end. This area will be regraded and lowered to 888 feet on the west end. The east end will remain at 883 feet.
- The existing topographic grade where the building is proposed to be located averages between

896 and 897 feet. This area will be regraded and lowered so the first floor elevation can be established at 894.5 feet.

- Topographic map of the surrounding area. The attached map shows the existing topographic elevations of the subject property as well as the surrounding area. The subject property ranges in elevation from 884 to 898. The Marsh Point parking lot ranges in elevation from 882.6 on the west to 879.8 on the east. The parking lot for the Woodbridge Hills Shopping Village in front of Harding's Market is at approximately 880 feet and in front of Fieldstone Grill, the parking lot is at an elevation of approximately 884. The subject property, as well as those areas south and west, are at a higher elevation than those areas to the north and east.
- Revised site line drawings. The applicant has revised these drawings to include both existing and proposed grades for the apartment building.

In the planned development zoning district, the overall density of the project area may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre. Additionally, the minimum property line setbacks for multi-family residential buildings is 30 feet. As a result, the applicant is requesting 1) a 29 unit per acre modification to allow up to 41 units per acre within this one phase and 2) a setback modification from the west, south and east property lines. The overall density of the Woodbridge Hills Planned Development would remain below seven units per acre.

In an effort to ensure the success of the project, the applicant hired a consulting firm, Tracy Cross & Associates, to complete a market analysis. Tracy Cross & Associates is a market analyst and consultant that serves primarily the residential homebuilding community with clientele throughout the United States. The market analysis prepared for 633 Group indicates Portage, and in particular Woodbridge Hills, could support a higher density multi-family residential development project consisting of three stories of residential units and a below grade parking garage. The amenities that exist in Woodbridge Hills and the surrounding area which include walkable/convenient access to retail, dining, grocery, recreational amenities (sidewalks, bikeways, multi-use trails and state game area) and proximity to US-131 make this location an attractive and desirable location for this type of project.

In a report dated February 12, 2021, the Department of Community Development discussed the proposed tentative plan amendment including the proposed reclassification of 1.45 acres from commercial (retail/office) to residential multi-family (apartments). Based on the analysis contained in the report, staff is supportive of the proposed Tentative Plan Amendment for Woodbridge Hills Planned Development subject to the five conditions contained in the February 12, 2021, Department of Community Development staff report. The five conditions are as follows:

1. Development standards be established consistent with attached tentative plan and the written narrative.
2. The requested density modification be approved to allow 41.3 units per acre (up to 60 total units on 1.45 acres) for this phase of the development.
3. The requested building setback modifications be approved to allow a setback distance of 10 feet from the west property line and 20 feet from the south and east property lines so as to avoid encroachment into the existing sanitary sewer easement.
4. Applicant confirms they have the authority to use the easement area prior (Marsh Point Drive) prior to site plan approval.
5. Specific site design details, such as storm water, utilities, traffic and so forth, be finalized with

submittal of the final (site) plan for this phase of the project.

The Planning Commission convened a public hearing during the February 4, 2021, and February 18, 2021, meetings to consider the proposed tentative plan amendment. Andrew DeNooyer, 633 Group, was present to support the application and explain the proposed changes. Several residents of the Marsh Pointe Condominiums and representative of the management company expressed opposition to the proposed tentative plan change and development project.

After careful consideration, the Commission voted 5-2 to recommend to City Council that the Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue, be approved subject to the five conditions contained in the February 12, 2021, Department of Community Development staff report.

It is recommended that City Council accept the Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue, subject to the five conditions contained in the February 12, 2021 Community Development staff report.

FUNDING: N/A

- Attachments:**
1. Planning Commission transmittal dated March 1, 2021
 2. Planning Commission meeting minutes dated February 4 and 18, 2021
 3. Community Development Staff report dated February 12, 2021
 4. 4100 W Centre Proposed Grading Plan
 5. 4100 W Centre Topography & Surrounding
 6. 4100 W Centre_Sheet 1 Sight Lines
 7. 4100 W Centre Sheet 2 Sight Lines
 8. Links to Shadow Cast Videos

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: March 1, 2021

SUBJECT: Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue

The Planning Commission convened a public hearing during the February 4th and 18th, 2021 meetings to consider the request by submitted by 633 Group to amend the Tentative Plan for the Woodbridge Hills Planned Development for property located at 4100 West Centre Avenue. The applicant is proposing to 1) change the land use designation from commercial to multifamily residential; 2) construct a three story (with a lower level parking garage) multi-family residential apartment building that would include between 48 and 60 residential units; and be setback 10 feet from the west property line and 20 feet from the south and east property lines. Mr. Andrew DeNooyer, representing 633 Group, was present at both meetings to support the application and explain the proposed amendment. Several residents of the Marsh Pointe Condominiums and representative of the management company expressed opposition to the proposed tentative plan change and development project.

The majority of the Planning Commissioners support the proposed tentative plan amendment and support the proposed multi-family residential development concept presented by the applicant. While the density exceeds the standards of the PD, planned development ordinance, the proposed multi-family concept is a good fit in this area of Woodbridge Hills. Residents can enjoy many supportive services within walking distance including the Woodbridge Hills Shopping Village, a comprehensive pedestrian network exists along West Centre Avenue and Moorsbridge Road, and the Gourdneck State Game recreational area provides passive recreational opportunities. Also, the proposed amendment and development project would be likely be less impactful than a commercial development, address a change in market/demographic conditions and provide another housing opportunity. However, not all Planning Commissioners supported the amendment and planned multi-family residential project. Concerns were expressed about the density (units per acre), traffic congestion and compatibility with the surrounding area.

After careful consideration, a motion was made by Commissioner Fries, seconded by Commissioner Myer, to recommend to City Council that the Tentative Plan Amendment for the Woodbridge Hills Planned Development be approved subject to the five conditions listed in the February 12, 2021 Department of Community Development staff report. Upon roll call vote, Joshi (no); Fries (yes); Corradini (yes); Pezzoli (no); Baldwin (yes); Myer (yes); Freiman (yes). The motion was approved 5-2.

Sincerely,


Dan Corradini
Chairman

PLANNING COMMISSION

February 18, 2021 Virtual Meeting

The City of Portage Planning Commission virtual meeting of February 18, 2021 was called to order by Chairman Corradini at 7:03 p.m.

IN REMOTE ATTENDANCE

Kelly Peterson, Director of Community Development; Christopher Forth, Deputy Director of Planning & Neighborhood Services; Catherine Kaufman, City Attorney and Kyle Mucha, Zoning & Codes Administrator.

ROLL CALL

Mr. Forth called the roll: Joshi (yes, Portage); Fries (yes, Portage); Corradini (yes, Portage); Pezzoli (yes, Portage); Baldwin (yes, Portage); Myer (yes, Portage); Freiman (yes, Portage); Youngs (absent); and Fawley (excused).

APPROVAL OF MINUTES:

A motion was made by Commissioner Joshi, seconded by Commissioner Baldwin to approve the February 4, 2021 meeting minutes. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion was approved 7-0.

OLD BUSINESS:

Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue. Director Peterson summarized the staff report related to an application submitted by Mr. Andrew DeNooyer, representing 633 Group dated February 12, 2021, to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to change the land use designation of the property located at 4100 West Centre Avenue from commercial to multifamily residential. The applicant proposes to construct an apartment building, consisting of 48-60 residential units on the 1.45-acre parcel of land. Ms. Peterson informed the Commission that the proposed apartment building height, design, total number of units and setback distance from property lines will be finalized following the approval of the tentative plan amendment.

Mr. Andrew DeNooyer was present virtually to provide additional details regarding the proposed project. Mr. DeNooyer indicated that a recent market analysis was conducted that indicated Portage, and subsequently Woodbridge Hills, could support a higher density multi-family residential development project which is in high demand for the region. Mr. DeNooyer indicated that the proposed parcel development would allow tenant access to the Woodbridge Hills shopping complex, recreational amenities (trails, bikeways). Mr. DeNooyer also indicated that the proximity to US-131 makes the development of this parcel of land attractive and desirable. Mr. DeNooyer indicated that tenants will vary in age with units catering to young professionals and others to a more empty-nester lifestyle. Mr. DeNooyer also indicated that the proposed project will allow for further "place-making" and be attractive to area residents. Mr. DeNooyer further discussed the underground parking garage and its intent to minimize parking visualizations. Regarding resident concerns pertaining to storm water management, Mr. DeNooyer responded that storm water will be maintained on site and should alleviate runoff onto adjacent properties. In finalizing the summary, Mr. DeNooyer indicated that local businesses in the Woodbridge Hills shopping center are excited for a mixed-use development of this magnitude and welcome this proposal.

Commissioner Freiman inquired with the applicant regarding the following: if the proposed building would be a noise barrier between West Centre Avenue and Marsh Pointe Condominiums; storm water runoff; water level of the Hampton Bog and the proposed traffic signal at Marsh Pointe Drive & West Centre Avenue. Mr. DeNooyer responded that the proposed building could assist with reducing noise levels from West Centre Avenue. Mr. DeNooyer also stated that the storm water management of the site is under review, but does not see

any potential adverse impacts the proposed development proposal. Installation of the traffic signal would need to be coordinated with the city.

Commissioner Joshi inquired with the applicant regarding the need to change the current property designation from commercial to residential. Commissioner Joshi also expressed concerns with traffic congestion and indicated that the proposed designation may not be the right use for this particular parcel. Mr. DeNooyer responded to Commissioner Joshi and indicated that market change has made the proposed project necessary. Mr. DeNooyer reiterated the high demand for a mixed-use development, such as the current proposal. Mr. DeNooyer explained a proposal involving the redesign of the Woodbridge Shopping Village parking lot to increase safety of pedestrians and reduce traffic congestion. Mr. DeNooyer also summarized construction of an outdoor plaza area.

Commissioner Fries indicated that a hotel on this parcel would generate more vehicle traffic than the proposed project.

Commissioner Baldwin concurred with Commissioner Joshi's concerns regarding traffic congestion and traffic flow. Mr. DeNooyer responded to Commissioner Baldwin that any traffic increase will be minimal and in conjunction with parking lot updates, should be mitigated.

Commissioner Pezzoli expressed concerns with traffic congestion and signaling the intersection of Marsh Pointe Drive and West Centre Avenue. Commissioner Pezzoli noted that traffic already backs up on West Centre during peak hours and an additional signal may only exacerbate the problem. Commissioner Pezzoli also expressed concerns with the elevation change between the proposed project and Marsh Pointe Condominiums to the north and the proposed residential density being out of character for this area. Mr. DeNooyer responded to Commissioner Pezzoli by reviewing the proposed surface parking lot to the north of the proposed project, which would reduce the grade change between the two developments. Mr. DeNooyer also reiterated the desire for a type of residential development in this area of Woodbridge Hills.

Chairman Corradini opened the public hearing. Julie Place, on behalf of Marisa Royster, 4076 West Centre Avenue #211, phoned in and expressed concerns with the proposed project disturbing this peaceful and enjoyable area of Portage. Ms. Place indicated that the proposed project would be too densely populated and would prefer to see a two-story residential building instead of the proposed three-story. There being no further public comment, a motion was made by Commissioner Joshi, seconded by Commissioner Myer to close the public hearing. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion passed 7-0.

Commissioner Joshi commented that the density of the proposed project seems extreme for the size of the parcel and would prefer to see a project with less density.

Chairperson Corradini thanked Mr. DeNooyer for the presentation and all the residents who voiced their concerns about the proposed project. Chairperson Corradini indicated support for the project and commented that the impact of such a project will benefit the city.

Commissioner Myer commented that housing trends are shifting to high density, low land impact and voiced support of the proposed project.

Commissioner Baldwin commend that a two-story development would fit the parcel better and would allow for lower density.

Commissioner Fries commented that the projects completed in the past by Mr. DeNooyer have had a great impact on the area and viewed this project as another positive addition to the Woodbridge Hills area.

Commissioner Fries motioned, seconded by Commissioner Myer, to recommend to City Council that the Woodbridge Hills Tentative Plan Amendment be approved subject to the following conditions: 1) development standards be established consistent with attached tentative plan and the written narrative; 2) the requested density modification be approved to allow 41.3 units/acre (up to 60 total units on 1.45 acres) for this phase of the development; 3) the requested building setback modifications be approved to allow a setback distance of 10 feet from the west property line and 20 feet from the south and east property lines so as to avoid encroachment into the existing sanitary sewer easement; 4) applicant confirms they have the authority to use the easement area prior (Marsh Point Drive) prior to site plan approval; and 5) specific site design details, such as storm water, utilities, traffic and so forth, be finalized with submittal of the final (site) plan for this phase of the project. Upon roll call

vote, Joshi (no); Fries (yes); Corradini (yes); Pezzoli (no); Baldwin (yes); Myer (yes); Freiman (yes). Motion approved 5-2.

NEW BUSINESS

FY2021-2031 Capital Improvement Program - Deputy Director Forth provided an overview of the FY2021-31 Capital Improvement Program (CIP). Deputy Director Forth informed the Commissioners of formatting changes to the FY2021-31 CIP compared to those prepared in prior years. These changes include combining the Streets and Sidewalk categories, creating a Bikeway and Trailway category, including project costs on the project profiles, and fiscal years 6-10 were combined since projects in these years are more for planning purposes and subject to change from year-to-year. Deputy Director Forth summarized the FY2021-22 projects in each category. Deputy Director Forth indicated these are the first year projects and if the CIP is approved by City Council, these projects will be funded and completed. Mr. Forth also highlighted various projects set to take place in the coming years. Director Peterson provided further details to the Commission regarding current and proposed projects for the 2021-2022 Fiscal Year and how City Administration is focusing on closing out ongoing projects prior to beginning any new undertakings.

Chairperson Corradini thanked staff for assembling FY2021-31 Capital Improvement Program. Chairperson Corradini noted a significant amount of City Administration time and effort is devoted to this annual project. There being no further discussion involving the proposed FY2021-31 CIP, Chairperson Corradini motioned, and seconded by Commissioner Fries, to recommend to City Council the FY2021-2031 Capital Improvement Program be approved. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). Motion approved 7-0.

STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Fries asked about the status of the Master Plan Update. Deputy Director Forth indicated that Requests for Qualifications (RFQ) were sent out to consulting firms and several have been received. The qualifications of these firms are being reviewed. The update process will begin before the end of this fiscal year.

Chairperson Corradini thanked the Department of Public Works staff members for their prompt attention and dedication to ensuring Portage roads were cleared of the recent snow/ice accumulation.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made by Commissioner Baldwin, seconded by Commissioner Freiman to adjourn the meeting. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes). The motion passed 7-0. The regularly scheduled meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director, Planning, Development & Neighborhood Services

PLANNING COMMISSION

February 4, 2021 Virtual Meeting

The City of Portage Planning Commission virtual meeting of February 4, 2021 was called to order by Chairman Corradini at 7:00 p.m.

IN REMOTE ATTENDANCE

Kelly Peterson, Director of Community Development; Christopher Forth, Deputy Director of Planning & Neighborhood Services; Catherine Kaufman, City Attorney and Kyle Mucha, Zoning & Codes Administrator.

ROLL CALL

Ms. Peterson called the roll: Joshi (yes, Portage); Fries (yes, Portage); Corradini (yes, Portage); Pezzoli (yes, Portage); Baldwin (yes, Portage); Myer (yes, Portage); Youngs (logged into the virtual meeting at 7:18 p.m. Portage); Freiman (yes, Portage); Fawley (yes, Portage).

APPROVAL OF MINUTES:

A motion was made by Commissioner Baldwin, seconded by Commissioner Pezzoli to approve the November 5, 2020 and January 21, 2021 meeting minutes. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Freiman (yes); Fawley (yes). The motion was approved 8-0.

NEW BUSINESS:

Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue. Director Peterson summarized the staff report related to an application submitted by Mr. Andrew DeNooyer, representing 633 Group dated January 28, 2021, to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to change the land use designation of the property located at 4100 West Centre Avenue from commercial to multifamily residential. The applicant proposes to construct an apartment building, consisting of 48-60 residential units on the 1.45-acre parcel of land. Ms. Peterson informed the Commission that the proposed apartment building height, design, total number of units and setback distance from property lines will be finalized following the approval of the tentative plan amendment.

Mr. Andrew DeNooyer was present virtually to provide additional details regarding the proposed project. Mr. DeNooyer indicated that a recent market analysis was conducted that indicated Portage, and subsequently Woodbridge Hills, could support a higher density multi-family residential development project. Mr. DeNooyer indicated that the proposed parcel development would allow tenant access to the Woodbridge Hills shopping complex, recreational amenities (trails, bikeways). Mr. DeNooyer also indicated that the proximity to US-131 makes the development of this parcel of land attractive and desirable. Mr. DeNooyer finalized his summary by indicating to the Commission that the proposed project is still in the conceptual design phase.

Chairman Corradini opened the public hearing. Frank Tangney (4164 W. Centre Ave, #304), Cris Carpenter (4050 W. Centre Ave #215), Scott Fitzpatrick (4076 W. Centre Ave #210), Sally Zimmer (4128 W. Centre Ave #308), Linda Dove (4076 W. Centre Ave #110), Judy Goodwin (4024 W. Centre Ave #117) Amy Kurzman (4050 W. Centre Ave #214) and Gretchen Shannon (4024 W. Centre Ave #120) all residents of Marsh Pointe Condominiums, spoke in opposition to the proposed tentative plan amendment. The residents expressed concerns regarding the proposed density; storm water management/drainage since the Marsh Pointe Condominiums are located at a lower elevation; traffic impacts; and lack of greenspace for tenants of the development. The residents requested that traffic and environmental impact studies be conducted due to the scope of the project.

Kay Kossen, attorney with Kreis Enderle representing the Marsh Pointe Condominium Owners Association, spoke against the proposed plan amendment reiterated similar concerns expressed by residents related to; density, height, building setback, emergency access, and environmental concerns. There being no further public

comment, a motion was made by Commissioner Baldwin, seconded by Commissioner Pezzoli to adjourn the public hearing to the February 18, 2021 Planning Commission meeting. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Youngs (yes); Freiman (yes) Fawley (yes). The motion passed 9-0.

City Attorney Kaufman clarified for the Commission that the request submitted by the applicant involves a land use designation change to the Woodbridge Hills tentative plan and not a zoning change as suggested by several Marsh Point residents and Attorney Kossen. Commissioner Freiman inquired with staff about Commission deliberation regarding the application. Mr. Forth responded that deliberation typically takes place after the second public hearing, once Commissioners have had a chance to hear all public comment and any supplemental discussion provided by the applicant. Mr. Forth indicated that applicant and staff will provide additional information regarding the concerns expressed by the citizens.

STATEMENT OF CITIZENS/COMMISSIONERS

None.

ADJOURNMENT:

Commissioner Youngs asked that the January 21, 2021 meeting minutes be amended to indicate he was excused from the meeting. Commissioner Joshi amended the motion, which was supported by Commissioner Baldwin to acknowledge Commissioner Youngs was not present at the January 21, 2021 meeting. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Youngs (yes); Freiman (yes) Fawley (yes). The motion passed 9-0.

There being no further business to come before the Commission, a motion was made by Commissioner Joshi, seconded by Commissioner Pezzoli to adjourn the meeting. Upon roll call vote, Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Myer (yes); Youngs (yes); Freiman (yes) Fawley (yes). The motion passed 9-0. The regularly scheduled meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director, Planning, Development & Neighborhood Services

TO: Planning Commission

DATE: February 12, 2021

FROM: Kelly Peterson, Director of Community Development



SUBJECT: Final Report: Tentative Plan Amendment for Woodbridge Hills Planned Development, 4100 West Centre Avenue.

I. INTRODUCTION:

An application has been received from Mr. Andrew DeNooyer, representing 633 Group, requesting to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to change the land use designation of the property located at 4100 West Centre Avenue from commercial to multifamily residential. The 1.45-acre vacant parcel is located just east of Angling Road, north of the Lake Michigan Credit Union facility. The property was acquired in 1998, rezoned from R-1B, one-family residential and OS-1, office service to PD, planned development, and incorporated into the overall 630-acre Woodbridge Hills Planned Development for commercial use.

The Tentative Plan Amendment proposes to change the designation from commercial to multi-family residential in order to construct a three story (with a lower level parking garage) multi-family residential apartment building that would include between 48 and 60 residential units and range in height from 30 to 40 feet. The design of the building, including the total number of units and building height will be finalized, following approval of the tentative plan amendment. Please refer to the attached application, narrative and tentative plan submitted by the applicant for additional details regarding the project. For Commission information, the applicant has submitted a revised application. Due to the presence of an existing sanitary sewer main located on the property, the setback modification request was been modified. This revised modification request is further explained in Section III of this report.

II. TENTATIVE PLAN AMENDMENT PROCEDURES/REQUIREMENTS:

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review of the overall development concept and final plan review for each phase of the development. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class or adding a land use class, requires formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

Section 42-374 of the Land Development Regulations stipulates the development standards in the PD zoning district. This section provides flexibility in the types of land uses of which up to 20% of the total land area available can be utilized for nonresidential uses. Public water and public sanitary sewer is required. Overall density of the project may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre. Building setbacks, building height, open space and screening are also regulated under the ordinance.

III. PRELIMINARY ANALYSIS - PROPOSED TENTATIVE PLAN AMENDMENT:

As indicated by the applicant in the attached narrative, Woodbridge Hills has been the home to several creative suburban residential designs since the project began during the late 1970's. In December 2020, the applicant submitted another residential design unique to both the City of Portage and Woodbridge Hills based on a market analysis prepared by Tracy Cross and Associates. Tracy Cross & Associates, located

in Schaumburg, IL, is a market analyst and consultant that serves primarily the residential homebuilding community with clientele throughout the United States. The market analysis prepared for the 633 Group indicates Portage, and in particular Woodbridge Hills, could support a higher density multi-family residential development project consisting of three stories of residential units and a below grade parking garage. The amenities that exist in Woodbridge Hills and the surrounding area, which include walkable/convenient access to retail, dining, grocery, recreational amenities (sidewalks, bikeways, multi-use trails and state game area) and proximity to US-131 make this location an attractive and desirable location for this type of project.

Included in the application materials provided by the applicant are three drawings that illustrate planned enhancements to the Woodbridge Shopping Village tentatively scheduled for 2021. These include improvements to the building façade and parking lot, and the addition of an outdoor pedestrian plaza. These enhancements will likely enhance the desirability of this proposed residential project.

Project Specific Details

Land Use Designation Change – The tentative plan amendment proposes to change the land use designation of 1.45 acres from commercial to multi-family residential. In addition to the market analysis prepared by Tracy Cross and Associates that supports the proposed development project, Housing Market Analysis for the City of Portage was completed by LandUse USA in 2020. The results of the study were based on quantitative data analysis and the application of empirical models to measure the annual market potential for new housing units. The study also included a conventional supply-demand analysis, real estate analysis, Target Market Analysis, and study of the origins of in-migrating households. The analysis concluded there is a city-wide market potential of at least 1,094 for-lease renter-occupied units new-build units annually, plus 1,875 rehabbed units (for a total of 2,969 for-lease units). The report states “These represent excellent opportunities for adding a variety of attached and missing housing formats throughout the city and the five subareas.” With regard to in-migration, the study estimates that 280 people moving into the city on an annual basis are searching for a housing development with 50+ units. The proposed development would help to fulfill this type of housing choice.

If the land use designation is changed, the amount of acreage designated for commercial purposes will decrease slightly from 19.64% to 19.46% and residential use will increase from 40.71% to 40.89%, which is consistent with the PD, planned development requirements. For Commission information, no more than 20% of the total land area may be used for nonresidential purposes.

Residential Density – The tentative plan amendment proposes up to 60 units on 1.45 acres resulting in a residential development density of 41 units/acre. Section 42-374.D limits residential density to no more than 12 units per acre in any one phase and no more than 7 units per acre overall. As a result, the applicant is requesting a 29 unit per acre modification to allow up to 41 units per acre within this one phase.

The current residential density of the overall Woodbridge Hills Planned Development is 5.3 units per acre. This number of units per acre is based on 256.4 acres designated for residential use with a total of 1,357 units. With the addition of 60 more units, density increases slightly to 5.5, which is still less than the maximum permitted of 7 units per acre.

While the residential density of the proposed project is higher than what would otherwise be allowed under the current ordinance requirements, the number of proposed units (up to 60) is not the first such request. In

2020, an amendment to the Greenspire PD tentative plan was approved. The amendment included, among others, approval of phase 7-C that involves the construction of 224 units on 3.86 acres (58 units/acre) in two, mixed-use buildings located along West Centre Avenue. Each building would be four stories with first floor retail and 65 feet in height. The 2020 amendment resulted in an increase in the overall Greenspire PD residential density to 11.12 units/acre where seven units/per acre is permitted by ordinance.

The proposed number of units is not inconsistent with the overall number of Marsh Point Condominiums units (52), which are located immediately to the north. The difference between the two projects is the amount of occupied land area. The Marsh Point Condominiums includes five, multi-family residential buildings and eleven accessory garages that occupy 5.6 acres of land. The proposed Woodbridge Hills project includes a similar number of units (up to 60), up to 63 below grade parking stalls (in addition surface area parking stalls) but occupies only 1.45 acres. Since the subject property and the Woodbridge Shopping Village are owned by the same entity, shared parking agreements with the Woodbridge Hills Shopping Village can also be considered.

Property Line Setbacks – Section 42-374.D states internal setbacks for multifamily residential structures shall adhere to the requirements set forth in division 4, subdivision 10 of the Zoning Code. This section requires 30-foot setbacks from property lines. Included in the application materials is a preliminary site plan that shows an approximate 30-foot setback from the east property line, 20 feet from the south property line, 17-20 feet from the west property line and 45 feet from the north property line. The applicant is requesting a modification to reduce the minimum property line setback from 30 feet to 10 feet along the west property line. The applicant also requested setback modification along the east and south property lines as well. However, there is an existing sanitary sewer main and 20-foot easement along these two property lines and the proposed building cannot encroach into the easement area. As a result, the applicant has revised the application to state there will be no encroachment into the easement area, which reduces the setback modification request from 30 feet to 20 feet along the south and east property lines.

Although the setback dimensions shown on the preliminary site plan are greater than 10 feet, the applicant is requesting flexibility for a slightly larger building envelope to reposition the building based on property specific details that may be encountered during the site plan review stage.

With regard to adjacent land uses and potential impacts resulting from the reduced setbacks, the adjacent land uses include the following (refer to the attached aerial photo):

- East – Parking lot for the Woodbridge Hills Shopping Center
- South – Vehicular maneuvering lane that connects Marsh Point Drive to the Woodbridge Hills Shopping Village. On the south side of the maneuvering lane is a vacant parcel planned for commercial use and Lake Michigan Credit Union.
- West – Marsh Point Drive. On the west side of Marsh Point Drive is a vacant parcel planned for commercial use.

Modifications – Since the overall residential development density will exceed 12 units/acre and the east, south and west building setback less than 30 feet, modifications from these standards are being requested by the applicant in conjunction with the proposed tentative plan amendment. Section 42-375.L of the PD ordinance allows City Council to waive or modify specifications and standards for planned developments where it finds, on the basis of evidence supplied by the landowner, “...that such specifications are not in the best interests of the residents of the planned development and that the modification of such specifications are not inconsistent with the interests of the entire city.”

Building Height – The applicant is proposing a building height up to 40 feet. Section 42-374.F of the Planning Development district does not specify a maximum building height. Rather, this section states: “The height of particular buildings shall not be a basis for approval or denial of a plan, provided that any structure in excess of 45 feet shall be designed to be consistent with the reasonable enjoyment of neighboring property, the entire planned development and the efficiency of existing public services.”

The nearest residential use is Marsh Point Condominiums located to the north. The elevation of the proposed project area is approximately 8-10 feet higher in elevation than the adjacent Marsh Point Condominiums. Site characteristics that will help mitigate potential impacts associated with a new 40-foot high building include the distance from nearest Marsh Point Condominium building (approximately 170 feet to the northwest) and the Marsh Point Condominium garages/off-street parking lot that separate the proposed Woodbridge Hills apartment building from the Marsh Point Condominium units located further to the north/northwest.

In an effort to better visualize the height of the proposed building in conjunction with surrounding land uses, the applicant has prepared the attached line-of-sight drawings. The drawing includes four separate line-of-sight perspectives that show existing grades, existing buildings, proposed retail building east of the Lake Michigan Credit Union site and proposed apartment building. As shown on the drawings, the roofline of the proposed apartment building is shown at 40 feet in height and the Marsh Point condominium buildings shown at an average height of 35 feet (buildings are either 2 or 3 stories).

Traffic/Pedestrian Considerations – With regard to vehicle trip generation, the 8th Edition of the Institute of Traffic Engineers (ITE) Manual indicates a three story, 60 unit multi-family residential building will generate 12 vehicle trip ends (8 vehicles exiting the site and 4 vehicles entering the site) during the morning peak hour. During the afternoon peak hour, 18 vehicle trip ends are anticipated (11 vehicles entering the site and 7 vehicles exiting the site). In comparison, a 15,000 sq. ft. general retail building will generate 51 vehicle trip ends during the morning peak hour (20 vehicles exiting the site and 31 vehicles entering the site). During the afternoon peak hour, 178 vehicle trip ends are anticipated (87 vehicles entering the site and 91 vehicles exiting the site). Additional traffic related details associated with this proposed project will be reviewed upon submittal of the detailed site plan.

There are multiple points of access to this portion of Woodbridge Hills Planned Development including the signalized intersection at Moorsbridge Road & West Centre Avenue and three existing driveways located west of Moorsbridge Road. Also, the land uses/parking lots between Moorsbridge Road and Marsh Point Drive are all interconnected. However, Attorney Kossen’s February 4, 2021 letter questions whether or not the existing easement area would be “overburdened” by the traffic generated by the proposed apartment building. In order to ensure the drive could not be closed if the project is approved and construction completed, the applicant will need to confirm they have the authority to use the easement area prior to site plan approval. Finally, installation of a traffic signal at West Centre Avenue and Marsh Point Drive will be considered during review of the detailed site plan to address existing and future traffic related needs.

Sidewalks will be constructed adjacent to the proposed building. Currently, there are no sidewalks adjacent to the proposed development site that connect to the existing West Centre Avenue sidewalk or the Woodbridge Hills Shopping Village. The location of these additional sidewalk connections are being evaluated by the developer and will be included on the final site plan.

Storm Water Management – The applicant proposes to retain and treat storm water in below grade tanks. With the proposed development, the applicant indicates existing grade/slope will be modified to alleviate storm water runoff onto adjacent properties. Details associated with storm water management will be reviewed with the submittal of the detailed final site plan.

IV. PUBLIC NOTICING REQUIREMENTS:

Residents/property owners within 300 feet of the overall property (4100 West Centre Avenue) have been notified in writing of the proposed tentative plan amendment and the Planning Commission meeting. Additionally, a public notice was also published in the local newspaper. Citizen communications received regarding the proposed tentative plan amendment are attached.

V. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the tentative plan amendment at the February 4, 2021 meeting. Mr. Andrew DeNooyer, representing 633 Group, was present virtually to support the application. During the public comment period, eight residents of Marsh Point Condominiums spoke in opposition to the proposed tentative plan amendment. The residents cited concerns with unit density, storm water management, traffic congestion and a lack of greenspace for the tenants. Kay Kossen, attorney with Kreis Enderle representing the Marsh Pointe Condominium Owners Association, spoke against the proposed plan amendment reiterated similar concerns with the individual residents as it related to density, height, building setback, emergency access, and environmental concerns.

VI. RECOMMENDATION:

The 41 units per acre proposed by the developer represents a change than what is currently permitted in the PD, planned development district. However, as the city ages and less land is available to accommodate the demand for residential development and market/demographic conditions change, alternative development patterns need to be considered. For several years, mixed-use development projects have been the growing trend. The Urban Land Institute characterizes a mixed-use development as one that 1) provides three or more significant revenue-producing uses (such as retail/entertainment, office, residential, hotel, and/or civic/cultural/recreation), 2) fosters integration, density, and compatibility of land uses, and 3) creates a walkable community with uninterrupted pedestrian connections. Mixed-use development projects attract residents who desire a diversity of uses and densities, nearby access to retail and amenities, greater housing variety, and walkable neighborhoods.

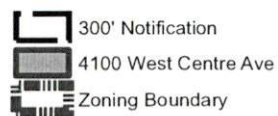
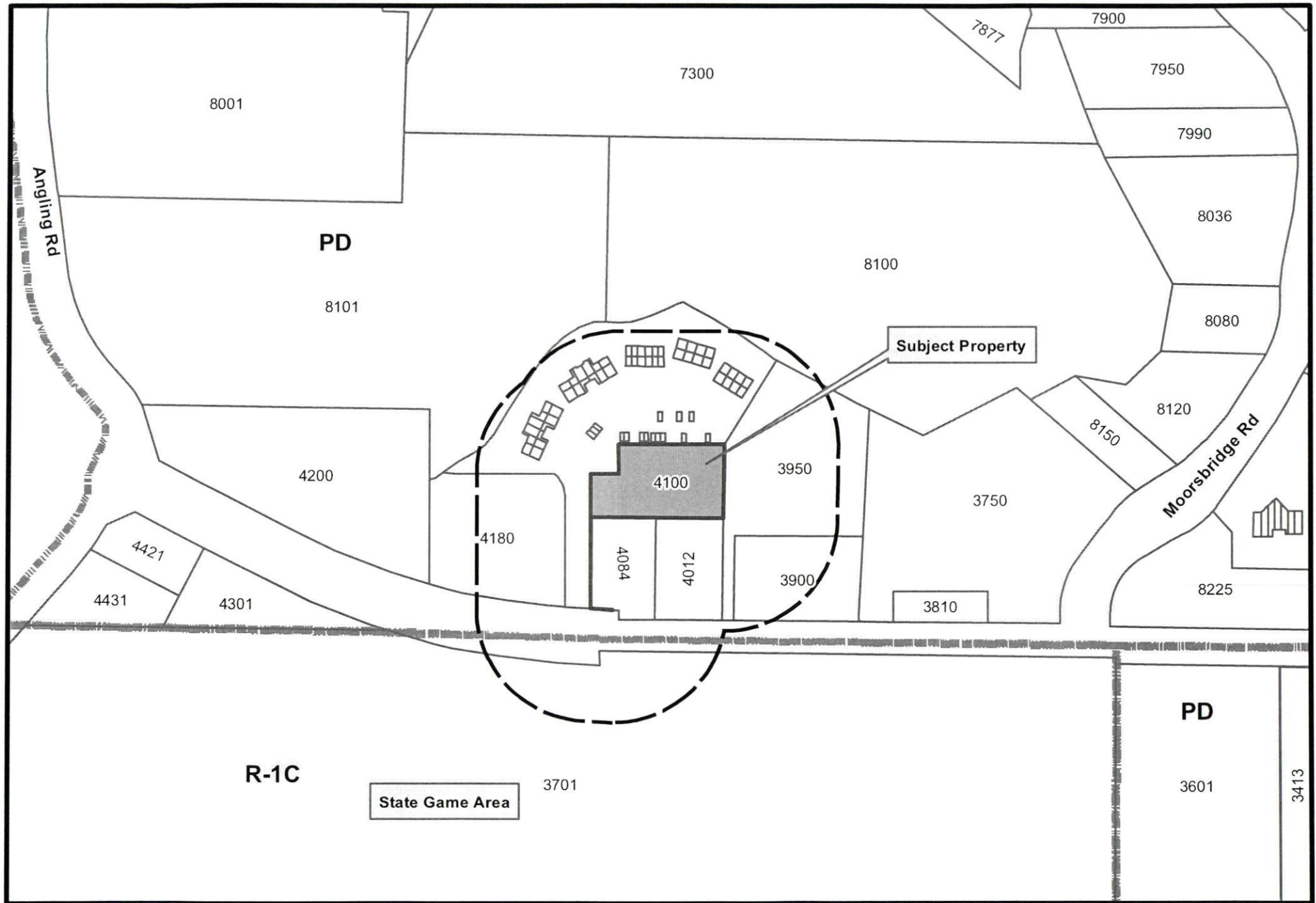
While the Woodbridge Hills Planned Development may not incorporate all the mixed-use characteristics as identified by the Urban Land Institute, such as true mixed-use buildings, the location of the proposed apartment within the Woodbridge Hills Shopping Village provides many of the supported uses desired in a mixed-use development. Future residents, much like the residents of Marsh Point, can walk a short and convenient distance for retail services to meet their needs. Furthermore, recent studies indicate brick and mortar stores are more successful when located near residents. Given the design of the PD and desire to create a more mixed-use type of community, the proposed modifications are supported by staff and will be in the best interest of residents of the PD and not inconsistent with the interests of the entire city.

Based on the foregoing, staff advises that the Planning Commission recommend to City Council that the Tentative Plan Amendment for the Woodbridge Hills Planned Development be approved subject to the following:

1. Development standards be established consistent with attached tentative plan and the written narrative.
2. The requested density modification be approved to allow 41.3 units/acre (up to 60 total units on 1.45 acres) for this phase of the development.
3. The requested building setback modifications be approved to allow a setback distance of 10 feet from the west property line and 20 feet from the south and east property lines so as to avoid encroachment into the existing sanitary sewer easement.
4. Applicant confirms they have the authority to use the easement area prior (Marsh Point Drive) prior to site plan approval.
5. Specific site design details, such as storm water, utilities, traffic and so forth, be finalized with submittal of the final (site) plan for this phase of the project.

Attachments: Zoning/Vicinity Map
Aerial Photo Map
Application
Line of sight drawings
Communications received

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**Tentative Plan Amendment
Woodbridge Hills Planned Development
4100 West Centre Avenue**



1 inch = 333 feet



**Tentative Plan Amendment
Woodbridge Hills Planned Development
4100 West Centre Avenue**

4100 W Centre Ave



1 inch = 125 feet

2.9.21

Mr. Christopher Forth, AICP
Deputy Director of Planning, Development, and Neighborhood Services
City of Portage Department of Community Development
7900 South Westnedge Avenue
Portage, Michigan 49024

Subject: Woodbridge Hills Planned Development Plan Amendment for 4100 West Centre

Dear Mr. Forth,

We submit the following tentative plan narrative for preliminary review and consultation by the Department of Community Development. This tentative plan is an update to the Woodbridge Hills Planned Development Comprehensive Plan which was originally approved by the Planning Commission and City Council in 1996. The Woodbridge Hills PD was most recently amended and approved in 1998.

The intention of this document is to amend the Woodbridge Hills PD and receive approval for various modifications to develop 4100 West Centre Avenue into a multifamily residential property. Specifically, land use designation and modifications to covenants regarding density and building setbacks will be required.

Thank you for reviewing the following information. We look forward to hearing your comment and input.

The following numbered responses are answers to the questions posed in Section 42-375 of the City of Portage Land Development Regulations.

1. The purpose of this tentative plan change is to pursue the amendments and approvals necessary for the development of a multifamily residential product at 4100 West Centre Avenue. Please note that detailed plans have yet to be developed, and any renderings are purely conceptual in nature.

Since its inception in the late 1970's the Woodbridge Hills PD has been home to a variety of new and creative suburban residential designs. Fast forward forty years and the Woodbridge Hills PD has yet another excellent opportunity to pursue innovation in suburban residential design.

Our market analysis partners, Tracy Cross and Associates, determined a favorable market condition for a particular form of multifamily development. Their particularly noted design couples three floors of residential over a below grade parking garage. They noted this product is tailor-made for our harsh winters and natural landscape. Similar designs may be found in many developing suburbs nationwide.

This innovative suburban design is especially attractive in areas with walkable access to retail, dining, grocery, walking trails, and bike paths making our site at 4100 W Centre an excellent candidate.

The Woodbridge Hills PD was most recently amended in 1998. Coincidentally the amendment was in relation to the land use designation of the parent parcel of 4100 W. Centre. At that time the land use was designated as non-residential increasing the amount of non-residential land use to 19.65% of the 630-acre development. Amending this plan to designate 4100 W. Centre as multifamily residential will only slightly reduce that number.

As previously stated, the following requests and modifications will be necessary to pursue the development of this project:

1. Designate the land use of 4100 W. Centre as multifamily residential (currently non-residential).
 2. Obtain approval of a modification from the density requirement that any one phase of development is not to exceed 12 dwelling units per acre. The projected 48 to 60 units on 1.45 acres will create a deviation range of 21.1 to 29.4 units per acre from the 12 units per acre threshold.
 3. Obtain approval of a modification from the internal setback requirements. The building setbacks on the south, east, and west sides will likely need flexibility to encroach on the various setback requirements. A 20' sanitary sewer easement runs along the south and east property lines. No portion of the building will impede said sanitary sewer easement. Minimum setback anticipated on any property line is 10', save for portions of the south and east sides where sanitary sewer easement exists.
2. The Woodbridge Hills PD is a 630 +/- acre development comprised of single family residential, multifamily residential, office, commercial, a private golf club, and natural areas. The various residential developments currently comprise 40.71% of the total acreage, while office and commercial comprise 19.64%. The remaining 39.65% is dedicated to natural areas, the golf course, and various street rights of way.

Designating the land use of 4100 W. Centre as multifamily residential would lower the commercial land use to 19.46% and increase the residential land use to 40.89%.

The tables below show current land designations with their corresponding acreage. We have also included density calculations for the residential components (Units per AC).

	Existing			
	Acres	% of Total	Units	Units per AC
Open Space				
Golf/Lakes/Marsh	218.09	34.62%		
Residential				
Single Family	142.43	22.61%	323.00	2.27
Multi-Family / Condominium / Special	114.00	18.10%	1,034.00	9.07
Total Residential	256.43	40.71%	1,357.00	5.29
Commercial				
Retail	31.78	5.05%		
Office/Related	91.97	14.60%		
Street Right of Way	31.60	5.02%		
Total Site	629.87	100.00%		

	Proposed (60 Units)			
	Acres	% of Total	Units	Units per AC
Open Space				
Golf/Lakes/Marsh	218.09	34.62%		
Residential				
Single Family	142.43	22.61%	323.00	2.27
Multi-Family / Condominium / Special	115.44	18.33%	1,094.00	9.48
Total Residential	257.87	40.94%	1,417.00	5.50
Commercial				
Retail	31.78	5.05%		
Office/Related	90.53	14.37%		
Street Right of Way	31.60	5.02%		
Total Site	629.87	100.00%		

3. The Woodbridge Hills PD has already completed a vast majority of its development with very little undeveloped acreage remaining in its residential and non-residential designations. 4100 W. Centre would be a single phase of development according to the timelines and requirements further noted in this application.
4. Our time schedule pending necessary approvals and funding commitments is proposed as such:
 - A) Amend plan and secure modifications 2021
 - B) Break ground 2021

- C) Construction period through 2022
- D) Grand Opening 2023

5. As noted previously, the Woodbridge Hills PD is largely completed, thus this development will be constructed independent of other phases. Its design and aesthetic standards will complement the standards of the community. Functionally the parcel will rely on necessary easements for access, two of which are already in place, and the third to be agreed upon. The three easements with the surrounding parcels for access include:

1. Private drive west of the subject property (Marsh Pointe Drive)
 - Provides access to W. Centre Avenue
 - Agreement Existing
2. Private drive south of the subject property
 - Provides east/west traffic flow between Marsh Point parcel and Woodbridge Shopping Village
 - Agreement Existing
3. Parking lot east of the subject property (also owned by Commercial II, LLC)
 - Will provide additional access points and access to a limited number of shared parking spaces
 - Agreement Pending

6. The Woodbridge Hills PD is 630 acres generally bordered by Romence Road to the North, Angling Road to the West, Oakland Drive to the East, and W. Centre Avenue to the South. 4100 W. Centre is a 1.45-acre parcel located North of Lake Michigan Credit Union and South of Marsh Pointe Condominiums. Commercial II, LLC the present owner of 4100 W. Centre and owns the property on fee simple terms. Additionally, Commercial II, LLC owns 10 +/- acres of the Woodbridge Hills PD, all of which runs adjacent to the subject property.

7. As noted previously, we are requesting a modification to the phased density requirements in PD districts. The range of 48-60 units on 1.45 acres equates to 33.10 - 41.38 units per acre. The PD code allows for 12 dwelling units per acre in any given phase.

The Woodbridge Hills PD is a very large development at 630 acres in total. The existing Multi-Family/Condominium/Special residential land uses are presently at a density of 9.07 units per acre. With the addition of the maximum proposed 60 units on 1.45 acres, the overall Multi-Family/Condominium/Special density would increase, marginally, to 9.48 dwellings per acre. Finally, overall residential use would increase from 5.29 units per acre to 5.50 units per acre.

It should be noted this parcel's current designation as non-residential would allow for a potentially more impactful commercial development. For example, a hotel, restaurant, fast food, auto-oriented use, amongst others would all be permitted under the current designation.

8. Common open space within the Woodbridge Hills PD is maintained by the Moors of Portage Association and the various neighborhood associations throughout. Unique to 4100 W. Centre and the surrounding properties is the east/west private drive that borders the property to the South. This drive is maintained in proportion by the owners of 4084 W. Centre, 4012 W. Centre, and 4100 W. Centre as detailed in their respective deeds. The easement recorded pertaining to "Marsh Point Drive" provides for access to this parcel from W. Centre Ave. An additional easement with the neighboring parcel to the east will provide access via the parking lot serving Phase II of the Woodbridge Village.

9. As stated previously, the use of 4100 W. Centre will be multifamily residential in the form of one- and two-bedroom apartments for rent. Our desire is for the building to have a below grade parking garage and three floors of dwelling units and common area above. We anticipate the building to be in the range of 30-40ft in height.

We anticipate the building itself will be positioned away from the north property line to minimize impact to neighboring residential units. Favorably, the closest surrounding structures and improvements are garages and parking lots.

10. Sanitary sewer will be connected to the available sanitary sewer constructed along the east and south borders of this property. Ultimately that connection flows to the sanitary sewer that runs along W Centre Avenue.

A vast majority of storm water will be retained and treated on site in tanks below grade. These tanks ultimately release the water into the water table at a slower or comparable rate to the existing undeveloped land. The site currently has a sharp slope along the north border which can cause significant watershed during large rain events and potential issues for neighboring structures. By reducing the slope and managing the watershed we anticipate this issue could be largely alleviated.

11. Currently three easements exist regarding the subject property. One easement allows for access over the drive to the west commonly referred to as "Marsh Pointe Drive". Another allows for additional access over the east/west oriented drive on the southern border of the property. Finally, there is a 30' sanitary sewer easement that runs along the southern and eastern borders of the property.

In addition to the existing easements, necessary easements for water, sewer, and utilities will be established as well as an additional parking and access easement with the neighboring shopping center to the east. The neighboring shopping center to the east is also owned by Commercial II, LLC.

12. Parking will be provided according to the City Ordinance. A combination of underground, surface lot, and shared parking with the neighboring shopping center will be utilized to achieve parking needs. Our goal is for each unit to have one reserved, underground, tempered parking space. Any roads and/or access drives developed will also be in accordance to the City Ordinance.

13. As noted in the introductory statement, the developer is requesting the following modifications to the regulations applicable to this property:

1. Designate the land use of 4100 W. Centre as multifamily residential (currently non-residential).
2. Obtain approval of a modification from the density requirement that any one phase of development is not to exceed 12 dwelling units per acre. The projected 48 to 60 units on 1.45 acres will create a deviation range of 21.10 to 29.38 units per acre from the 12 units per acre threshold.
3. Obtain approval of a modification from the internal setback requirements. The building setbacks on the south, east, and west sides will likely need flexibility to encroach on the various setback requirements. A 20' sanitary sewer easement runs along the south and east property lines. No portion of the building will impede said sanitary sewer

easement. Minimum setback anticipated on any property line is 10', save for portions of the south and east sides where sanitary sewer easement exists.

14. Please reference section 4 for our intended timeline.
15. The successes of this project and our neighboring investments are deeply impacted by the proper execution of this plan. We do not feel that performance bonds or irrevocable letters of credit are necessary to ensure proper implementation.

Again, we greatly appreciate your comment as we move toward review by the Planning Commission and City Council. We are excited to continue the work needed for the successful development of this site.

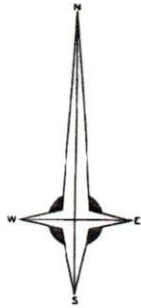
Sincerely,



Andrew DeNooyer

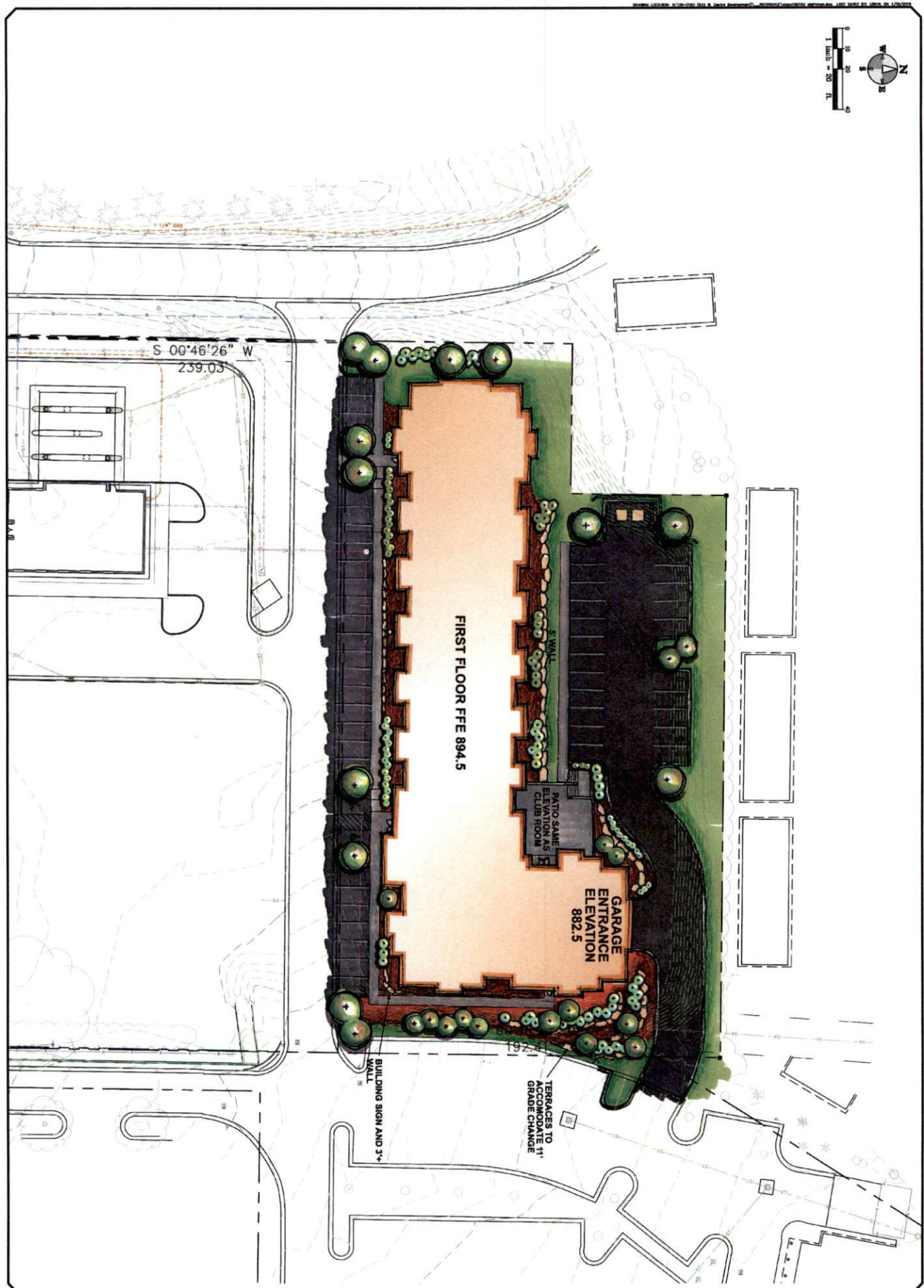
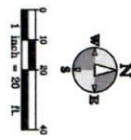
CC: Craig DeNooyer
Elizabeth Wright

Woodbridge Hills



PROPOSED SITE

GOLF COURSE STATE FOREST



Sheet
1
of 1

Sheet Title:
Project:
Client:

**PRELIMINARY LAYOUT
W. CENTRE APARTMENT PROJECT
633 GROUP**

Job No. 05-009	P.M. TEL. 269.562.4900	DATE 05/05/00
NOTED FOR REVISIONS		
#1 OWNER REVIEW	7/18/19	



hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.562.4900 fax 269.562.4961
www.hurleystewart.com

111





633GROUP

WOODBRIDGE VILLAGE



Suite Number And Tenant	Address	Square Footage	Dimensions
1 Hardings	3750 W. Centre Ave.	33,070 Sq.Ft.	186x125 +
2 McIntyre's Salon	3758 W. Centre Ave.	3,161 Sq.Ft.	31x64 +
3 Orange Theory Fitness	3,762 W. Centre Ave.	3,378 Sq.Ft.	32x102
4 Design Details	3766 W. Centre Ave.	3,256 Sq.Ft.	32x102
5 Fiesta Burrito	3774 W. Centre Ave.	2,234 Sq.Ft.	30x76
6 Edward Jones	3798 W. Centre Ave.	1,600 Sq.Ft.	25x64
7 Little Caesars	3814 W. Centre Ave.	1,607 Sq.Ft.	25x64
8 Subway	3822 W. Centre Ave.	1,010 Sq.Ft.	18x56
9 Ziingo	3830 W. Centre Ave.	1,013 Sq.Ft.	18x56

Suite Number And Tenant	Address	Square Footage	Dimensions
10 Big Apple Bagels	3838 W. Centre Ave.	2,322 Sq.Ft.	29x74 +
11 Available	3910 W. Centre Ave.	1,825 Sq.Ft.	35x55
12 West Michigan Chiropractic	3920 W. Centre Ave.	1,426 Sq.Ft.	26x55
13 Portage Orthopedics	3930 W. Centre Ave.	1,425 Sq.Ft.	26x55
14 UniQ	3940 W. Centre Ave.	1,396 Sq.Ft.	25x55
15 Fieldstone Grill	3970 W. Centre Ave.	6,365 Sq.Ft.	67x98
16a Travel Focus	3810 W. Centre Ave.	1,521 Sq.Ft.	52x30
16b Center For Vein Restoration	3810 W. Centre Ave.	1,900 Sq.Ft.	52x75
17 Lake Michigan Credit Union	4100 W. Centre Ave.	3,052 Sq.Ft.	42X70

EXPANDED SITE



SCALE : 1/64" = 1'-0"

p.2:



PERSPECTIVES



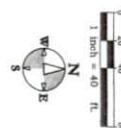
PROPOSED ELEVATION

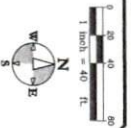
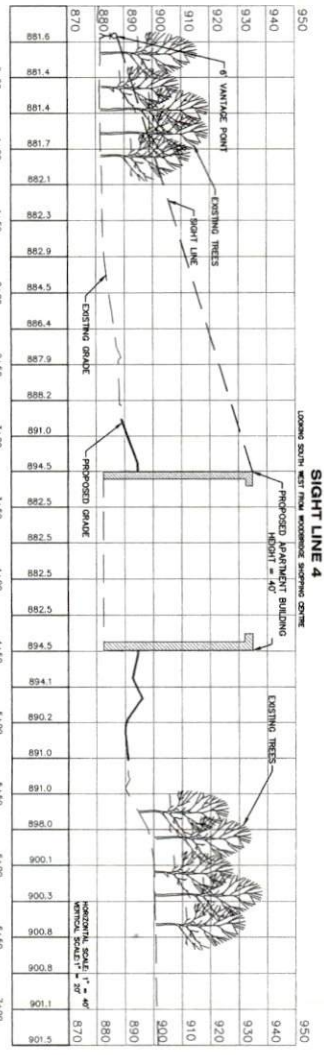
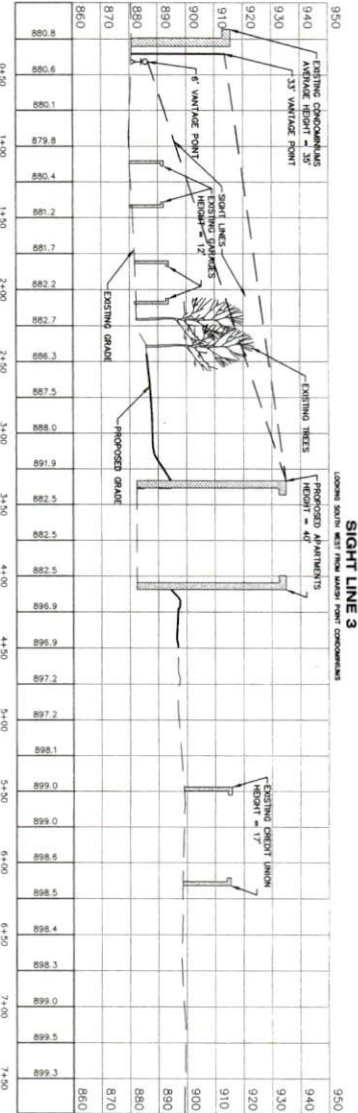
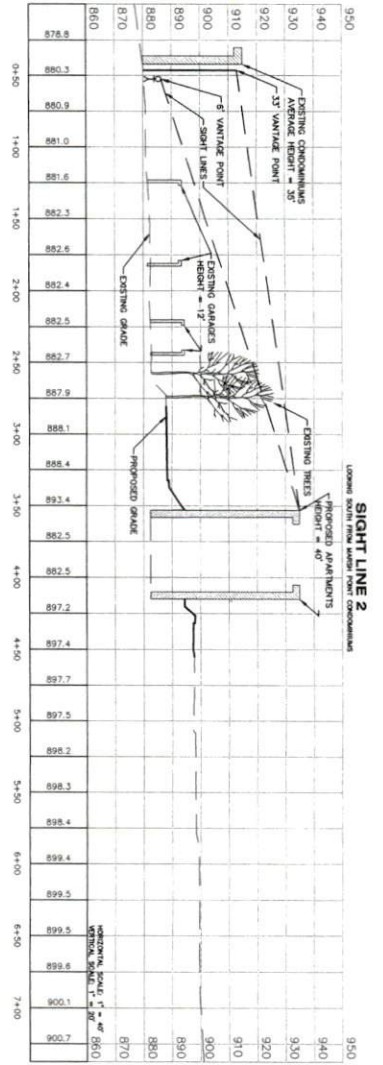


EXISTING ELEVATION

PERSPECTIVES







DATE: 02/11/21
SHEET: 2

Sheet Title:
SIGHT LINE PROFILES
Project:
633 WEST CENTRE DEVELOPMENT
Client:
633 GROUP

Job No. 19-0180 P.M. TDI Dr. L. T. T. 04/02/11/21
SHEET FOR REVISIONS
1 02/10/21
2 02/11/21
KALAMAZOO
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KREIS ENDERLE

KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

Kay E. Kossen

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Fax 269-966-3022

www.KreisEnderle.com

February 18, 2021

Sent via email

RECEIVED
FEB 18 2021
COMMUNITY DEVELOPMENT

Portage City Hall
Attn: City of Portage Planning Commission
Attn: Christopher Forth, Deputy Director of Planning & Neighborhood Services
Attn: Kelly Peterson, Director of Community Development
7900 South Westnedge Avenue
Portage, MI 49002

**Re: 4100 West Centre Avenue, Portage Michigan
Proposed Amendment by 633Group for Woodbridge Hills Planned
Development (PD)
SUPPLEMENTAL OPPOSITION LETTER**

Dear Honorable Members of the Planning Commission, Directors Forth and Peterson:

I am writing to follow up our correspondence of February 4, 2021 regarding this proposed Amendment to the PD.

As you know, I represent the Marsh Pointe Condominium Owners' Association (the "Association"). I have reviewed your Final Report dated February 12, 2021 and recommendations. The Association continues to object to the approval of the Amendment for the following reasons:

1. The Land Use Designation Change proposal is to change the 1.45 acre parcel from commercial to multi-family. Almost every aspect of the proposed change is not consistent with the City's Ordinances: density, setbacks, building height. Yet, the City apparently will make accommodations for all of it.
2. The Traffic/Pedestrian Considerations are not persuasive. The 8th Edition of the Institute of Traffic Engineers Manual may, or may not be accurate for this particular project or location. There is no indication of how many vehicles will be allowed per unit. Further, comparison to a "general retail building" is not a comparison at all, since the commercial designation could produce various types of uses that are not contemplated in the analysis.
3. Drainage and Environmental Concerns. The developer has not adequately addressed these concerns in its proposals and submissions. The Association reiterates that water runoff is a huge concern. There have already been past issues with water from the proposed site. The Marsh Pointe property has a lower elevation.

4. Crime. The residents of Marsh Pointe are also concerned about additional incidents of crime with an additional apartment complex. An inquiry to the City of Portage's public safety shows for the year 2020 that there were 115 incidents of crime reported within the Greenspire Apartments, including larceny, assaults, frauds, and noise complaints. Marsh Pointe, which is not an apartment rental complex, only had 4 reported incidents for 2020 and only one was criminal in nature.
5. Pets. The Association is concerned about the developer's plan for pets within the proposed project. Most newer complexes are pet friendly. The closest open space to walk pets and for pet waste is on the Marsh Pointe property. Of course, this would be unacceptable.
6. The Easement. As we previously discussed, Marsh Pointe Drive is one of the access points for the proposed project. Although a separate legal issue between the developer and the Association, we would expect further details and cooperation for cost sharing and traffic management. As originally contemplated, the 1.45 acre parcel was designated commercial. It was under these circumstances that the Marsh Pointe apartment complex was constructed, and then later converted to a condominium. Both the City and the developer continue to make representations that a residents of a 60 unit apartment complex would have less of an impact than an unknown commercial use. The Association cannot simply accept that statement as true.

Thank you again for the opportunity to present this information for your consideration.

Sincerely,

KREIS, ENDERLE, HUDGINS,
& BORSOS, P.C.


Kay E. Kossen

KEK/

Cc: Marsh Pointe Condominium Owners Association

**KREIS
ENDERLE**
KREIS, ENDERLE, HUDGINS & BORSOS, P.C.

Kay E. Kossen

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www.KreisEnderle.com

RECEIVED

FEB 04 2021

February 4, 2021

Sent via hand delivery and email

COMMUNITY DEVELOPMENT

Portage City Hall

Attn: City of Portage Planning Commission

Attn: Christopher Forth, Deputy Director of Planning & Neighborhood Services

Attn: Kelly Peterson, Director of Community Development

7900 South Westnedge Avenue

Portage, MI 49002

**Re: 4100 West Centre Avenue, Portage Michigan
Proposed Rezone by 633Group for Woodbridge Hills Planned Development
OPPOSITION LETTER**

Dear Honorable Members of the Planning Commission, Directors Forth and Peterson:

This law firm represents the Marsh Pointe Condominium Owners Association ("Aggrieved Party"). The purpose of this letter is to memorialize the Aggrieved Party's opposition to the Proposed Rezone of vacant land by 633Group ("Land Developer") for Woodbridge Hills Planned Development ("Rezone Project"). In order to be coherent and efficient, Director Peterson's correspondence to the Planning Commission dated January 28, 2021 ("Peterson's Letter") is incorporated verbatim in this letter. Furthermore, the Aggrieved Party's responses correspond directly to Peterson's Letter and are in **bold** for the sake of coherency.

I. INTRODUCTION:

An application has been received from Mr. Andrew DeNooyer, representing 633 Group, requesting to amend the previously approved Tentative Plan for the Woodbridge Hills Planned Development (PD). The applicant is proposing to change the land use designation of the property located at 4100 West Centre Avenue from commercial to multifamily residential. The 1.45-acre vacant parcel is located just east of Angling Road, north of the Lake Michigan Credit Union facility. The property was acquired in 1998, rezoned from R-1B, one-family residential and OS-1, office service to PD, planned development, and incorporated into the overall 630-acre Woodbridge Hills Planned Development for commercial use.

RESPONSE: This is only a partial selective history. The land for the Rezone Project has never had any structural improvements. Put simply, it is vacant land since the inception of time to the present. Furthermore, context is further required to understand that the vacant land was zoned R-1B (single

family residential) and then commercial (office). Specifically, the Aggrieved Party condominium structures were erected in the late 80s and 90s. These were the only residential structures in the PD. A review of reasoning and logic by the Planning Commission for the 1998 rezone would be prudent. Undoubtedly, the Planning Commission made sufficient inquiries as to the safety for the residents in the residential area. It is misleading to reference the 630-acres as context, when in reality; the Land Developer intends to put more residents in a 1.45-acre parcel than most of the acreage combined.

The Tentative Plan Amendment proposes to change the designation from commercial to multi-family residential in order to construct a three story (with a lower level parking garage) multi-family residential apartment building that would include between 48 and 60 residential units and range in height from 30 to 40 feet. The design of the building, including the total number of units and building height will be finalized, following approval of the tentative plan amendment. Please refer to the attached application, narrative and tentative plan submitted by the applicant for additional details regarding the project.

The Land Developer is asking for a rezone. Using kinder euphemisms does not change the ultimate goal, and any court reviewing (should litigation entail) would be analyzing the Planning Commission's reasoning under a rezone standard (and not "change the designation" standard). Furthermore, aside from the structural number, how many residents likely will inhabit the apartments? What are the demographics of the would-be-renters? What about minors and children? Are the apartments designated to accommodate them, and are the adjacent commercial areas safe? None of the analysis or materials have truly addressed the target demographics. Will the Land Developer allow pets? Pets are part of most new residential, multi-family properties. If pets are allowed, where will the residents take them for exercise or to relive themselves. The Aggrieved Party is concerned that residents will take liberties and walk pets on the Marsh Pointe property.

II. TENTATIVE PLAN AMENDMENT PROCEDURES/REQUIREMENTS:

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review of the overall development concept and final plan review for each phase of the development. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class or adding a land use class, requires formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

The Land Developer is asking for a rezone for multifamily residential. The Land Developer wants to construct a high-rise apartment complex. The Land Developer's Rezone Project, if approved, will be home of the tallest manmade structure within the entire 256.4 acres. The Land Developer may try to dress up the outside façade to this high rise, but at the end of the day, it is still a giant square high rise.

Section 42-374 of the Land Development Regulations stipulates the development standards in the PD zoning district. This section provides flexibility in the types of land uses of which up to 20% of the total land area available can be utilized for nonresidential uses. Public water and public sanitary sewer is required. Overall density of the project may not exceed seven units per acre and density in any one phase may not

exceed 12 units per acre. Building setbacks, building height, open space and screening are also regulated under the ordinance.

Viewing 1.45 acres through the lens of 256.4 acres is a bastardization of logic, and loophole that seems to be adopted by the City of Portage Community Development.

III. PRELIMINARY ANALYSIS - PROPOSED TENTATIVE PLAN AMENDMENT:

As indicated by the applicant in the attached narrative, Woodbridge Hills has been the home to several creative suburban residential designs since the project began during the late 1970's. In December 2020, the applicant submitted another residential design unique to both the City of Portage and Woodbridge Hills based on a market analysis prepared by Tracy Cross and Associates. Tracy Cross & Associates, located in Schaumburg, IL, is a market analyst and consultant that serves primarily the residential homebuilding community with clientele throughout the United States. The market analysis prepared for the 633 Group indicates Portage, and in particular Woodbridge Hills, could support a higher density multi-family residential development project consisting of three stories of residential units and a below grade parking garage. The amenities that exist in Woodbridge Hills and the surrounding area, which include walkable/convenient access to retail, dining, grocery, recreational amenities (sidewalks, bikeways, multiuse trails and state game area) and proximity to US-131 make this location an attractive and desirable location for this type of project.

Both Director Peterson and the Land Developer used the phrase "several creative suburban residential designs," but few (if any) examples actually given. It is paramount that additional examples be given and more importantly, given context to the current requested Rezone Project. As for the desirableness of the Rezone Project, the area, traffic and safety concerns are evident. US-131 is a major highway for commuters, and adding more commuters will only increase and intensify the traffic in the area. The general health, safety and welfare for all the citizens should be considered, and not simply the Land Developer's chosen ones.

Another proposed Woodbridge Hills project that will likely enhance the desirability of the proposed residential project are planned changes to the Woodbridge Shopping Village. Changes include an upgraded building façade, outdoor pedestrian plaza and parking lot improvements. Included in the application materials provided by the applicant are three drawings that illustrate these Woodbridge Shopping Village improvements. Construction of these enhancements are tentatively scheduled for 2021.

Changes to the Woodbridge Shopping Village are irrelevant for consideration of the Land Developer's request. It only emphasizes that the direct surrounding area is commercial, and the 1.45 acre parcel is designed for a commercial structure for services, food, or other commercial uses for the residents that already reside in the Woodbridge Hills area. Is the Land Developer putting a condition on the rezone that the Land Developer will indeed make the necessary improvements to the Woodbridge Shopping Village? If the Rezone does not occur, does the Land Developer still intend to make the improvements to the Woodbridge Shopping Village? This should be addressed before further decisions are made.

Project Specific Details

Land Use Designation Change — The proposed tentative plan amendment proposes to change the land use designation of 1.45 acres from commercial to multi-family residential. As a result, the amount of acreage designated for commercial purposes will decrease slightly from 19.64% to 19.46% and residential use will increase from 40.71% to 40.89%, which is consistent with the PD, planned development requirements. For Commission information, no more than 20% of the total land area may be used for nonresidential purposes.

As stated previously, viewing 1.45 acres through the lens of 256.4 acres is a bastardization of logic. The true land area, if given context, would not meet this total land area requirement.

Residential Density — The proposed tentative plan amendment proposes up to 60 units on 1.45 acres resulting in a residential development density of 41 units/acre. Section 42-374.D limits residential density to no more than 12 units per acre in any one phase and no more than 7 units per acre overall. As a result, the applicant is requesting a 29 unit per acre modification to allow up to 41 units per acre within this one phase.

This increase alone should give the Planning Commission pause. This isn't a minor incremental increase, but rather, this is a massive increase. If this Rezone Project is approved, the entire area will change in character.

With regard to the overall Woodbridge Hills Planned Development residential density, there are 256.4 acres designated for residential use with a total of 1,357 units. Based on these numbers, the current overall residential density is 5.3 units per acre. With the addition of 60 more units, density increases slightly to 5.5, which is still less than the maximum permitted of 7 units per acre.

Completely misleading and lacks context. This is not comparing apples to oranges, but instead, apples to a rocket ship. The Aggrieved Party has 52 units spread over 5.6 acres of land. In contrast, the proposed Rezone Project is requesting to have more units (60) with less acres (1.45). Nothing in the entire PD is even close to make an analogy. The overall character of 1,357 units includes surrounding subdivisions with single family residential homes on traditional lots.

While the residential density of the proposed project is significantly higher than what would otherwise be allowed under the current ordinance requirements, the number of proposed units (up to 60) is consistent with the overall number of Marsh Point Condominiums units (52), which is located immediately to the north. The difference between the two projects is the amount of occupied land area. The Marsh Point Condominiums includes five, multi-family residential buildings and eleven accessory garages that occupy 5.6 acres of land. The proposed Woodbridge Hills project includes a similar number of units (up to 60), up to 63 below grade parking stalls (in addition surface area parking stalls) but occupies only 1.45 acres. Since the subject property and the Woodbridge Shopping Village are owned by the same entity, shared parking agreements with the Woodbridge Hills Shopping Village can also be considered.

This is a massive change. Of course, since the Land Developer is the same entity, parking agreements can be reached; however, the practical difficulty exists. The commercial shoppers and the residents

of the Rezone Project will not consider the "parking agreements" when they park or are driving through the parking lot. The reality is, they will be looking for a parking spot in a congested area. How many cars will be allowed per tenant? Although a separate, but related legal issue, the burden on the access road/easement that services the Aggrieved Party is one of the basis for their concern. The Aggrieved Party owns the road, subject to the use of surrounding properties. The access road was in existence to service the Aggrieved Party's complex at the time the original PD was adopted and approved. What would be the rationale to allow 120 more vehicles (if 60 units, two vehicles per unit) access to that road?

Property Line Setbacks — Section 42-374.D states internal setbacks for multifamily residential structures shall adhere to the requirements set forth in division 4, subdivision 10 of the Zoning Code. This section requires 30-foot setbacks from property lines. Included in the application materials is a preliminary site plan that shows an approximate 30-foot setback from the east property line, 20 feet from the south property line, 17-20 feet from the west property line and 45 feet from the north property line. The applicant is requesting a modification to reduce the minimum property line setback from 30 feet to 10 feet along the east, south and west property lines. Although the setback dimensions shown on the preliminary site plan are greater than 10 feet, the applicant is requesting flexibility for a slightly larger building envelope to reposition the building based on property specific details that may be encountered during the site plan review stage.

In addition to the rezone, the Land Developer is also requesting a Non-use/Area/Dimensional Variance. Non-use variances are not concerned with the use of the land but, rather, with changes in a structure's area, height, setback, and the like. *Heritage Hill Ass'n, Inc v Grand Rapids*, 48 Mich. App. 765, 768; 211 N.W.2d 77 (1973). Non-use variances also include "the right to enlarge nonconforming uses or alter nonconforming structures." 3 Rathkopf, *The Law of Zoning and Planning*, (4th ed, 1979) p 38-1.) Pursuant to the City of Portage's ordinance, in order for a variance to be granted, the Land Developer would need to meet all of the following criteria:

- A. That there is a practical difficulty in the way of carrying out the strict letter of this Ordinance.
- B. That the practical difficulty is due to unique circumstances related to the particular property and not general to other property in the district or neighborhood.
- C. That the problem was not created by the applicant.
- D. That granting the variance will not alter the essential character of the neighborhood or district.
- E. Every variance granted shall be in the minimum amount necessary to overcome the inequity inherent in the particular property.

The criteria for a variance cannot be overcome, i.e. the existing hardship is created by the Land Developer and the granting of the variance would alter the essential character of the district.

With regard to adjacent land uses and potential impacts resulting from the reduced setbacks, the adjacent land uses include the following (refer to the attached aerial photo):

- East — Parking lot for the Woodbridge Hills Shopping Center
- South — Vehicular maneuvering lane that connects Marsh Point Drive to the Woodbridge Hills Shopping Village. On the south side of the maneuvering lane is a vacant parcel planned for commercial use and Lake Michigan Credit Union.
- West — Marsh Point Drive. On the west side of Marsh Point Drive is a vacant parcel planned for commercial use.

See comments above and regarding the increased burden on Marsh Point Drive.

Modifications — Since the overall residential development density will exceed 12 units/acre and the east, south and west building setback less than 30 feet, modifications from these standards are being requested by the applicant in conjunction with the proposed tentative plan amendment. Section 42-375.L of the PD ordinance allows City Council to waive or modify specifications and standards for planned developments where it finds, on the basis of evidence supplied by the landowner, "*that such specifications are not in the best interests of the residents of the planned development and that the modification of such specifications are not inconsistent with the interests of the entire city.*"

See previous comment. This Rezone Project is the proverbial "Bull in a China Shop." The grand scope and significant impact on the area will change the integrity of the entire area. In addition, the environmental impact on natural wildlife and habitat cannot be ignored. The Aggrieved Party is also concerned about drainage.

Building Height — The applicant is proposing a building height up to 40 feet. Section 42-374.F of the Planning Development district does not specify a maximum building height. Rather, this section states: "The height of particular buildings shall not be a basis for approval or denial of a plan, provided that any structure in excess of 45 feet shall be designed to be consistent with the reasonable enjoyment of neighboring property, the entire planned development and the efficiency of existing public services."

Tallest manmade structure in the area. It is not aesthetically pleasing.

The nearest residential use is Marsh Point Condominiums located to the north. The elevation of the proposed project area is approximately 8-10 feet higher in elevation than the adjacent Marsh Point Condominiums. Site characteristics that will help mitigate potential impacts associated with a new 40-foot high building include the distance from nearest Marsh Point Condominium building (approximately 170 feet to the northwest) and the Marsh Point Condominium garages that separate the proposed Woodbridge Hills apartment building from the Marsh Point Condominium units located further to the north/northwest.

Drainage concerns, impact on environment, flooding, etc. all must be addressed. The Land Developer is essentially minimizing the "physical impact" on the Aggrieved Party. It would be shocking to anyone if instead of looking at open space, or even a commercial structure, there is a 45 foot building out your window.

Traffic/Pedestrian Considerations — With regard to vehicle trip generation, the 8th Edition of the Institute of Traffic Engineers (ITE) Manual indicates a three story, 60 unit multi-family residential building will generate 12 vehicle trip ends (8 vehicles exiting the site and 4 vehicles entering the site) during the morning peak hour. During the afternoon peak hour, 18 vehicle trip ends are anticipated (11 vehicles entering the site and 7 vehicles exiting the site). In comparison, a 15,000 sq. ft. general retail building will generate 51 vehicle trip ends during the morning peak hour (20 vehicles exiting the site and 31 vehicles entering the site). During the afternoon peak hour, 178 vehicle trip ends are anticipated (87 vehicles entering the site and 91 vehicles exiting the site). Additional traffic related details associated with this proposed project will be reviewed upon submittal of the detailed site plan.

In Super Bowl III, the Baltimore Colts were 18-point favorites over the New York Jets. The rest is history. The point of this reference is that on paper, things can be much different than reality. Conduct a traffic study, after all, lives are at stake. If the Rezone Project were approved without having the requisite due diligence, the results could be catastrophic. A safety decision should not be solely predicated on a book.

There are multiple points of access to this portion of Woodbridge Hills Planned Development including the signalized intersection at Moorsbridge Road & West Centre Avenue and three existing driveways located west of Moorsbridge Road. Also, the land uses/parking lots between Moorsbridge Road and Marsh Point Drive are all interconnected.

There is a significant easement issue with respect to the proposed Rezone Project and the Aggrieved Party. While there exists an easement over the private road (which is owned incidentally by the Aggrieved Party), the easement cannot be overburdened. The scope of the Land Developer's Rezone Project will overburden the easement. The Court in *Delaney v Pond*, 350 Mich 685, 687; 86 NW2d 816 (1957) provides useful guidance on overburdening an easement: "The use of an easement must be confined strictly to the purposes for which it was granted or reserved. A principle which underlies the use of all easements is that the owner of an easement cannot materially increase the burden of it upon the servient estate or impose thereon a new and additional burden." In other words: "The scope of an easement encompasses only those burdens on the servient estate that were within the contemplation of the parties at the time the easement was created." *Wiggins v City of Burton*, 291 Mich App 532, 554; 805 NW2d 517 (2011).

This law firm's communication to the Land Developer to discuss the easement have been unsuccessful as the Land Developer has not offered a viable solution for related to the road. The Land Developer has ignored the Aggrieved Party's representatives.

The Land Developer glosses over the access points. Will residents actually go to Moorsbridge Road and drive through the congested commercial parking area to get to the complex? The shortest access point is to use Marsh Point Drive.

Emergency vehicles also will need access and a 60 unit high rise building likely will result in additional on-site visits by public safety.

Sidewalks will be constructed adjacent to the proposed building. Currently, there are no sidewalks adjacent to the proposed development site that connect to the existing West Centre Avenue sidewalk or

the Woodbridge Hills Shopping Village. The location of these additional sidewalk connections are being evaluated by the developer and will be included on the site (final) plan.

Is the Land Developer making this a condition as to the rezone? If yes, what timeline, and what happens if the Land Developer fails to meet such representations and obligations?

Storm Water Management— The applicant proposes to retain and treat storm water in below grade tanks. With the proposed development, the applicant indicates existing grade/slope will be modified to alleviate storm water runoff onto adjacent properties. Details associated with storm water management will be reviewed with the submittal of the detailed site (final) plan.

Natural habitat will be disturbed. Flooding and runoff patters are major concerns for the Aggrieved Party.

IV. PUBLIC NOTICING REQUIREMENTS:

Residents/property owners within 300 feet of the overall property (4100 West Centre Avenue) have been notified in writing of the proposed tentative plan amendment and the Planning Commission meeting. Additionally, a public notice was also published in the local newspaper. At the time of report preparation, no citizen communications have been received regarding the proposed tentative plan amendment.

Agreed that notification was published; however, the Land Developer's communications with the Aggrieved Party is lackluster. Communication, transparency and open government break down real and perceived barriers. The Aggrieved Party takes this very seriously, and it cannot be stressed enough that anxiety and turmoil exists through the lack of transparency and communication. Systemic problems need to be dealt with immediately.

V. RECOMMENDATION:

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the review/discussion at a subsequent meeting, the Commission is advised to receive public comment during the February 4, 2021 meeting and adjourn the public hearing to the February 18, 2021 meeting.

Attachments: Zoning/Vicinity Map
Aerial Photo Map
Application

I intend to speak at the February 4, 2021, Planning Commission Meeting.

Sincerely,

KREIS, ENDERLE, HUDGINS,
& BORSOS, P.C.

A handwritten signature in cursive script, appearing to read "Kay E. Kossen".

Kay E. Kossen

KEK/JDL

Cc: Marsh Pointe Condominium Owners Association

Christopher Forth
Deputy Director of Planning and Development
City of Portage
Portage, Michigan

RECEIVED
FEB 18 2021
COMMUNITY DEVELOPMENT

February 16, 2021

Dear Mr. Forth and Planning Commission Members,

Thank you again for the opportunity to express my concerns about the proposed construction of a multi-family structure on property immediately south of the Marsh Pointe Condominium neighborhood at 4100 West Centre.

The 633 Group presented information to the Association Board and then again two weeks ago. Both presentations focused on the fine building, plan rationale and amenities that will be available to renters of their units. What has been missing is the consideration of other factors that impact quality of life for their renters and the neighbors including businesses near the proposed building and the Marsh Pointe Condominium neighborhood. I would like to address them in the following paragraphs.

The lack of planned green space for families and pets. Whether it is bathrooming space for pets or a place for outside activities for families, these were not included in the plan nor addressed in public presentations. The density of population with out any green space is not acceptable to good neighborhoods or quality of life for all concerned.

There is a plan for underground parking, but it is not uncommon for there to be more than one vehicle per unit. The limited parking was not explained. If insufficient designated parking is not available vehicles could be parked in the spaces of other local business or on the streets near this proposed building. Both are unacceptable options in our city.

Appropriate boundaries between the proposed structure and the neighbors that would serve as a visual border to the 633 Group property was not mentioned at either presentation.

The 633 groups claim to be caring for the water ways in our area but has not presented a plan to address the run off rain, snow melt and so on from the proposed building site. With more land covered with asphalt and building, more water will have to run down-hill and into the Marsh Pointe neighborhood to reach the lowest point in the area, Hampton Creek Bog. This same water will be contaminated with chemicals that are part of any building and parking area. This environmental concern has been addressed by others, city officials, who are concerned about our beautiful but fragile environment in the Portage community. Specifically, the Hampton Creek Bog area is addressed in the Environmental Impact Study of 2019 and directed to Kendra Gwin, City of Portage.

<https://www.portagemi.gov/DocumentCenter/View/3039/Environmental-Impacts-Summary>

I would encourage the Planning Commission and other decision makers to review the findings of this document to confirm the concerns of residents of Marsh Pointe Condominiums who have accepted a community responsibility to care for this protected area because of our homes bordering on the bog.

Variances to existing rules for the placement and construction of the building and parking have been made as well as a request for a redesignation of property use. I believe that this is a plan based on

financial interests and not in alignment with the vision of our city plans for a safe community. The requested variances will impact of traffic flow, land use, access to emergency vehicles and of course an impact on existing properties and property owners. The easement to access the designated parcel of land must be addressed also and a plan made to address the increased wear on shared road space.

Lastly, is a community concern about the potential impact of a rental units on noise, crime, and disruption to the calm, safe and quiet of Marsh Pointe Condominiums. There is significant data of increased crime in nearby rental communities. I do not want, we do not want this as part of the neighborhood. I chose to live here because of the peaceful, nature focused and safe environment that is near services of the city.

Again, your attention to our concerns is appreciated and we encourage a visit to the proposed parcel of land before final decisions are made.

Sincerely,

Linda A. Dove

4076 West Centre, #110
Portage, Michigan

Christopher Forth

From: Gretchen Shannon <gretchenshannon@hotmail.com>
Sent: Tuesday, February 16, 2021 7:46 PM
To: Christopher Forth
Subject: Marsh Pointe

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

My name is Gretchen Shannon and I live at 4024 W. Centre Ave. Unit 120 at Marsh Pointe. I am very concerned about the proposed protect with the 633 Group. In my opinion, that project requires a much larger parcel. Im worried about traffic, protecting the Marsh, our safety and the increased congestion. Turning in from Centre Ave during drive times is already a nightmare

When I am leaving my condo on our road, its almost impossible to safely make a left hand turn on to Centre. Most of us have to drive through the shopping center to the light to safely make a left hand turn.. We also get a lot of bank traffic from the two banks. There is so much new construction out Q Ave that we have to deal with and now this will make it intolerable.

We already have drainage problems from that parcel rotting the back side of the garages. Where is that additional water going to go. Where are those extra cars going to park. Where are their guests going to park. Where are those up to 120 dogs going to go to the bathroom with no green space Those are very real concerns to us.

I moved to Marsh Pointe 2 years ago from West Pointe Condominiums. I had lived there 10 years when the new builder decided to rent the condos closest to the highway. They were "high end " rentals. Well a renter is not an owner. Suddenly we had dogs running loose, golf carts on the street, pet owners not picking up after their pets and a few cars broken in to. Coincidence, I don't think so. I moved to Marsh Pointe shortly after.

When I moved here, I did my due diigence. All land was protected or zoned commercial. Now they are trying to build a neighborhood on a postage stamp. Please do not approve this project. There are enough large parcels that can easily handle this project. The city of Portage prides itself on spacious neighborhoods and family areas. Again, please don't approve this project .

Thank you for your time

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Christopher Forth

From: LYNDA REPINS <lrepins@aol.com>
Sent: Wednesday, February 17, 2021 10:45 PM
To: Christopher Forth
Subject: 633 group Proposal

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER Do not click on links or open attachments unless this is from a sender you know and trust.

Dear commissioners

My name is Lynda Repins I live at marsh pointe building 4128 unit 205 I have lived there for 11 years

I am sending this message to the commissioners and the committee to let you know that I enjoyed living in my area I enjoy the bank I enjoy the restaurants I also enjoy the Hardings I used to work at Hardings and I think it's a very lovely community I am concerned for the welfare of our neighbors and all of our proposed neighbors because there is going to be some issues of safety right now things are pretty hectic if we add more people to the mix there is going to be some problems I have had some very close calls with automobiles not heeding the stop signs in the community around the restaurants and the grocery store and banks. I also fear that there might be some issues with people walking there is going to be more walking traffic with the proposed new building and parking facilities and the roadways around the parking facilities are already heavy traffic more traffic is going to jeopardize the roads and the potholes I hope there's an answer to some of these questions that I have .

Thank you for this opportunity to let you know how I feel I'll be looking for your answers as soon as possible.

Lynda Repins

Sent from my iPhone Lynda Repins

Christopher Forth

From: mary kelemen <marykelemen@att.net>
Sent: Wednesday, February 17, 2021 7:36 PM
To: Christopher Forth
Subject: Tentative Plan Amendment for Woodbridge Hills Planned Development at 4100 West Centre Avenue

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

My name is Mary Kelemen and I live at 4128 West Centre Avenue, #208 in Marsh Pointe Condominiums. I would like to thank you for giving me the chance to voice my opposition to the proposed amendment to the Woodbridge Hills tentative plan to change the land use designation at 4100 West Centre Avenue from commercial to multifamily residential.

I have lived at Marsh Pointe for 16 years. I rented for two years and when the property was converted to condominiums, I purchased my unit. I moved to Marsh Pointe in the first place, because of the setting and the fact that it was a nice quiet complex, not like the other larger apartment complexes where I had previously lived. I have gotten to know a good share of my neighbors and everyone is friendly and they care about the community and have a pride of ownership which is not found in a rental complex. Like myself, a lot of the owners purchased their property based on the expectation that the surrounding property would stay designated as commercial.

I have many of the same concerns as the other Marsh Pointe residents who have spoken out against the proposed development by 633 Group. I feel that with a three story high rise apartment building on a 1.4 acre parcel and the potential of 60+ residents, the renters will infringe upon our property. There will be very little, if any, areas for the residents to walk their dogs and their children to play on the property of the proposed development. Marsh Pointe residents enjoy the beautiful marsh, watching the birds and wildlife, and being outside socializing with their neighbors. They do not look forward to a high rise apartment complex looking down on them.

Another concern of mine is the increase in traffic using the Marsh Pointe drive up to Centre Avenue. I am afraid it will be unsafe for residents to walk, run, and bike in the area around our community. Currently, traffic coming from the access drive by the Lake Michigan Credit Union over to the Marsh Pointe drive, does not always stop at the stop sign. I hate to think of the potential for accidents with the increase in traffic, not only vehicular and pedestrian, but construction traffic too.

I am also concerned about the potential for the increase of crime in our area. Marsh Pointe has always been a safe quiet community and almost everyone knows their neighbors and they look out for each other. With a three story high rise apartment building so close to our complex, I would not feel as safe as I do now. There will be people coming and going at all hours, residents and visitors. There will certainly be the potential for an increase in noise, disturbances and car break-ins in the Marsh Pointe community.

I won't reiterate all the concerns others have mentioned, that I too have, regarding drainage issues from the proposed development and the excessive wear from the increase in traffic on our newly paved parking lot and drive.

I trust that the Planning Commissioners have been able to visit Marsh Pointe to better understand the resident's concerns and understand why the residents have such pride in owning a condominium in this beautiful and quiet community. I do hope that that you and the City Planning Commission will take into consideration the impact that this proposed amendment will have on the Marsh Pointe community.

Respectfully,

Mary Kelemen
4128 West Centre Avenue, #208
Portage, MI 49024
(269)327-5693
marykelemen@att.net

Christopher Forth

From: Jason B <jaybadd@gmail.com>
Sent: Thursday, February 4, 2021 12:00 PM
To: Christopher Forth
Cc: Lindsay Flynn
Subject: 4100 W. Centre Ave - 633 Group

RECEIVED
FEB 04 2021
COMMUNITY DEVELOPMENT

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

To whom it may concern,

My name is Jason Badders. My wife (Casey Basdders), 2 children, and I reside at 4128 W Centre Ave #305, Portage, MI 49024.

We are contacting you regarding our concerns about the proposed apartment development adjacent to our property (Marsh Point Condominiums). We have lived on this property for approximately 5 years and find it a beautiful, quiet, peaceful setting to live in and raise our family.

The proposed project/building would greatly degrade our quality of life, safety, and enjoyment for all residents. The City of Portage has ordinances and codes for many reasons and the restrictions in the Code is to protect the residents of Portage. Please take into consideration the residents of our Condo Association as you consider granting variances to the City's Code. Allowing a variance for height of this project will be a detriment to our residents. We currently have beautiful natural views on all sides of our property. It allows a peaceful and beautiful setting. Allowing a three story residence, on top of a hill, would be devastating. Not only would the building be higher than code allows, it also sits higher than our property which would make the proposed building more than 4 stories from our perspective.

The proposed project is also asking for a set back variance. The City has these building restrictions in place for reasons of public policy such as safety, privacy, and environmental protection. We are concerned about all of these issues if a set back variance is awarded. With the new building crowded upon our property lines and structures, things like fire and safety are a major concern. We would also lose all sense of privacy as a building of this height would allow the residents to look down into our windows. Our association has also spent large sums of money to ensure proper drainage and protect the Marsh that we call home. Where would the drainage from this property go? There will be very little green space around the new project and it is conceivable that much of the drainage from the proposed property would become an issue for our Association.

We also have a huge concern about the proposed apartments allowing pets, especially dogs. The property for the proposed project is quite small for a project of this size. With the building and associated parking for 50 plus units will leave very little green space for the residents. If they have dogs, where will they go to run, play, and relieve themselves? This would not be fair to our residents as our green space would be used by others who would have no interest in maintaining the property and keeping it clean and sanitary. This also has the potential to become a noise concern as we all know barking dogs can become a nuisance.

This summer our association spent a huge sum of money repaving our drive and parking area. Some of the drive is used by other businesses. These businesses have refused (as did Group 633) to assist in repairs and replacement of the drive. We own the drive but their employees and customers use it daily to access the businesses. Why should our owners be solely responsible for this cost? Again, Group 633 has already shown it is unwilling to assist with the road.

We are also concerned about increased traffic on and by our property. The entrance/exit to our property on Centre Ave is already extremely busy and dangerous. Added traffic would add to this danger. There is not a stop light at the intersection, the speed limit is 45, and Centre Ave can be very busy during the day. We have a lot of older residents who walk and exercise in the area and we are worried about the danger that the increased traffic will lead to.

When we purchased our home, the lot for this proposed building was (and still is) zoned commercial. We pictured a small restaurant or a wine store going in. Not a huge apartment complex. We ask that you not zone this parcel residential.

How many trees would need to be removed?

One of the reasons we chose to purchase a home at Marsh Point is the beauty and solitude. It is set back off the road, has natural scenery on all sides, and is very quiet. This proposed building would destroy all of those things. Please consider the residents of Marsh Point who were here long before this proposed project.

We ask that you take the time to visit our property and see the negative aspects of this project from our perspective. Marsh Point is BEAUTIFUL. WE DO NOT WANT TO LOSE IT OR DESTROY IT!!!

Please do not allow this to happen. It is where we live, it is our backyard, we are citizens of Portage.

Respectfully,
Jason and Casey Badders

If you have any questions or concerns please contact us by email or call 269-760-0176.

RECEIVED

FEB 04 2021

Donna D. Ross (Kaye)
Marsh Pointe Condominiums
4050 W. Centre Ave., #213
Portage, MI 49024

COMMUNITY DEVELOPMENT

Dear Members of the Portage Planning Commission:

My name is Donna Ross (Kaye) and I live at the Marsh Pointe Condominiums. This letter is in re/to the 633 Group application to change the land use of 4100 W. Centre Ave., which sits directly south of our community, from commercial to multi-family residential.

After serving as an educator for the public school system for over 33 years, I decided to retire a year ago. With that retirement came a decision to "down-size" - I spent a lot of time looking for the perfect condominium community - something peaceful, quiet, and a place where I could enjoy beauty/wild-life, and not too far to commute to surrounding areas. I found it at Marsh Pointe. I bought my property not even a year ago and I have enjoyed all of the things that I just mentioned. It is the first time I have lived in Portage!

I recently found out about the 633 Group's request and I have to say that I am concerned on so many levels. The plan to put multiple units on such a small parcel of land is astonishing to me. I believe that it would greatly impact (in a negative way) many practical issues. In addition, it would impact the the peaceful aesthetic gifts of Marsh Pointe.

These are the areas that are of most concern to me:

1. Environmental - When I purchased the property 9 months ago, the Realtor I worked with was so impressed by the protected wetlands adjacent to Marsh Pointe. I was impressed as well - it is a beautiful, peaceful, delicate, and fragile marsh. The proposed apartment building is just yards away from this area. My church family has been very active regarding issues of climate change - in fact, just last Sunday, our minister shared the welcome news that the Portage City Council is possibly poised to join with other communities around the country urging action on global warming. I truly believe that saving and protecting areas like our marsh dovetails with climate change issues.

2. Safety - Again, the fact that so many people would be living in such a small area is a safety concern to me.

3. Traffic concerns and garage/car concerns - there would be numerous cars/other vehicles that would be connected to the proposed apartments which would obviously result in more noise and exhaust, especially since the apartment would sit so much higher than the Marsh Pointe Condos....creating problems for the residents and, of equal importance, to the marshland.

4. Utility concerns - the property sits very high above our condos and I would be very concerned about environmental drainage coming from the proposed apartments. I am also confused about what kind of "green-space" these apartments would have to offer residents - would it be pet-friendly? If so, where would the dogs be walked?

5. Noise concerns - my condo faces the south and is on the 2nd floor. I would be directly facing the back of this 3 story building which I assume will have balconies or open areas on the back. This would literally be just yards away from my balcony and others that also face that area.

6. Enjoyment - one of the main reasons I decided to move to this lovely area was because of the peaceful, soothing, and restful environment. I realize that this is a more personal issue but it is of utmost importance to me - I have an auto-immune disease that is manageable but can sometimes be very challenging. That is the reason that I chose to buy property here at Marsh Pointe - to enjoy the harmony with nature in an accessible area. If these apartments are built, I will literally be looking at the back-side of a large apartment wall - all of us on the south side would be confronted with that unpleasant reality. This back-end apartment view would be seen from almost all of my windows. The apartment building would cut off the view of trees which would greatly affect the enjoyment I have come to know in the last 9 months of living here. I would most definitely not EVER have considered buying a property that had a view of a tall apartment building but I had no knowledge of this plan 9 months ago. It is difficult to describe the situation with words, so I would love to extend an invitation to any of you to visit, not only my property, but all of the property here at Marsh Pointe - that would hopefully add to your understanding of the setting that I am trying to describe.

Thank you so much for taking the time to read my letter of concern. As I'm sure you can tell, I am very passionate and concerned about the possibility of this plan. It makes me want to weep. I doubt that I could live here if this plan were to go through and it would break my heart to leave. I love it here....I love the peace, quiet, sense of community, and the accessibility. I implore you - please do not allow this to happen. I would also welcome a chance to talk to any of you in a one-to-one situation or to answer any questions you may have of me, personally. My phone number is 269-267-9244. I would be happy to take your call.

Respectfully,

Donna D. Ross (Kaye)

Dear City of Portage Planning Commissioners, City Council Members and the Department of Community Development,
First, thank you for taking the time to review our concerns.

The Marsh Pointe Condominium Association is writing as a collective body of 52+ owners to express their concerns and objections to the proposed change to the land use designation at 4100 West Centre Avenue from commercial to multifamily residential.

Please see the attached rendering of the subject parcel which you can see directly effects Marsh Pointe Condominiums *solely* as it is the only residential property in sight of the parcel. While we are aware that there is a radius of potential owners that may have received notice of this amendment application, only the owners of the Marsh Pointe Condominium Association will be impacted on a residential level. When the Planned Unit Development (PUD) was originally designed and approved it was as a commercial parcel. The expectation of all Marsh Pointe Condominium Owners was that the original design would remain as commercial providing for the quality enjoyment of their properties.

The Marsh Pointe Condominium Association is extremely concerned about the proposed development of the 1.4-acre parcel to the south of our community considering the size of the intended development on such a small parcel of land. Marsh Pointe Condominiums sits on over 5 acres and has 52 total units. The proposed development is expected to have 57 units and sit on 1.4-acres. Further, the proposed development requests for the building height to exceed the code limit along with a request for shorter setbacks to our property lines which are all concerning as the Association does not feel that would be "designed consistent with the reasonable enjoyment of neighboring properties" as required per the letter dated October 23, 2019 written by Christopher Forth, Acting Director of Community Development of which I have attached a copy for your records.

Additionally, the Marsh Pointe Condominium Association is *solely* responsible for the service and maintenance of the drive to the West of the proposed parcel, this drive would be the primary point of ingress and egress for the proposed parcel as well. The concern is primarily focused on the increased traffic levels that could effect the safety of the Marsh Pointe Co-Owners as it is the Association's *only* point of ingress and egress. Further, the increased traffic would cause additional and excessive wear on the Association property.

The easement that allows the neighboring parcels use of the Marsh Pointe drive is outdated and requires amendment due to the ample development and increased use of the area over time. The Marsh Pointe Condominium Association Board retained an Attorney in 2019 to work with 633 Group to amend the current easement agreement to which they have been unwilling to reasonably agree.

Additionally, the proposed development raises concerns regarding drainage from the parcel property to the Marsh Pointe Condominium Association property. Over the years, the Association has had many issues with drainage even from the natural land that has required the Association to install french drains on the south border of our property along the parcel boundary as well as with the replacement of rotted garage siding due to the heavy amounts of water that run onto the land. These costs exceed \$20,000 and as this is an active issue will require additional funds over time.

There is concern that the proposed development plans to maintain little grass or lawn space and yet they intend to allow pets (confirmed by Craig DeNooyer). How would a barrier be established so those pet owners are not using the Marsh Pointe grounds? The grounds of the Marsh Pointe Condominium Association are one of the primary appeals of the community and also identifies an additional concern as the property sits on a wetland that requires specific knowledge and care. The owners of Marsh Pointe pride themselves on the care of their community and want to ensure that neighboring properties do not cause harm to their natural enjoyment.

The Marsh Pointe Condominium Association Board has retained an Attorney to represent their petition. Kreis and Enderle will also be providing a formal response to the Planning Commission for review on behalf of The Marsh Pointe Condominium Association.

The Marsh Pointe Condominium Association Board and Owners also plan to attend each Planning Commission and City Council meeting where this development may be discussed as a way to ensure the City can further understand and respect their concern.

The Marsh Pointe Condominium Association would like to invite you, and all Planning Commissioners and City Council Members, to visit the proposed parcel to witness the size of the parcel and proximity to the Marsh Pointe Condominiums and to physically review the concerns detailed above.

Additionally, the Marsh Pointe Condominium Association would like to request that before any decisions are made that a traffic study be completed to confirm that amending the land use would be reasonable and still provide for the safety of the Marsh Pointe Co-Owners.

Again, we appreciate your review of our concerns and hope that you will consider the significant impact this modification will have on our community, safety and living enjoyment.

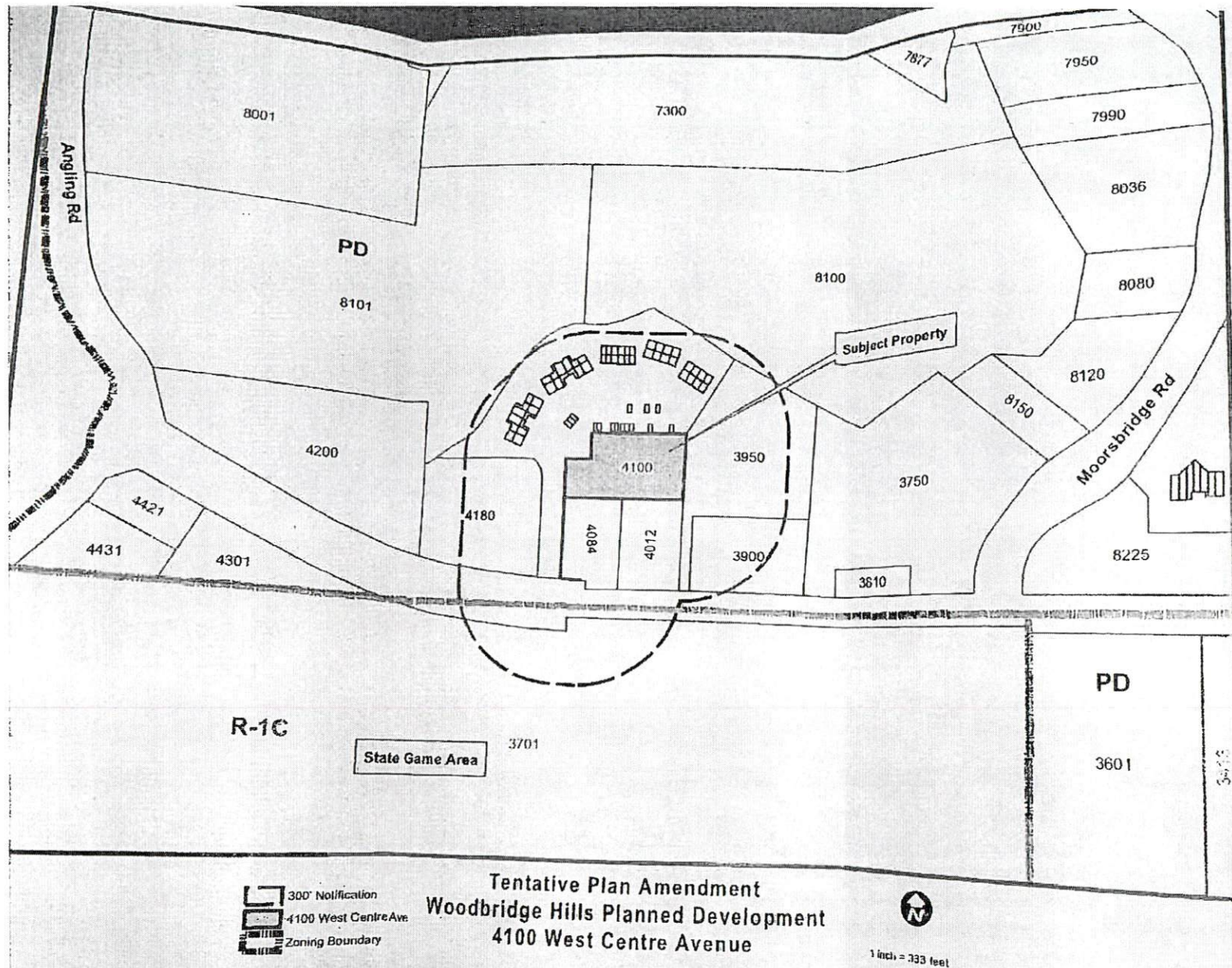
Respectfully,

The Marsh Pointe Condominium Association

See attached petition with all Owners listed

Prepared by on behalf of the Marsh Pointe Condominium Association:

Berkshire Hathaway Property Management
6312 Stadium Drive
Kalamazoo, MI 49009
(269)488-0133
marshpointecondoassociation@gmail.com



Christopher Forth

From: Amy Kurzmann <kurzmannamy@gmail.com>
Sent: Thursday, February 18, 2021 11:10 AM
To: Christopher Forth
Subject: Development of 4100 W. Centre Ave, Portage, Michigan

RECEIVED

FEB 18 2021

COMMUNITY DEVELOPMENT

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

February 18, 2021

Amy E. Kurzmann
Marsh Pointe Condominiums
4050 W. Centre Ave #214
Portage, Michigan 49024

Dear City of Portage Planning Committee, City Council Members and the Department of Community Development,

Thank you for your time evaluating and considering my concerns.

My first concern is for the for the land development at 4100 W. Centre and the impact it will have on the Hampton Creek Wetlands and the surrounding area.

The beauty of the Wetlands is what attracted me to this area. It is why we *all* are here.

The Wetland was drained due to the flooding that occurred to the Moorsbridge community and surrounding areas.

One example of the impact on the wildlife is: the duck population significantly decreased.

It would only stand to reason there are more.

Marsh Pointe condominiums took action and installed French drains to combat drainage issues that damaged our property due to the instability of the water flow in the surrounding areas.

It was imperative and costly.

Simply stated, any and all development will impact our environment, and could adversely impact the residents of Marsh Pointe Condominiums.

The proposed development would have a direct impact on wildlife, flooding, traffic, safety, crime and noise.

Last year, Marsh Pointe Condominiums paved the entrance to the owned road to our complex. This is an ingress and egress to this proposed development which we are solely responsible.

The traffic and heavy equipment will negatively impact the investment we have made and produce excessive wear on the pavement.

I believe safety in numbers does not apply here.

The sole responsibility of maintaining this drive is costly to a small community.

Is this equitable for everyone?

The request for land variances encroaches on our community.

The outcome for our community is unknown.

The request for a development of this size on a small parcel is mammoth in proportion.
Our community respectfully acknowledges 633's groups desire to develop their land.
We ask everyone to do the same, respectfully consider how this will impact Marsh Pointe residents homes and quality of life.
It is our desire to be good stewards of Hampton Creek Wetland and our community at large.
The fact that it could be developed differently and/or worse for us, is not something any of us would desire.
We desire to be good neighbors.
We desire an equitable and fair resolution to this proposal.

It is my sincere hope that each and everyone of you came out and observed how small the parcel is to the comparison to the proposed project.

Again, thank you all for your time.

Sincerely,
Amy E. Kurzmann

Christopher Forth

From: Elizabeth Wright <ewright@633group.com>
Sent: Wednesday, February 17, 2021 5:28 PM
To: Christopher Forth; Kelly Peterson
Cc: Andrew DeNooyer; Craig DeNooyer
Subject: Planning Commission Mtg - Thursday, February 18
Attachments: Marsh Pointe Communication Summary & Emails.pdf; Planning Commission Meeting Outline Notes 2.18.21.pdf; Presentation Materials for 2.18.21 Planning Commission Meeting.pdf

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

Hi Chris & Kelly -

Please see attached materials for tomorrow's meeting. Again, much of these visuals are already part of the material submitted for review. We plan to walk through this.

Please also see an attached Communication Summary Timeline with supported emails.

We want the Commission to know that we are more than willing to work with all property owners who benefit from all easements.

On a positive note, we did hear again from Ms. Kay Kossen yesterday via email. That correspondence with our response is attached with this summary.

Please let us know if you have any difficulty opening these attachments.

Thank you for all the help you, and your team members have provided us this far into the project's possibility.

Kindly,
E



Elizabeth Wright

CAPTAIN OF MAKE IT HAPPEN

Company Integrator

Certified Kolbe Coach & Consultant

7875 Moorsbridge Rd.
Portage, MI 49024

269-323-1400 Main
269-488-1714 Direct
269-217-5242 Mobile

[Watch 633 Group Video](#)

2/18/21 PC
Agenda

Planning Commission Meeting 2.18.21

– Requested PD Plan Amendment for 4100 W Centre

- **Product:**

- Woodbridge Hills is Portage's first and largest Planned Development with a history of housing innovation and variety.
- The multifamily product we are proposing is the next step in that lineage.
- Will likely see significant demand from new jobs created by local employers and empty nesters moving from other neighborhoods within Woodbridge Hills.
- Feasibility of this project is supported by a market study performed by Tracy Cross & Associates.

- **Location:**

- Walkability to services, retail, and dining.
- Easy access to public walk & bike paths and many amenities throughout Woodbridge Hills.
- Additional improvements planned for public spaces and walk paths at the Woodbridge Village.
- Walkability minimizes vehicle trips and promotes a healthy, thriving environment for residents and the surrounding businesses.

- **Environmental Concerns:**

- Portage has high standards for containing water on site, and we intend to adhere to those standards.
- We are aware that the City is developing a solution to the Hampton Bog water level issue and invite them to share those plans.
- Below grade parking design minimizes the amount of asphalt on site.

- **Traffic:**

- There are three access points to the parcel from Centre Ave and one from Moorsbridge Road.
- Marsh Point driveway easement has multiple beneficiaries on the East and West sides of the roadway. We are willing to revisit the existing easement and share the financial burden in a mutually beneficial way, however our agreement alone will not be sufficient. Marsh Pointe has expressed their unwillingness to propose a new agreement due to our plans being conceptual only.

- **Support:**

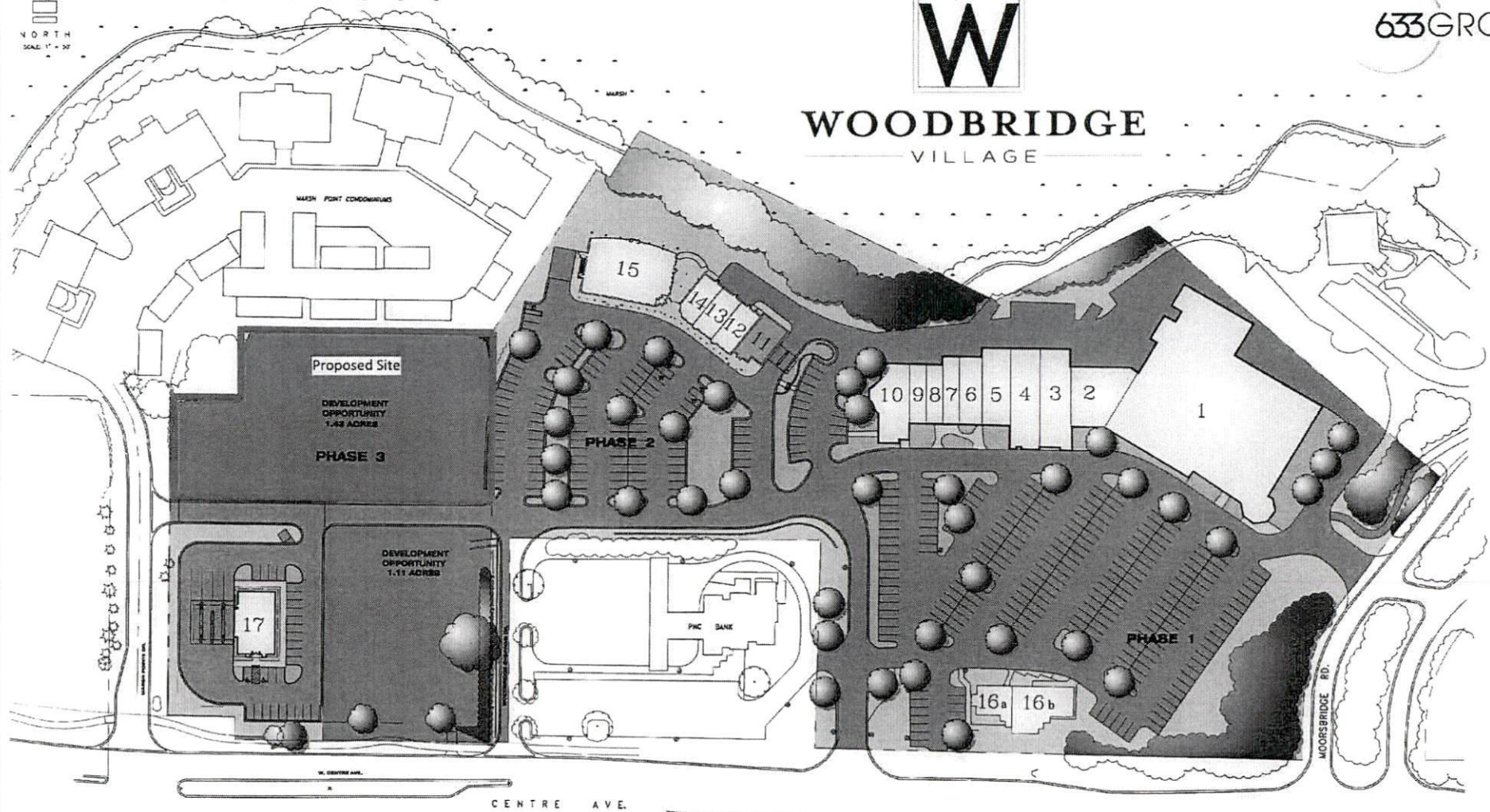
- We would like to note that this has overwhelming support from neighboring businesses.
- We ask for your support and positive recommendation to City Council for this PD Plan Amendment Request in order to proceed with further development detail on this project.





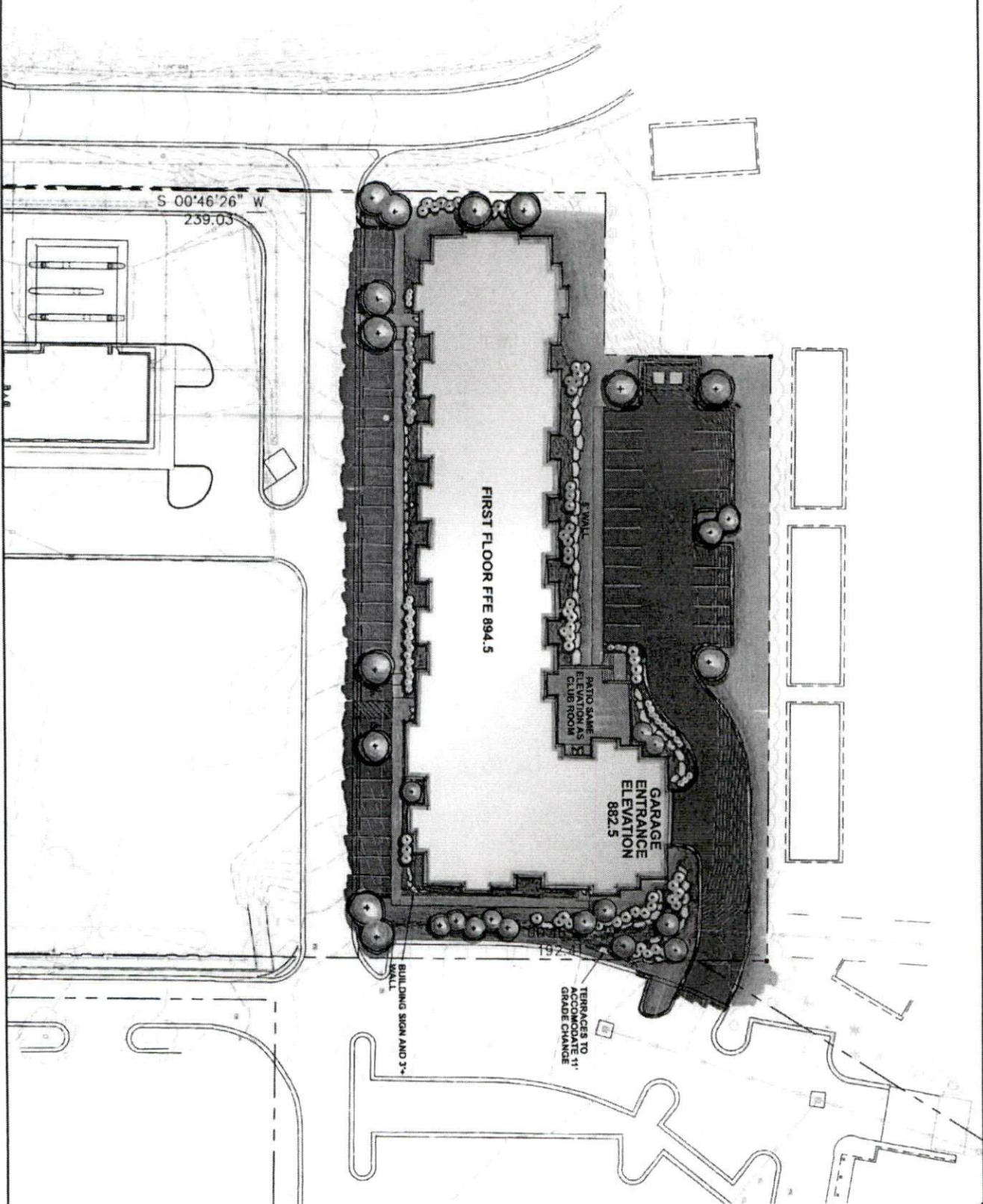
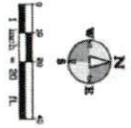
633GROUP

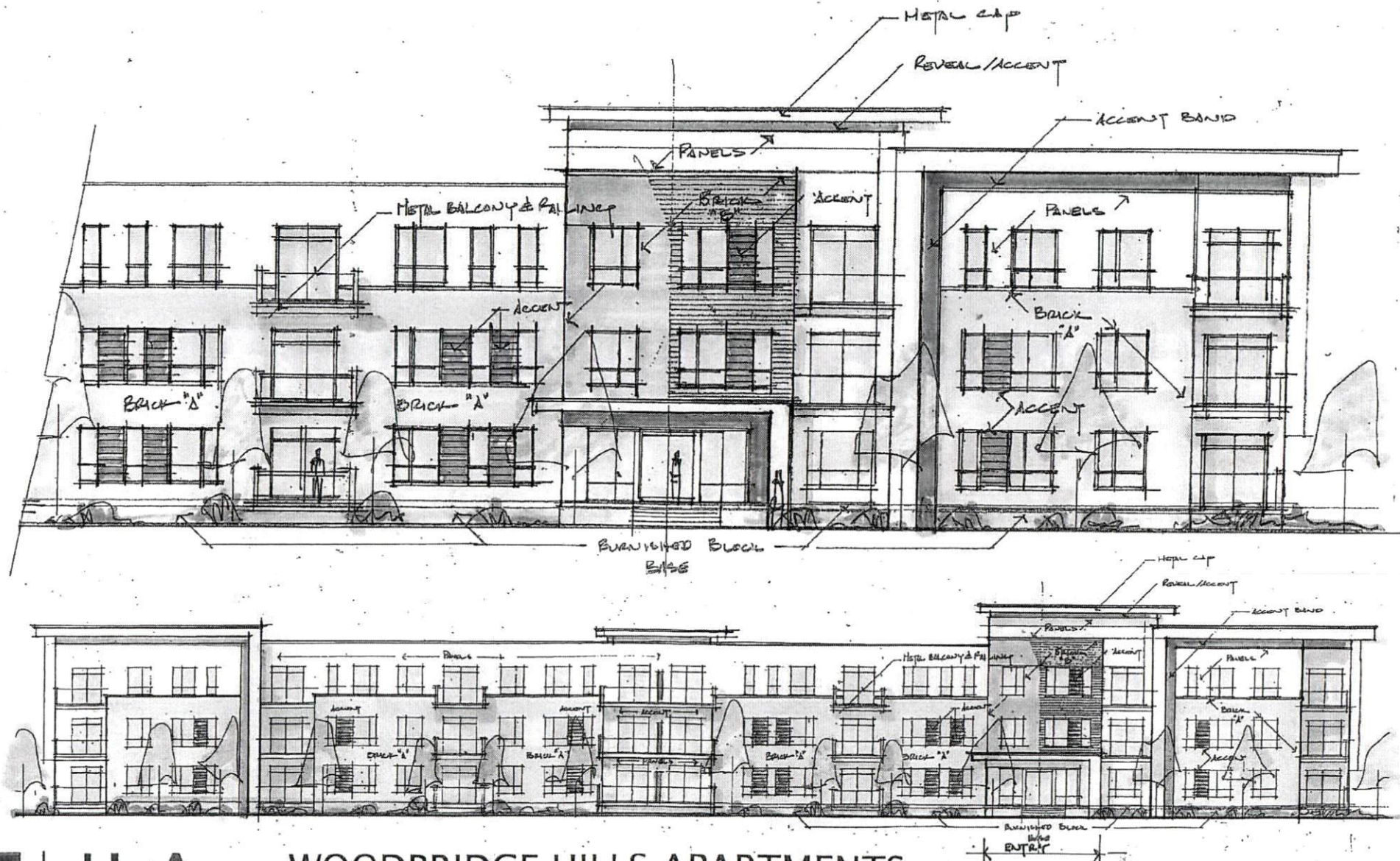
WOODBRIDGE VILLAGE



Suite Number And Tenant	Address	Square Footage	Dimensions
1 Hardings	3750 W. Centre Ave.	33,070 Sq.Ft.	186x125 +
2 McIntyre's Salon	3758 W. Centre Ave.	3,161 Sq.Ft.	31x64 +
3 Orange Theory Fitness	3762 W. Centre Ave.	3,378 Sq.Ft.	32x102
4 Design Details	3766 W. Centre Ave.	3,256 Sq.Ft.	32x102
5 Fiesta Burrito	3774 W. Centre Ave.	2,234 Sq.Ft.	30x76
6 Edward Jones	3798 W. Centre Ave.	1,600 Sq.Ft.	25x64
7 Little Caesars	3814 W. Centre Ave.	1,607 Sq.Ft.	25x64
8 Subway	3822 W. Centre Ave.	1,010 Sq.Ft.	18x56
9 Ziingo	3830 W. Centre Ave.	1,013 Sq.Ft.	18x56

Suite Number And Tenant	Address	Square Footage	Dimensions
10 Big Apple Bagels	3838 W. Centre Ave.	2,322 Sq.Ft.	29x74 +
11 Available	3910 W. Centre Ave.	1,825 Sq.Ft.	35x55
12 West Michigan Chiropractic	3920 W. Centre Ave.	1,426 Sq.Ft.	26x55
13 Portage Orthopedics	3930 W. Centre Ave.	1,425 Sq.Ft.	26x55
14 UniQ	3940 W. Centre Ave.	1,396 Sq.Ft.	25x55
15 Fieldstone Grill	3970 W. Centre Ave.	6,365 Sq.Ft.	67x98
16a Travel Focus	3810 W. Centre Ave.	1,521 Sq.Ft.	52x30
16b Center For Vein Restoration	3810 W. Centre Ave.	1,900 Sq.Ft.	52x75
17 Lake Michigan Credit Union	4100 W. Centre Ave.	3,052 Sq.Ft.	42X70





JLA
ARCHITECTS

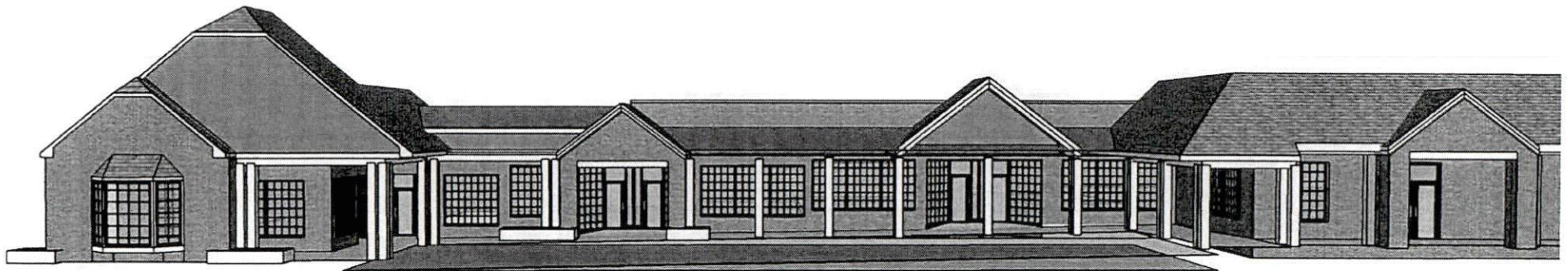
WOODBIDGE HILLS APARTMENTS CONCEPTUAL ELEVATION

AUGUST 29, 2011
1" = 20' @ 11"

PERSPECTIVES



PROPOSED ELEVATION



EXISTING ELEVATION

intersect

Design. Strategy. Architecture.
intersect-studio.com



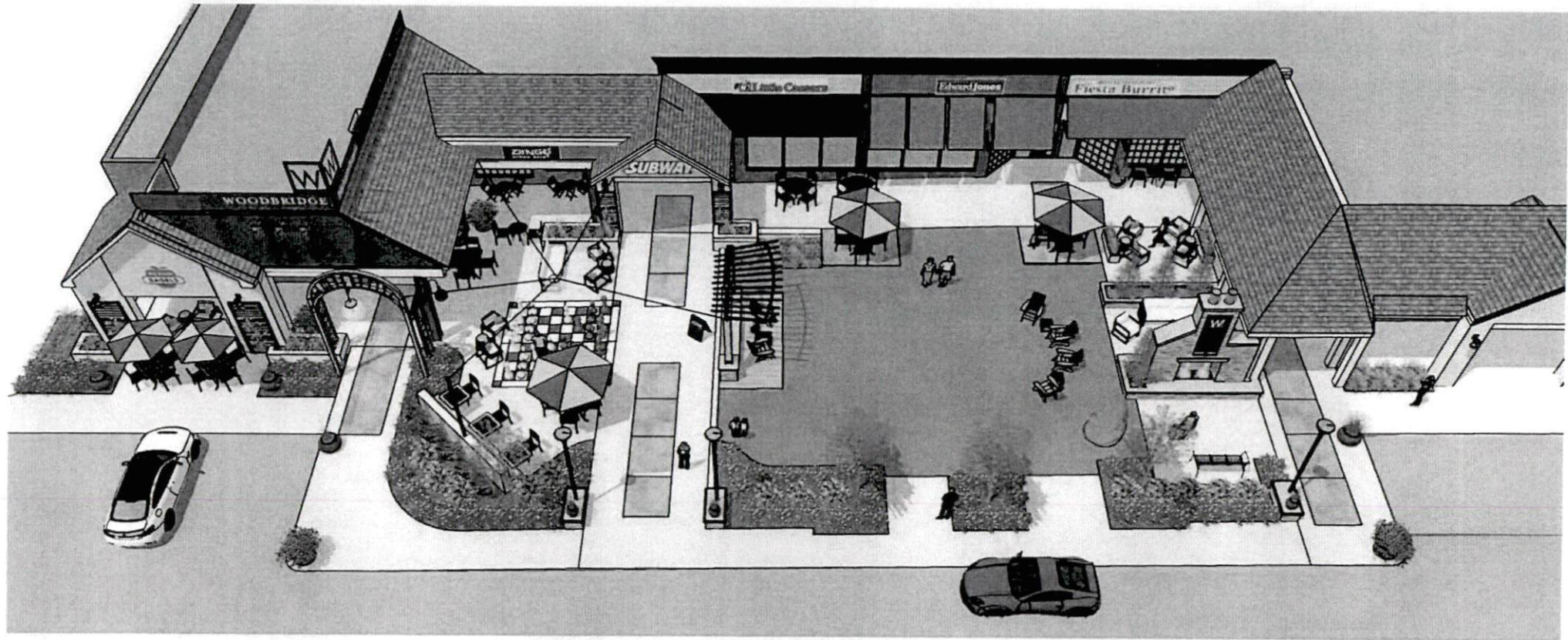
Woodbridge Renovations
Portage, MI

Outdoor Concepts
January 15, 2021

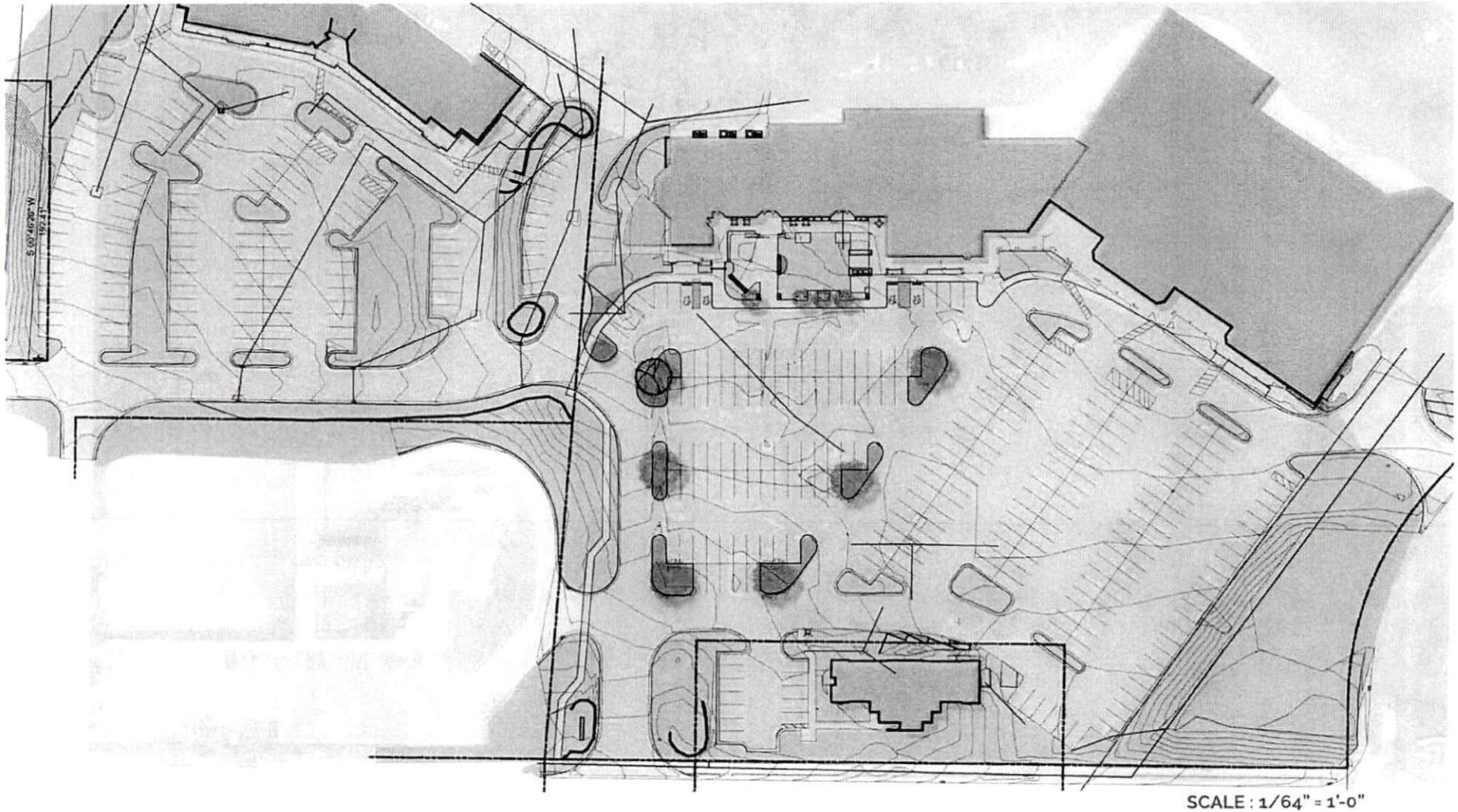


p.

PERSPECTIVES



EXPANDED SITE



SCALE : 1/64" = 1'-0"

p.2:

intersect

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633GROUP

Woodbridge Renovations
Portage, MI

Outdoor Concepts
January 28, 2021



633 Group

Communication History with Marsh Pointe Association and/or its Representatives

Below is our timeline account on communication history.

Wednesday, July 10, 2019

Outreach to Berkshire Hathaway HomeServices as suggested by former Marsh Pointe Property owner, Mike Seelye. Lindsay Flynn is Director of Property Management.

Tuesday, July 30, 2019

Meeting at 633 Group Offices with Lindsay Flynn and Diane Bornhorst of Berkshire Hathaway Property Management Services.

A general overview of refresh projects planned for Woodbridge Shopping Village with a focus on "village square component". Highlighted the 2 remaining land parcels we own that are presently undeveloped and gave an overview of the residential concept we were working on based on a residential market study completed by Cross & Associates.

*Please see Lindsay's email in response to that meeting and what they perceived would be some concerns. They agreed with our suggestion of a preliminary concept review with Marsh Point Association Board Members as a next step. We anticipated this taking place in the fall.

Tuesday, October 29 – November 8, 2019

Email exchanges setting meeting with the Association Board for Tuesday, November 18 at 6:30P & location to be Berkshire offices on Stadium Drive. Lindsay again mentions the main concerns and mentions the Associations legal counsel making a "written introduction".

Monday, November 11 – Wednesday, November 13, 2019

Email exchanges inquiring on accessibility to office equipment for a visual PowerPoint presentation. We let Lindsay know that we have not heard from their legal representative.

Monday, November 18 - 6:30P, 2019

Berkshire Hathaway offices. Marsh Pointe Board Members in attendance with Lindsay Flynn. Craig DeNooyer, Andrew DeNooyer & Elizabeth Wright from 633 Group in addition to Jerry VanderVeen of VanderVeen Construction, also in attendance.

We went through a conceptual visual presentation very similar to what we have provided the City of Portage. Craig DeNooyer was able to provide some history on how the entry easement off from Centre Avenue came into being. He also indicated that he would be happy to bring all property owners with access to that easement together for discussion about how to address maintenance. We have consistently been open to their concern about that issue and expressed a willingness to talk further. We also affirmed that this project site would have to handle its own storm water. Those details come into play when the actual site planning begins.

Concerns about pets was also voiced. We provided verbal assurance that final design and site planning would certainly accommodate that. We mentioned the underground parking possibly having "pet washing stations". Regardless, in today's world, if allowing pets, designated pet relief areas must be considered and planned for.

Lindsay Flynn did make us aware at this meeting that she had solicited copies of all meeting minutes we had had with the City of Portage on this project under the Freedom of Information Act.

In summary, we believe we had assured Board Members that while this project was still conceptual, we were committed to further information sharing as details solidified.

Thursday, January 9, 2020

I, Elizabeth Wright, received a phone call from Kay Kossen with Kreis-Enderle Law Firm. She had questions about the shared easement. I suggested that Kay speak directly with Craig DeNooyer who had better history on that easement and transferred her. Craig encouraged Marsh Pointe to propose what they would like to see happen from surrounding properties utilizing that easement.

Friday, January 10, 2020

See follow up email dated Friday, January 10 with parcel documents referenced in the conversation and email attached.

Monday, January 20, 2020

Nothing further received from Marsh Pointe Association. See second written outreach to Marsh Pointe Association's legal counsel.

There was no further communication after this date and of course March 2020 came with a new challenge named COVID-19. In fairness, COVID and issues dealing with its affect on our various operations became our new "main focus" for much of the second and third quarter in 2020.

Tuesday, February 9, 2021

Our most recent written follow up in response to the Planning Commission meeting on Thursday, February 4.

As of today's date, we have neither heard, nor received, anything further.

Tuesday, February 16, 2021

Kay Kossen sent a response email to Craig DeNooyer.

See attached with response.

Re: Road Easement - 4084 W. Centre

Lindsay Flynn <lindsayflynn@bhhsml.com>

To: Elizabeth Wright <ewright@633group.com>

Cc: "dianebornhorst@gmail.com" <dianebornhorst@gmail.com>

Tue, Jul 30, 2019 at 3:14 PM

Hello Elizabeth,

Thank you for taking the time today to discuss your plans for Woodbridge Village!

Please see the email below and the attached documents you had provided us back in 2017 to confirm who is responsible for that road. It appears that my memory was correct that Marsh Pointe is responsible for that road entirely and provides and easement to all surrounding properties.

Overall, I think the plans for development you provided Diane and I today are positive and we will do everything we can to help the Board and the community see that. The road will be a huge concern for the community as they are covering the expense for maintenance and snow removal solely based on the document provided. This is something that I know will need an alternate resolution in order for the community to appreciate the plans as you have laid them out.

Please let me know when you would like to discuss this further so we can be prepared for further with the Board in the coming months as we planned.

Thank you,

Lindsay Flynn, Associate Broker**Director of Property Management**

Berkshire Hathaway HomeServices Michigan Real Estate

Property Management Division

6312 Stadium Drive

Kalamazoo, MI 49009

Office: (269) 488-0133

Cell/Text: (269) 615-0723

Fax: (269) 585-6323

View my available properties at: www.bhhsmlpropertymanagement.com

From: Elizabeth Wright [ewright@633group.com]**Sent:** Tuesday, August 15, 2017 5:37 PM**To:** Steve Compeau**Cc:** Lindsay Flynn**Subject:** Road Easement - 4084 W. Centre

Hi Steve -

I'm sending this yet a third time since our IT group has indicated a small window of server trouble. Please feel good about calling me if you have any difficulty opening the PDF attachment.

The road that we are talking about does belong to the property owner of Marsh Pointe and was conveyed in recorded documents that run with the land.

They provide your property and all adjacent (East & West) and easement for access per the attached document. They are responsible for care/replacement of the road as this reads.

Your group was responsible for repairs at the time (construction traffic, utility tie-in, etc).

633 LLC owns the property next to you (in between PNC) and the parcel behind. This includes the road behind you which we provide easement access to for all surrounding properties, including Marsh Point.

As the documents are written, it's presently our responsibility for the care/replacement of that road.

RE: Woodbridge Apartment Project

2 messages

Lindsay Flynn <lindsayflynn@bhhsml.com>

To: Elizabeth Wright <ewright@633group.com>

Cc: "dianebornhorst@gmail.com" <dianebornhorst@gmail.com>

Thu, Oct 31, 2019 at 12:00 AM

Hello Elizabeth,

We met with the Board last night and while they have many concerns about the plans for the development and the process from start to finish, overall, as we anticipated they have two significant concerns which we already provided you:

1. The easement for the main drive - both during construction and then future use from the increased resident traffic
2. Drainage onto our property - this has always been an issue.

The Board is willing to meet with you on November 18, 2019 at 6:15 pm at our office (address below). This meeting will happen after their annual meeting so you need to arrive at 6:15 pm as the Board does not want this project discussed with the general Association until the two primary concerns have been addressed and a resolution has been reached. Additionally, they would like more information before providing information to the Association that will only produce more questions that we are not sure we will get/have answers to at this point.

Additionally, the Board approved having counsel make a written introduction. You should receive that letter shortly.

Please let me know if you have any further questions at this time. I will await your confirmation of the meeting time and place.

Thank you,

Lindsay Flynn, Associate Broker

Director of Property Management

Berkshire Hathaway HomeServices Michigan Real Estate

Property Management Division

6312 Stadium Drive

Kalamazoo, MI 49009

Office: (269) 488-0133

Cell/Text: (269) 615-0723

Fax: (269) 585-6323

View my available properties at: www.bhhsmlpropertymanagement.com

From: Elizabeth Wright [ewright@633group.com]**Sent:** Tuesday, October 29, 2019 2:10 PM**To:** Lindsay Flynn**Subject:** Woodbridge Apartment Project

Hi Lindsay -

Our team has been able to hear back from the City of Portage on our initial submittal. We'd like to connect with either the Marsh Pointe Board or create an opportunity for any Marsh Pointe homeowners to learn about the project concept as we shared with you and Diane. I seem to recall you mentioning an annual meeting coming up in November?

Give me a shout when you have a moment. We'd like to hear what you think is the best way to handle.

Thanks Lindsay!

E

7875 Moorsbridge Rd.
Portage, MI 49024

269-323-1400 Main
269-488-1714 Direct
269-217-5242 Mobile

Watch 633 Group Video

Lindsay Flynn <lindsayflynn@bhhsml.com>
To: Elizabeth Wright <ewright@633group.com>
Cc: "dianebornhorst@gmail.com" <dianebornhorst@gmail.com>

Fri Nov 8, 2019 at 2:34 PM

Thank you for the confirmation! We will see you then!

Thank you,

Lindsay Flynn, Associate Broker
Director of Property Management
Berkshire Hathaway HomeServices Michigan Real Estate
Property Management Division
6312 Stadium Drive
Kalamazoo, MI 49009
Office: (269) 488-0133
Cell/Text: (269) 615-0723
Fax: (269) 585-6323
View my available properties at: www.bhhsmlpropertymanagement.com

From: Elizabeth Wright [ewright@633group.com]
Sent: Friday, November 08, 2019 2:01 PM
To: Lindsay Flynn
Cc: dianebornhorst@gmail.com
Subject: Re: Woodbridge Apartment Project

Hi Lindsay -

I'm not seeing where my original response to your email was sent.

Please know that our team will plan on being at your office location on Monday, November 18 at 6:15PM.

We understand that we are meeting just with Board Members for an overall review of the project concept and also understand that the 2 major concerns are:

1. A request for shared maintenance of a portion of the main entrance drive both during construction and for how this will be handled moving forward.
2. Drainage onto Marsh Pointe property from the site.

Please let us know if anything changes with this date and time, otherwise we shall plan to meet accordingly.

[Quoted text hidden]

[Quoted text hidden]

Watch 633 Group Video

Lindsay Flynn <lindsayflynn@bhhsml.com>
To: Elizabeth Wright <ewright@633group.com>

Wed, Nov 13, 2019 at 10:46 AM

Our admin is Amber Eagle and she can be reached at 269-342-5600.

You will still be getting a letter from the attorney, I will follow up with her.

Thank you,

Lindsay Flynn, Associate Broker,
Director of Property Management
Berkshire Hathaway HomeServices Michigan Real Estate
Property Management Division
6312 Stadium Drive
Kalamazoo, MI 49009
Office: (269) 488-0133
Cell/Text: (269) 615-0723
Fax: (269) 585-6323
View my available properties at: www.bhhsmlpropertymanagement.com

From: Elizabeth Wright [ewright@633group.com]
Sent: Wednesday, November 13, 2019 9:30 AM
To: Lindsay Flynn
Subject: Re: Quick Question -

Hi Lindsay -

Totally understand. We know that visually being able to show Board members this concept is important.

Andrew and I would be happy to visit your office and connect with an IT person or admin team member prior to our connect on Monday.

Whom would you suggest that we connect with?

At this time, we'd prefer not to have printed visual information on this concept handed out. We're looking forward to making this a positive and informative meeting.

Have not received anything from the Board's attorney as you had previously mentioned. Is that something we should still be looking for?

[Quoted text hidden]

[Quoted text hidden]



Craig DeNooyer <craig@633group.com>

Fwd: Requested Info

1 message

Craig DeNooyer <craig@633group.com>

Fri, Jan 10, 2020 at 12:22 PM

To: kkossen@kriesenderle.com

Bcc: Elizabeth Wright <ewright@633group.com>, Andrew DeNooyer <adenooyer@633group.com>, Joe Gesmundo <joe@avbinc.com>

Hi Kay!

Thanks for taking the time to speak with me about the Marsh Pointe road parcel and potential future development in the area.

Attached are maps and legal descriptions for the various parcels we discussed plus an overall map that ties them together with the Marsh Pointe condominiums. Please let me know if this is the information you were seeking and/or if there is something we missed.

Once you have had a chance to review everything, please feel free to get with us on any questions you may have. Ultimately we look forward to meeting with all the interested parties to the present agreement.

Again thanks for the time. Have a great weekend!! Best...Craig



J. Craig DeNooyer

CHIEF OF STRATEGY

CEO

7875 Moorsbridge Road
Portage, MI 49024

269-488-1717 Direct

[Watch 633 Group Video](#)

----- Forwarded message -----

From: **Andrew DeNooyer** <adenooyer@633group.com>

Date: Fri, Jan 10, 2020 at 10:28 AM

Subject: Requested Info

To: Craig DeNooyer <craig@633group.com>

See attached for map detailing parcels at 4180-4012 W Centre Ave and reports for undeveloped parcels therein.



Andrew DeNooyer

Development & Projects

7875 Moorsbridge Road

Portage, MI 49024

269-323-1400 Main

269-488-1548 Direct

[Watch 633 Group Video](#)



Craig DeNooyer <craig@633group.com>

Easement

1 message

Craig DeNooyer <craig@633group.com>

To: kkossen@kriesenderle.com

Cc: Elizabeth Wright <ewright@633group.com>

Bcc: Andrew DeNooyer <adenoyer@633group.com>, Joe Gesmundo <joeg@avbinc.com>, Greg Dobson <gdobson@avbinc.com>, Curt Aardema <caardema@avbinc.com>

Mon, Jan 20, 2020 at 2:26 PM

Good afternoon Kay:

Just wanted to follow up and see if there was any more information you needed from us concerning the roadway easement. Hopefully the maps were clear.

You also asked about future development plans for the three remaining undeveloped parcels. Although no plans are in cement, the first parcel most likely to come to market is the piece between PNC and Lake Michigan Credit Union. We are looking at a 2-3 user retail building. The next piece would probably be the parcel about which we have been talking to you and Marsh Pointe. Again, we are still in the feasibility stage. The final piece would most likely be the land to the west of the drive. We are not aware of anything being proposed or considered for that site.

Again, thank you for your time the other day. As mentioned, we are happy to meet with you and the Marsh Pointe board to see if we can assist with concerns they may have with the existing easement agreement.

Best...Craig



J. Craig DeNooyer

CHIEF OF STRATEGY

CEO

7875 Moorsbridge Road

Portage, MI 49024

269-488-1717 Direct

[Watch 633 Group Video](#)



Elizabeth Wright <ewright@633group.com>

Fwd: Easement

Craig DeNooyer <craig@633group.com>

To: kkossen@kriesenderle.com

Cc: Elizabeth Wright <ewright@633group.com>, Andrew DeNooyer <adenoyer@633group.com>

Tue, Feb 9, 2021 at 3:19 PM

Dear Kay & Owners of Marsh Pointe:

We wanted to follow up with a few notes after hearing from you at the Planning Commission meeting on February 4th.

We agree with many of the comments made regarding maintaining the quality of the immediate environment and of the Woodbridge Hills community at large. We hope our history as developers of Woodbridge Hills, the Moors Golf Club, the Woodbridge Village, and more provide a feel for the quality of product we aim to produce. We greatly appreciated the compliments those properties received in a few statements from Marsh Pointe residents.

Our site designation presently allows a wide range of commercial uses and a building of similar size to what we are proposing. We feel this change in designation within the PD to allow multi-family on this site may be a lower intensity use than many commercial alternatives, particularly in regard to traffic generation.

Finally, it is clear the owners of Marsh Pointe would like to revisit the easement agreement in place. We too wish to be clear and reiterate our willingness to consider any amendments or proposed solution that is mutually beneficial.

Please let us know how best to proceed.

Thank you,

Craig



J. Craig DeNooyer

CHIEF OF STRATEGY

CEO

7875 Moorsbridge Road

Portage, MI 49024

269-488-1717 Direct

Watch 633 Group Video

[Quoted text hidden]

Fwd: Easement

Kay E. Kossen <kkossen@kreisenderle.com>

To: Craig DeNooyer <craig@633group.com>

Cc: Elizabeth Wright <ewright@633group.com>, Andrew DeNooyer <adenoyer@633group.com>

Tue, Feb 16, 2021 at 11:41 AM

Craig,

I have shared your email with the Marsh Pointe Condominium Owners' Association (the "Association"). Also, we had an opportunity to review the most recent agenda materials for the February 18 Planning Commission meeting.

As we discussed last year, the Association is not in a position to propose anything regarding an agreement regarding the easement because it does not have enough information about your proposed development. Further, the Association renews its continued objection to the proposed amendment to the Tentative Plan for the Woodbridge Hills Planned Development. It has not yet been approved, no site plan to review (only conceptual drawings) and now I see there may be recommendations for traffic lights, maneuvering lanes, curb cuts, or other work that may affect the private road. Any information that we have obtained about this project has been from the public record, and not from any other data that you have given the Association's Board.

We have previously communicated in November, 2019 and early 2020, that general Michigan easement law necessitates those using the road must share costs. How that shakes out depends on your proposed use and necessary improvements. As you may already know, the Association just replaced the road last year, at its sole cost.

If your site plan is ultimately approved, the Association would appreciate more details about your plans, use of the road during the construction phase, construction of utilities, curb cuts/connections, water runoff plans, traffic lights, etc. and how that will impact the road for the future.

Kay E. Kossen

Kreis Enderle

269-441-4515

[Quoted text hidden]

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Fwd: Easement

Craig DeNooyer <craig@633group.com>

To: "Kay E. Kossen" <kkossen@kreisenderle.com>

Cc: Elizabeth Wright <ewright@633group.com>, Andrew DeNooyer <adenoyer@633group.com>

Tue, Feb 16, 2021 at 5:25 PM

Thanks for your email response, Kay:

We'd be happy to sit down again with your clients and answer whatever questions they may have about the project. While the PD currently anticipates a commercial use on this property, what we are proposing is a creative multi-family concept that is a less intensive and more transitional use than a straight commercial use would be. Not only is this consistent with smart planning (which these days favors transitional uses like this over "hard stops" between commercial and residential), but we believe this project is better for the Marsh Pointe residents than a higher-intensity commercial project here would be. So, we are hopeful that, after some discussion, the Marsh Pointe Association and its residents may come to be supportive of the project. Our aim is to do this in a way that is consistent with the quality of everything developed within Woodbridge Hills.

The shared easement is a part of this. Under the easement as it currently exists, our site (part of the "Moors Parcel") is benefitted by an easement for pedestrian and vehicular access and utilities in the easement area (the "Roadway Parcel"). The Marsh Pointe owners (as successors to "Purchaser") have the obligation to maintain the easement area, and the Seller has the obligation to restore damage caused by its construction.

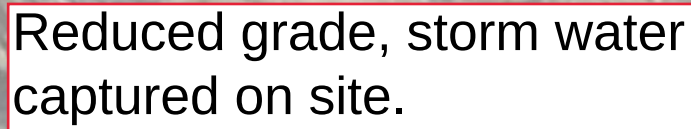
This allocation of responsibilities/costs was done at a time where it was understood that the Moors Parcel (and in particular, our project site) would be a commercial use. This is important because our proposed use would not overburden the easement. Rather, as the easement exists, it anticipated that the burden placed on the easement area by our site would be a higher-intensity commercial burden. By developing our site as multi-family residential, we are actually decreasing, not increasing, the anticipated burden on the easement area. As such, the easement as it currently exists is acceptable to us and adequately serves our needs.

We are, however, mindful that the Marsh Pointe folks may not have been aware of the background of this document or concentrated on it in their title work when they bought their units. We understand that and are sympathetic to it. We are willing to work with the Marsh Pointe association to revisit the easement and the allocation of maintenance costs/responsibilities laid out in it to try to reach an agreement that is more "fair" from Marsh Pointe's perspective. Obviously this is more difficult to do when we are in the oppositional posture we find ourselves in right now. But, we are hopeful that if we can come to some revised terms on the easement that are more palatable to Marsh Pointe, then hopefully, the Marsh Pointe residents can feel better about the project (and maybe even support it).

In summary, we believe that a creative multi-family project like the one we are proposing together with revised easement terms that lighten the burden on Marsh Pointe would be more palatable to the Marsh Pointe residents than a higher-intensity commercial project benefitted by the easement terms as they currently exist. And, we are hopeful that, after some dialogue, the Marsh Pointe owners will come to that conclusion as well.

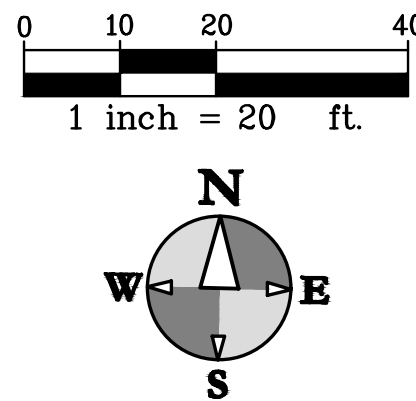
From our seat, the next step is for you to propose some desired changes to the easement agreement for us to evaluate, or maybe for us to get together with Marsh Pointe to discuss the project again and answer some questions. We defer to you on where we go from here, but we are open to those discussions and would love to move forward with your clients.

Thanks... Craig



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

FIELD WORK PERFORMED BY:
WIGHTMAN SURVEYING



GRADING PLAN
4100 W. CENTRE DEVELOPMENT
633 GROUP

Sheet Title:
Project:
Client:
4/5/21
Sheet
C-2

Job No.: 19-016d P.M.: --- Drft: --- QA/QC: 00/00/00

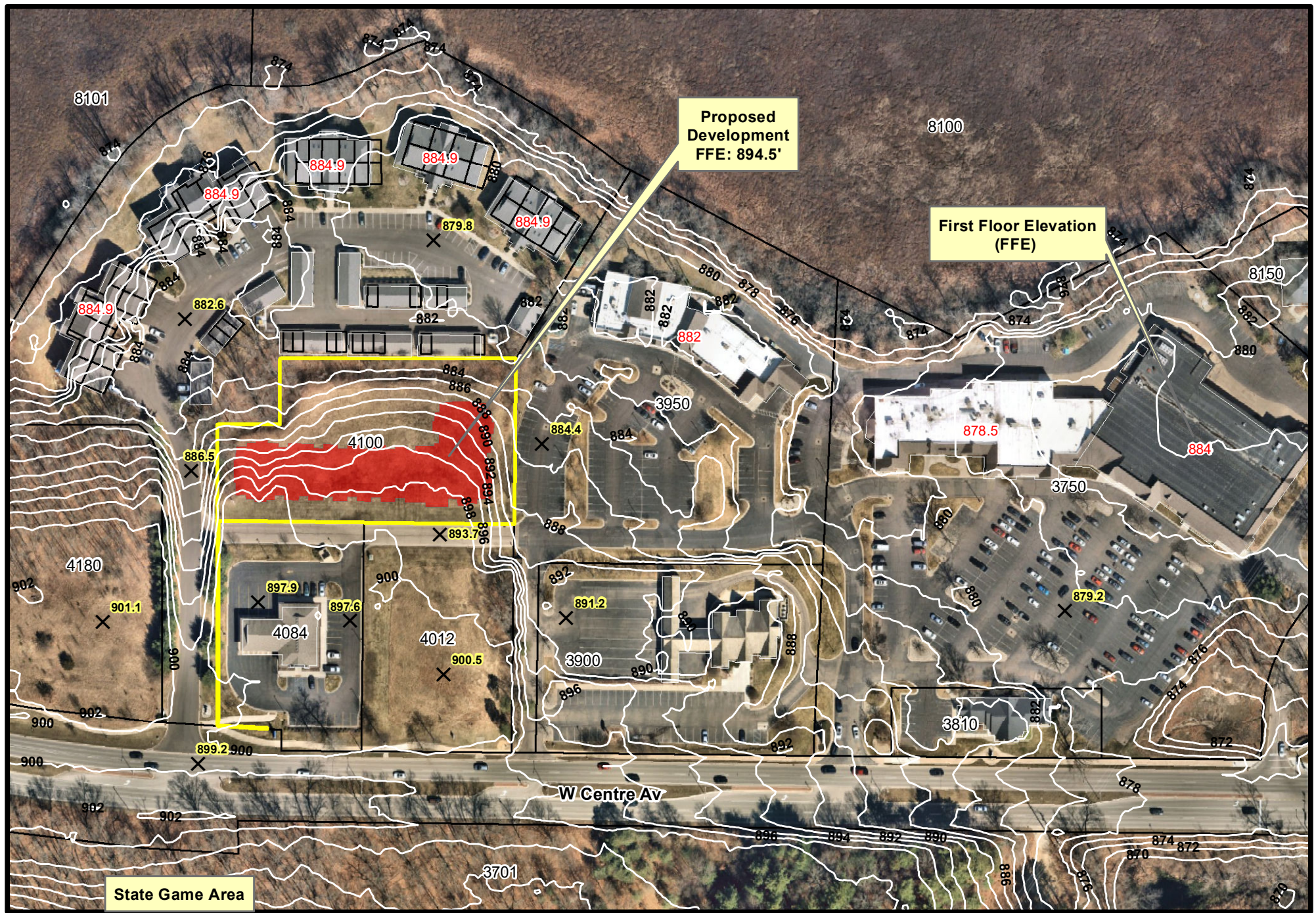
ISSUED FOR/REVISIONS:

1	OWNER REVIEW	4/5/21
2		
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Data Sources:
 2021 Imagery - Nearmap
 2' Topographic Contours - 2009 LIDAR derived
 Spot Elevations - 2017 LIDAR derived
 First Floor Elevation (FFE) based on approved Site Plans

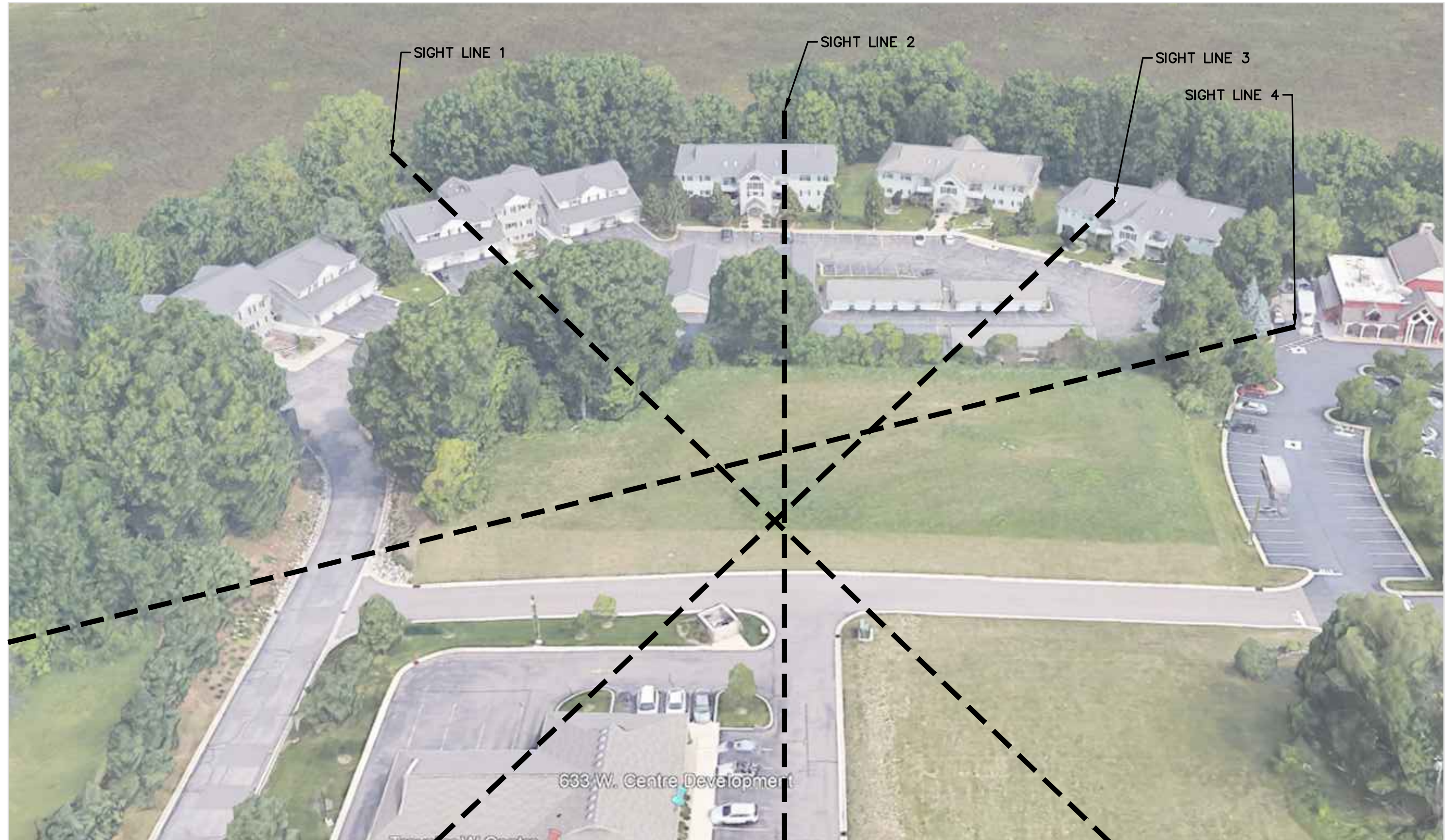
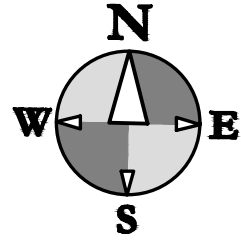
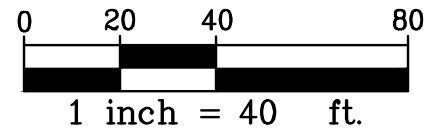
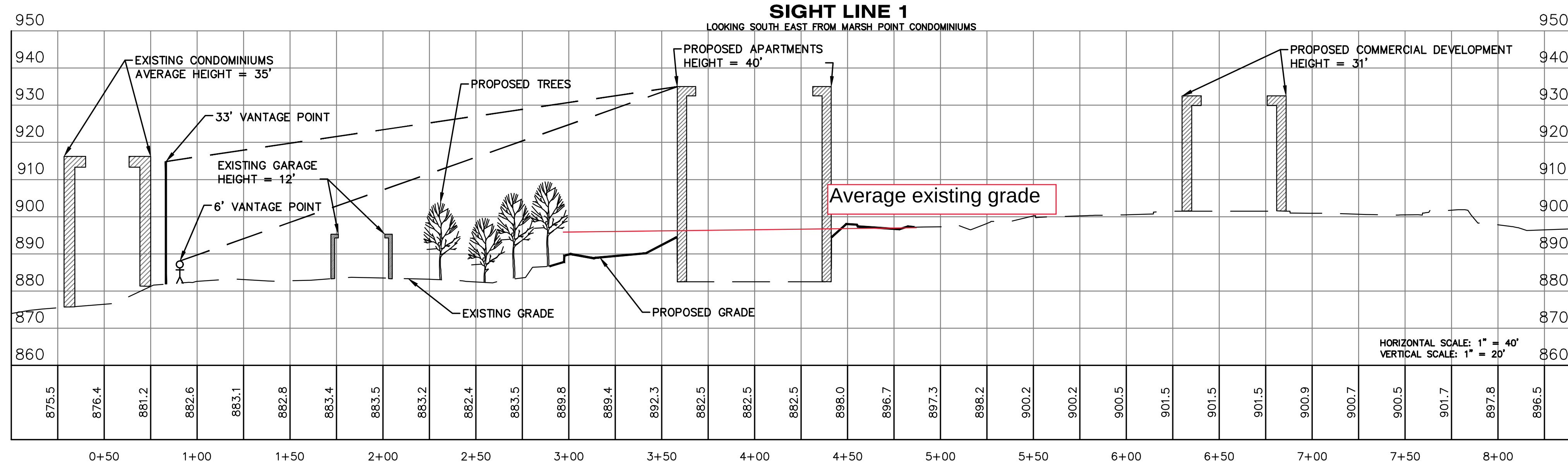
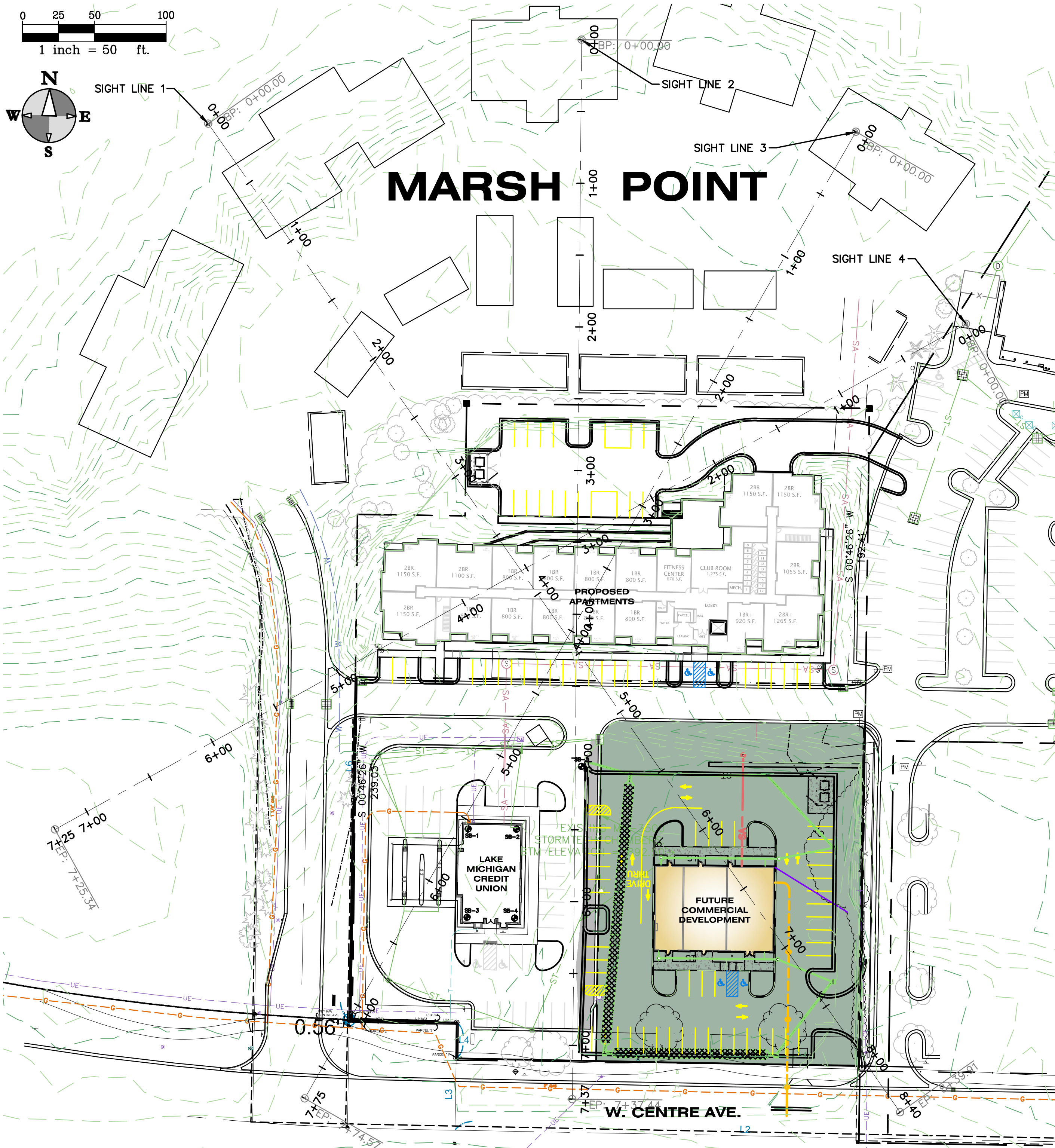
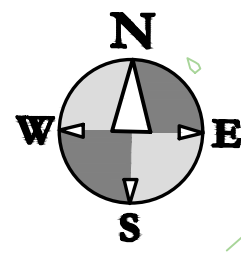
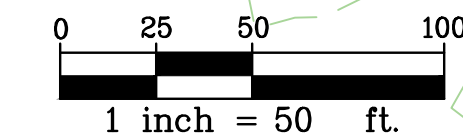
Topographic Map 4100 West Centre Avenue

X	Spot Elevations
—	Two Foot Contours
■	Proposed Development
□	4100 W Centre Ave



1 inch = 150 feet
 (168)

DRAWING LOCATION: H:\19-016D (633 W. Centre Development) - ENGINEERING\Sight Lines revised.dwg LAST SAVED BY: LDIHL ON: 4/5/2021



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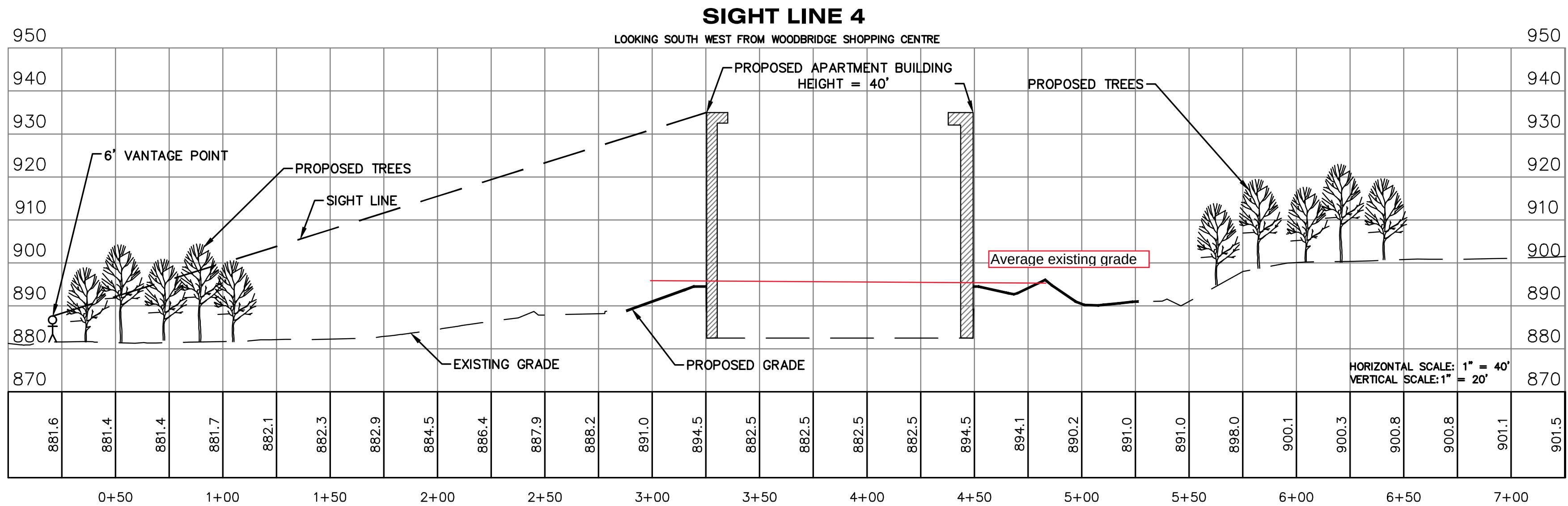
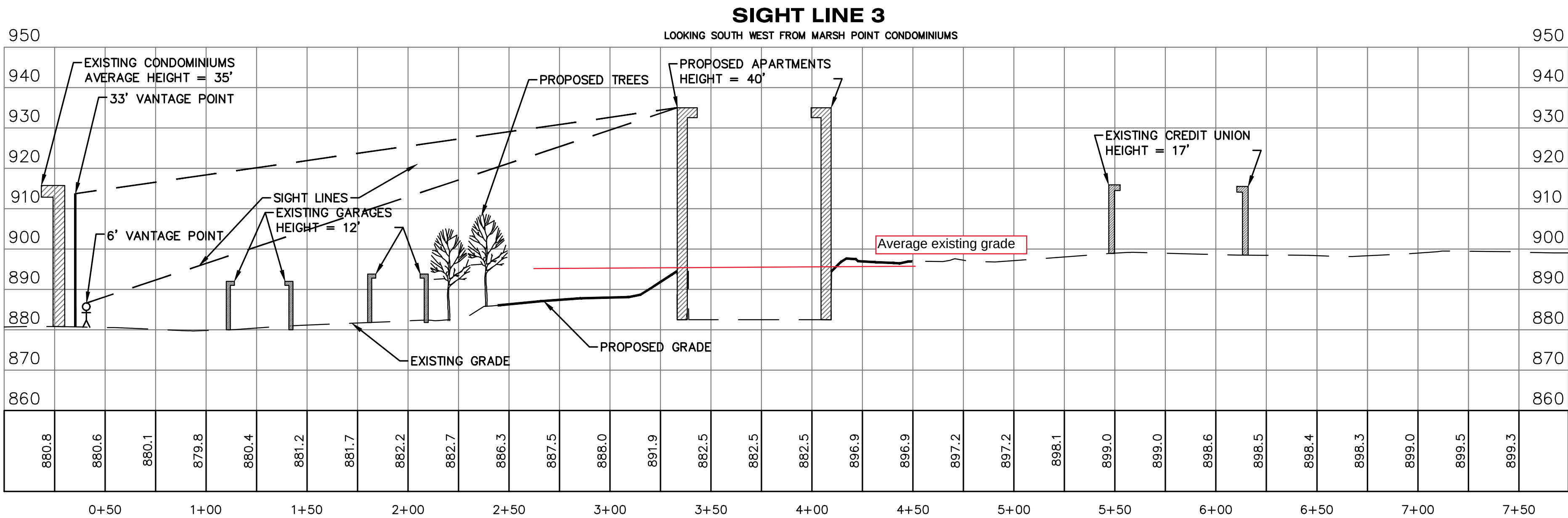
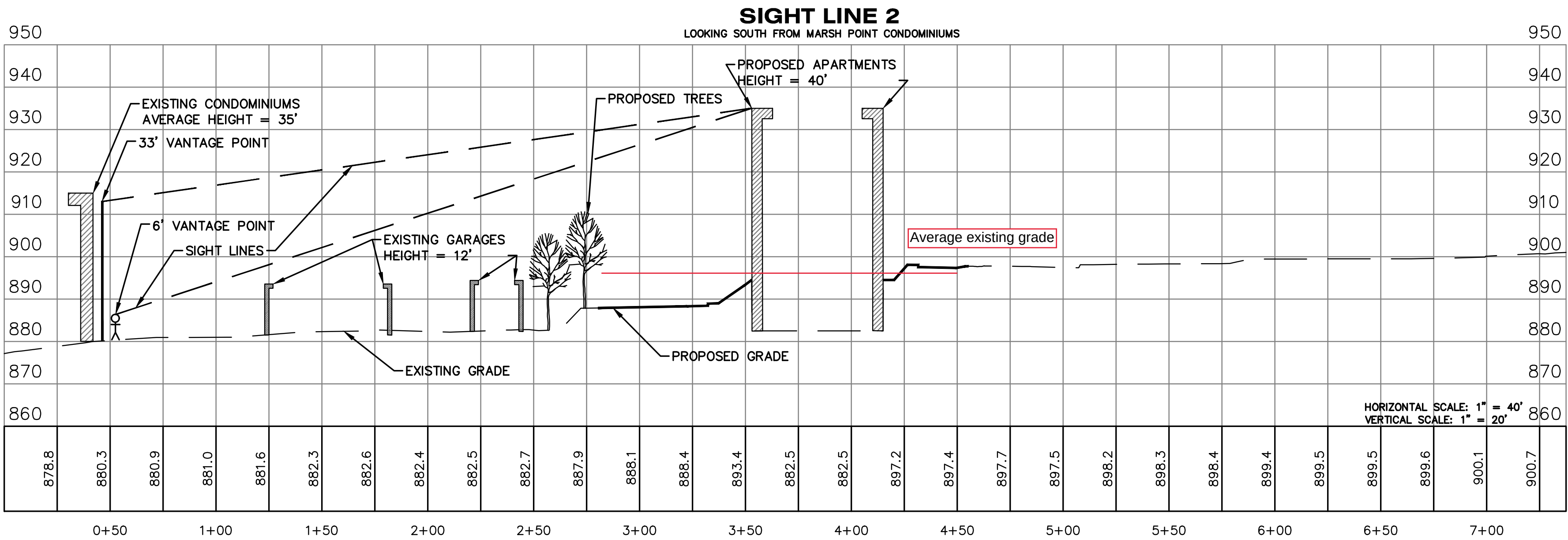
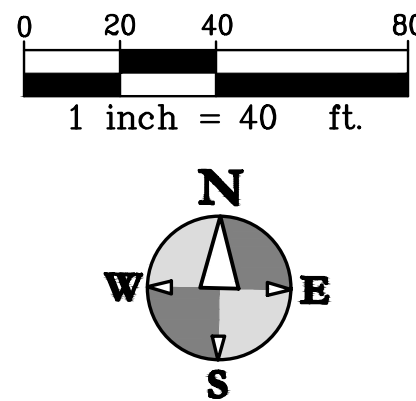
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1	REVIEW			02/10/21
2	REVIEW			02/11/21
3	REVIEW			4/5/21

SIGHT LINE PROFILES
633 WEST CENTRE DEVELOPMENT
633 GROUP

Sheet Title:
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02/11/21
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1

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1	REVIEW	02/10/21	
2	REVIEW	02/11/21	
3	REVIEW	4/5/21	

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SIGHT LINE PROFILES
633 WEST CENTRE DEVELOPMENT
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Project:
Client:

02/11/21
Sheet
2

**Links to “shadow cast” demonstrations
(Woodbridge Hills Plan Amendment)**

2021 04 22 Shadow Study winter

www.dropbox.com/s/zqv4wsm72886ces/2021%2004%2022%20Shadow%20Study%20winter.mp4?dl=0

2021 04 22 Shadow Study spring

www.dropbox.com/s/o2vjgstnvo2nw9d/2021%2004%2022%20Shadow%20Study%20spring.mp4?dl=0

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: 2021 Utility Rate Financial Study

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Adopt the 2021 sewer and water rate resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges outlined in the 2021 Utility Rate Financial Study as recommended by the City Administration and the City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2021.

The City Council Water/Sewer (Utility) Rate Study Committee, comprised of Councilmembers Burns, Knapp and Ledbetter, and citizens Elma Pat Maye and Randy Orwig, has completed a review of the 2021 Utility Rate Financial Study as prepared by the City Administration. The 2021 Utility Rate Financial Study focused on ensuring the financial health and stability of the utility system. Following a thorough review and analysis of the 2021 Utility Rate Financial Study, the Utility Rate Study Committee voted (5 to 0) to recommend to City Council the water and sewer rates and charges as proposed.

For Fiscal Year 2021-2022, the sewer commodity rate is recommended to be increased from \$4.60 to \$5.06 per thousand gallons of metered water. The water commodity rate is recommended to remain at \$3.14 per thousand gallons of metered water. Basic quarterly charges for water use, which are calculated to provide funding for certain fixed costs for the utility systems, are recommended to remain unchanged. The basic quarterly charges sewer are recommended to be increased as noted in the 2021 Utility Rate Financial Study.

Items less significant in dollar amount, but still important to the continuing financial health of the utility systems, were also reviewed by the Utility Rate Study Committee. It is essential that the amount charged for these services recover the costs to provide such services. If charges are inadequate to allow for recovery of costs, rate payers subsidize the service provided. Charges and fees reviewed in the context of the 2021 Utility Rate Financial Study include water connection charges, meter charges, meter box charges, hydrant meter charges and water processing fees. All current charges are recommended as noted in the study. If approved, the proposed rate changes would be adopted and become effective July 1, 2021.

It is recommended that City Council adopt the 2021 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees and other fees and charges as set forth in the 2021 Utility Rate Financial Study and recommended by the City Administration and City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2021.

FUNDING: N/A

Attachments:

1. 2021 Utility Rate Financial Study
2. Resolution for Sewer Rates
3. Resolution for Water Rates



2021 Utility Rate Financial Study

2021 UTILITY RATE FINANCIAL STUDY

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2021 UTILITY RATE FINANCIAL STUDY

SECTION I - UTILITY RATES

INTRODUCTION

The City Administration has reviewed the utility rate structure for the purpose of considering necessary adjustments to utility rates, while addressing long-term needs of the city utility system. During the development of the 2021 Utility Rate Financial Study, a review of the previous study and the present rate structure was conducted.

As part of the ongoing effort to control costs and maintain the lowest possible utility rates for water and sewer customers, the City Administration reviewed the overall utility operation in light of the privatization of the operation and maintenance functions of the utility initiated in March 1997. Privatization has been extremely effective in cutting overall utility costs while still providing a high level of service to customers. The city's contractor performs all routine operation and maintenance activities for the water utility, including operation of the pumping and overhead storage facilities; meter installation, repair and reading; water service repair and maintenance; water main repair; fire hydrant flushing and repair; MISS DIG staking and other miscellaneous activities. Routine operation and maintenance activities performed for the sewer utility include cleaning and inspection of sanitary sewers; cleaning of storm sewer piping and manholes; daily inspection, maintenance and repair of sanitary sewage pumping facilities; repair and cleaning of sanitary sewer manholes; street sweeping and other miscellaneous activities. On November 1, 2016 the City Council awarded a 5-year contract extension to Suez Environmental Services, Incorporated to end March 2022.

The proposed Fiscal Year 2021-2022 utility rates are in large part based on the recommendations of the comprehensive rate analysis performed by Utility Financial Solutions, LLC (UFS) in 2011. On November 16, 2010, City Council awarded a contract to UFS to review past and current financial reports of the water and wastewater utilities, along with detailed accounting of the utilities finances. The purpose of the UFS analysis was to determine the actual cost to provide water and wastewater services to the utility customers. The cost of service analysis showed that the 2010 rate structure was insufficient to ensure the receipt of revenues necessary to recover the fixed costs of the utility. To address this concern, in Fiscal Year 2011–2012 utility rates began the trend of shifting revenue collection to basic quarterly charges based on meter size, while keeping the commodity rate increases in line with the normal inflationary costs to provide the water and wastewater service. This trend is continued in the 2021 Utility Rate Study.

Background

The Governmental Accounting Standards Board (GASB) requires that Sewer and Water Funds be enterprise funds and be operated in a manner similar to private business, with costs recovered primarily through user charges.

In 1986, the first Water and Sanitary Sewer Rate Committee reviewed the financial status of the Sanitary Sewer and Water Funds. The Water and Sanitary Sewer Rate Committee has met every year since to review the rates and make recommendations to the City Council. Prior to 1986, utility rates were reviewed and adjusted on an as needed basis, which lead to unpredictable rates and charges.

In 2008, the city received a letter from the State of Michigan requiring a financial plan to rectify a water fund deficit. The city has followed the plan submitted to the State of Michigan and the water fund deficit has been eliminated. Water and sanitary sewer rate increases required to eliminate the deficit, meet the conditions in the financial plan submitted to the State of Michigan and reach a positive working capital balance for the utility funds as a whole were substantial. Over the past several years the utility funds have been able to pay cash for capital improvement projects and pay off all callable debt and additional rate increases were not required. Rate adjustments since 2007 are as follows:

<u>Fiscal Year</u>	<u>Combined Water & Sewer % Rate Change (Typical Residential Customer)</u>
2007	14.89
2008	13.68
2009	12.22
2010	15.03
2011	10.85
2012	4.85
2013	2.73
2014	1.40
2015	0.94
2016	0.75
2017	0.62
2018	-3.91
2019	-3.56
2020	0.00

Rate adjustments typically result from inflationary pressure, material changes in programs and operations, and other factors which cannot be controlled by the city, such as charges from the City of Kalamazoo for sewage treatment and Consumers Energy for gas and electricity.

CURRENT STATUS

A fundamental principle of utility fund financing is that user rates should be sufficient to fund the entire cost of utility system operations. This principle is accepted by all authoritative sources (Government Finance Officers Association, American Water Works Association, etc.) and is based on the enterprise fund status. Enterprise funds operate as a private business and all businesses must generate sufficient revenues to cover costs in order to be viable.

Utility System Rate Structure

For provision of sanitary sewer and water service, a two-part rate structure is in effect. For sanitary sewer and water customers, the rate consists of a fixed portion, referred to as the "basic quarterly charge" and a unit rate, referred to as the "commodity" rate.

For water and sewer activities of the utility, the basic quarterly charge is designed to cover the fixed

costs of providing service. These costs, which are generally stable throughout the year despite the amount of water produced or sewage transported, include: Personnel salaries and fringes, the Suez operation and maintenance contract, office supplies, mailing expenses, telephone charges, environmental testing, water quality testing, printing and publishing and equipment repair and maintenance. The fixed costs are applied to the meter size using a formula which recognizes the capacity of the meter size and the impact on the water and sanitary sewer systems.

Commodity rates are designed to cover more variable costs, including sewage treatment costs, public utilities, sewer lead repair, equipment rental costs, equipment replacements, retention basin testing and administrative costs. Commodity rates are based on a dollar amount per thousand gallons of water metered for both water and sewer billings, with sewer billings capped for residences as described below. All classes of customers are billed quarterly with a quarterly of the annual basic rate applied in addition to the commodity charge.

Sanitary Sewer System

The City of Portage sanitary sewer system consists of 238 miles of sewer main and 56 sewage lift stations. The sanitary sewer system has a capacity of 10.8 million gallons per day, with an average daily flow of 4 million gallons. Future expansion projects are prioritized to address the areas with greatest potential for groundwater contamination. Citizen petitions are also given high priority. Priorities are reviewed annually by the City Administration to ensure consistency with Council goals and environmental concerns. Current and projected resources of the Sanitary Sewer Fund appear adequate to accommodate increased expansion of the sanitary sewer system. The recommended ten-year 2021-2031 Capital Improvement Program (CIP) includes \$11.085 million in sanitary sewer system improvements and expansions. The proposed improvements would be funded through various financing methods. The projects are considered important in order to pursue placement of sanitary sewer throughout the city and to continue with the mandatory sewer hookup program emphasis. In addition to extension of sanitary sewer mains, operational improvements over the next ten years include:

- Installation of sewer leads where not included in original construction.
- Installation of mains in existing developed plats.
- Renovation of sanitary sewer lift stations and force mains

The proposed sanitary sewer rate structure was developed taking into account the capital expenditures necessary to meet these needs through various financing means.

Sanitary Sewer Billing Cap

Sewer bills are calculated based upon water usage with the assumption that water used within a residence is generally discharged to the sanitary sewer system as wastewater. A cap on sewer billing to residential customers limits the sewer bill to 125% of the customer's winter quarter water usage. The 125% cap was established based upon an analysis of residential accounts with separate water meters for irrigation. This analysis was undertaken to determine the quarterly water usage pattern of the "typical residential customer." Results of the analysis indicated that average summer water usage discharged to the sanitary sewer system, for a single-family residence, is approximately 125% of the winter water consumption when external irrigation is excluded. Winter usage is defined as that

quarter in which January occurs. The sanitary sewer billing cap ensures that residential customers are billed for flow to the sanitary sewer and not for outdoor water use.

Water System

The city water system consists of 20 production wells, one 750,000 gallon elevated storage tank, one 1,500,000 gallon elevated storage tank and 257 miles of water main. In 2006, the Environmental Protection Agency lowered the allowable arsenic levels in public drinking water to 10 micrograms per liter. As a result, two wells were abandoned, one well was decommissioned and the Garden Lane Water Treatment Plant was constructed to eliminate high arsenic levels in the water. The water system currently has a capacity of 26.35 million gallons per day. The average day production is 4.5 million gallons. Fishbeck, Thompson, Carr & Huber, Inc. completed a comprehensive Water Reliability Study for the city in 2019 and updated the Wellhead Protection Program in 2015. These studies, together with current management information and system use data, are the basis for planned future system improvements.

The recommended 2021-2031 CIP includes \$23.325 million in water system improvements. Current and future anticipated demands placed on the system necessitate provision of numerous operational improvements over the next ten years, including:

- Replacement of deteriorating water main that has reached the end of its useful life.
- Installation of service lines in developed plats.
- Improvement of the stormwater collection and recharge system.
- Additional treatment facility with iron removal capabilities.
- Renovation of water storage facilities.

The proposed water rate structure was developed taking in consideration of the capital expenditures necessary to meet the above noted needs through various types of financing.

On February 11, 2014, Portage City Council approved reinstatement of a 10% discount on water use charges for eligible senior citizens. Redistribution of the 10% discount to senior citizen customers to the remaining water customers was also taken into account in the development of the water rate structure. The subsidy for the Senior Citizen Discount in Calendar Year 2020 was \$78,714.79.

Utility Customer Growth

The utility customer base has grown to 15,979 sanitary sewer customers and 15,473 water customers as of January 1, 2021. An increase in the number of customers has a general impact of stabilizing system-wide operation costs as cost of service can be spread over a larger number of users. Although the total number of water and sewer customers continues to increase, the rate of increase in utility customers has slowed in recent years. The utility system is a mature system with 96.7 % of developed properties served by municipal sewer and 87.5% served by municipal water. In the future, new customer growth will be most directly related to new development occurring in the city.

FINANCIAL REVIEW

Using current information on the status of the utility systems as background, the 2021 Utility Rate Financial Study was conducted to determine appropriate cost recovery rate levels. These rates provide for operation of the utility systems, funding of utility-related capital improvement needs and repayment of Limited Tax General Obligation (LTGO), city share debt and Utility Revenue bond debt related to infrastructure extensions and replacements.

The Comprehensive Annual Financial Reports for prior fiscal years provide the primary source for review of the past financial condition of the Utility Funds. Additional sources include the Municipal Budget for Fiscal Year 2020-2021, the 2020-2030 CIP, the recommended 2021-2031 CIP and prior utility rate studies. Reduction in sanitary sewer loadings and an increase in capital improvements to the Kalamazoo Regional Sewage Treatment Plant will result in an increase in sewage treatment charges. As a result of the increases in treatment charges, an increase in City of Portage sanitary sewer rates are also necessary.

As of June 30, 2020, the Sewer Fund had a working capital balance of \$12,650,799, which was 156% of operating expenses, or 147% of operating expenses plus debt service, and the Water Fund had a working capital balance of \$5,144,931, which was 119% of operating expenses, or 77% of operating expenses plus debt service. These balances have been maintained through conservative budgeting and forecasting methods.

Typical Residential Customer

The typical residential customer in Portage purchases 19,000 gallons of water and is billed for 15,000 gallons of sewage flow per quarter. The typical residential customer has been defined based upon an analysis of all residential accounts and represents the baseline used for comparison since single-family residences represent about 90% of utility accounts. The table below demonstrates the typical average residential customer quarterly usage of water and billing of sewage flow.

TYPICAL RESIDENTIAL CUSTOMER

	Metered Water (x1000 gallons)	Billed Sewer (x1000 gallons)
Winter usage (quarter including January)	14	14
Spring usage	14	14
Summer usage	33	18
<u>Autumn usage</u>	<u>14</u>	<u>14</u>
Annual Total	75	60

The differential between the metered water and the billed sewer is a result of the 125% sewer cap. The cap impacts the summer sewage billing quarter by limiting it to 125% of the winter metered water.

RATE RECOMMENDATIONS

Tables 1, 2 & 3 summarize Sanitary Sewer Fund and Water Fund statements of estimated revenue and expenses for the fiscal years ending June 30, 2021 through 2026. Projected commodity rates, sales in millions of gallons and an analysis of capital/debt needs and funding are also presented. Factors that impact these projections include the cost of living increase, the number of utility customers, revised arsenic level standards promulgated by the USEPA, reduced flow from sewer customers and the sewage treatment costs by the City of Kalamazoo in the case of the Sewer Fund. Table 4 analyzes the recommendations as applied to the "typical residential customer." The following recommendations are presented regarding 2021 Utility Rates.

Sanitary Sewer Fund

It is recommended that the sewer commodity rate be increased from \$4.60 to \$5.06 per thousand gallons. The rate will: 1) provide for increased treatment charges billed by the City of Kalamazoo, 2) continue funding operations, capital improvement needs, repayment of outstanding sewer-related Limited Tax General Obligation (LTGO) bonds and 3) provide for future LTGO and revenue bond debt. Privatization of the utility operation has resulted in a significant savings in the sewer fund over the last eighteen years, in spite of a lower billable flow growth compared to previous years.

It is recommended that the current sewer basic quarterly charges remain in effect as shown below:

SANITARY SEWER BASIC QUARTERLY CHARGE CITY OF PORTAGE CUSTOMERS

<u>Meter Size</u>	<u>Current Quarterly Charge</u>	<u>Proposed Quarterly Charge</u>
5/8"	\$ 26.91	\$ 29.60
3/4"	\$ 40.37	\$ 44.40
1"	\$ 60.55	\$ 66.60
1-1/2"	\$ 107.64	\$ 118.40
2"	\$ 161.46	\$ 177.60
3"	\$ 269.10	\$ 296.00
4"	\$ 538.20	\$ 592.00
6"	\$ 941.85	\$ 1,036.00
8"	\$ 1,345.50	\$ 1,480.00

The basic quarterly charges are designed to cover the fixed costs related to the operation of the sanitary sewer system. The increase in the Basic Quarterly Charge conforms to the recommendation in the 2011 Comprehensive Rate Analysis by Utility Finance Solutions, LLC. With the continuation of the sanitary sewer bill cap of 125%, the recommended basic quarterly charges and increasing the commodity rate at \$5.06 per thousand gallons will result in an added monthly expense of \$3.20 for the typical residential customer.

In previous utility rate studies, emphasis has been placed on stabilizing retained earnings in the Sanitary Sewer Fund at a level of \$1,500,000 as recommended by the city's financial advisor. An adequate cash balance must be maintained for operation of the utility and to make debt service payments. Basic Quarterly Charges are recommended to ensure sufficient resources are available within the Sanitary Sewer Fund to meet obligations to avoid the need for subsidy by non-utility related funds.

For Fiscal Year 2020-2021 the estimated working capital (i.e. cash) at the end of the year is \$11,389,825. Based on the recommended basic quarterly charges and commodity rate for Fiscal Year 2021-2022, an acceptable level of working capital balance can be maintained through Fiscal Year 2025-2026.

The recommended rate for Fiscal Year 2021-2022 is higher than the rate forecast in the 2020 Utility Financial Rate Study due to an increase in waste water treatment charges from the City of Kalamazoo. As shown in Table 1 (Utility Fund Statements of Revenues and Expenses – Sanitary Sewer Fund) no rate changes are recommended in subsequent years.

Sanitary Sewer Rate - Schoolcraft Township

The service agreement with Schoolcraft Township establishes the rate charged to customers in Schoolcraft Township. The basic quarterly charge is the same as charged to the City of Portage customers. There is a 5% surcharge on the commodity rate and a \$0.35 charge per thousand gallons for capital costs. It is recommended that the sanitary sewer commodity rate to Schoolcraft Township customers be increased from \$5.18 to \$5.66 per thousand gallons.

Water Fund

Water Service Charges

It is recommended that the water commodity rate remain at \$3.14 per thousand gallons. The basic quarterly costs are designed to cover fixed costs related to the operation of the water system. It is recommended that the current water basic quarterly charges remain in effect as shown below:

WATER BASIC QUARTERLY CHARGE CITY OF PORTAGE CUSTOMERS

<u>Meter Size</u>	<u>Current Quarterly Charge</u>	<u>Proposed Quarterly Charge</u>
5/8"	\$ 20.59	\$ 20.59
3/4"	\$ 30.89	\$ 30.89
1"	\$ 46.33	\$ 46.33
1-1/2"	\$ 82.36	\$ 82.36
2"	\$ 123.54	\$ 123.54
3"	\$ 205.90	\$ 205.90
4"	\$ 411.80	\$ 411.80
6"	\$ 720.65	\$ 720.65
8"	\$ 1,029.50	\$ 1,029.50

These rates conform to the recommendation in the 2011 Comprehensive Utility Rate Study by Utility Financial Solutions, LLC. The proposed rate will result in no change in the monthly expense for the typical residential water customers.

Private Fire Protection Service Charges.

Dedicated fire protection service is defined as a separate water service line that solely provides fire protection to a property. The Basic Quarterly Charge will ensure that the cost of providing a dedicated fire service that only benefits one property is borne by the benefiting customer and not the utility customers at large. In addition to the Basic Quarterly Charge a \$6.40 per 1,000 gallon charge for all water use recorded on the fire service bypass meter is assessed. It is recommended that the Basic Quarterly Charge for fire protection services remain unchanged as shown in the table below.

Private Fire Protection - Basic Quarterly Charge

<u>Fire Protection Service Size</u>	<u>Current Basic Quarterly Charge</u>	<u>Proposed Basic Quarterly Charge</u>
4 – inch	\$15.00	\$15.00
6 – inch	\$35.00	\$35.00
8 – inch	\$60.00	\$60.00
10 – inch	\$95.00	\$95.00
12 – inch	\$135.00	\$135.00
16 – inch	\$240.00	\$240.00

As shown on Table 2 (Utility Fund Statements of Revenues and Expenses - Water Fund), no rate changes are recommended in subsequent years. The water quarterly basic charges and commodity rate can be decreased and continue to fund operations, meet major capital improvement needs, keep up with inflationary increases in water production costs (pumping, disinfection, etc.), repay outstanding water-related Limited Tax General Obligation (LTGO) bonds and provide for future LTGO and revenue bond debt. In future years, costly major water projects such as additional water storage and iron removal facilities will be required as demands on the Portage water system increase. In addition, the Water Fund will finance needed storm drainage improvements throughout the city.

Emphasis has been placed on stabilizing retained earnings in the Water Fund at a level of \$2,500,000 as recommended by the city's financial advisor. An adequate cash balance needs to be maintained for operation of the utility and to make debt service payments. There are sufficient resources available within the Water Fund to meet obligation to avoid the need for subsidy by non-utility related funds with the recommended rate over the coming years. For Fiscal Year 2020-2021, the estimated working capital (i.e. cash) at the end of the year is \$4,526,619. Based on the recommended basic quarterly charges and commodity rate for Fiscal Year 2021-2022 an acceptable level of working capital balance can be maintained through Fiscal Year 2025-2026.

It is important that the city continue to plan for the rehabilitation of the Haverhill water tower and the installation of new iron removal facilities at the Shuman well site (currently scheduled in Fiscal Year 2024 through 2026 in the recommended 2021-2031 CIP) to relieve pressure on the Kalamazoo/Portage groundwater aquifer and the Milham well field located north of Portage Northern High School. Exploration in southern Portage, Schoolcraft Township and Pavilion Township was not successful in locating any new suitable well sites with low iron content.

Water Rate — Pavilion Township and Schoolcraft Township

It is recommended that the basic quarterly charges for Pavilion Township and Schoolcraft Township residents be the same as charged to City of Portage customers. It is also recommended that the water commodity rate for Pavilion Township and Schoolcraft Township residents remain at \$3.78 per thousand gallons.

SUMMARY OF RECOMMENDATIONS

The effect of the combined recommendations on the typical City of Portage residential customer is projected through Fiscal Year 2025-2026 in Table 3. The Fiscal Year 2021-2022 combined rate increase for the typical residential customer is 5.47%. The typical residential customer having both municipal water and sewer service, the proposed rates will result in an added monthly expense of \$3.20. With operations, capital improvements and debt service continuing to be funded, the utility systems have been self-supporting since July 1989. Self-supporting status is essential for these important enterprise funds so that the funds do not become a financial drain on either the General Fund or the Capital Improvement Fund.

It is recommended that the effective date for rate adjustments be July 1, 2021.

SECTION II – UTILITY

FEES AND CHARGES

INTRODUCTION

Although the establishment of appropriate commodity rates and basic quarterly charges for water and sewer service is the primary focus of the annual Utility Rate Financial Study, it is also prudent to give attention to matters which may be less significant in dollar amounts but are still important to the financial health of the utility system, i.e. utility fees and charges.

Background

The establishment of adequate fees and charges for services performed in addition to the delivery of water and sewer service is necessary to fairly and equitably recover costs for services provided. When fees and charges are inadequate, the utility rate payer must bear the cost for services provided to others. Examples include costs for service connections, meters, turn-on fees, etc. In each case, if the charges for these services are inadequate to recover costs, the rate payers subsidize the service provided to some extent.

CURRENT STATUS AND RECOMMENDATIONS

Meter Charges

The current meter installation charges are based on the cost of the meter plus the cost of labor and equipment to install the meter. The current meter and installation costs have been reviewed and it was determined that several water meter charges need to be increased to reflect the current cost of installation. It is recommended that water meter charges be adjusted as shown in the table below.

<u>Meter Size</u>	<u>Current Charges</u>	<u>Actual Cost/Recommended Charges</u>
5/8"	\$225	\$225
3/4"	\$280	\$280
1"	\$345	\$345
1-1/2" SR (Irrigation)	\$1,050	\$1,050
1-1/2" Compound	\$1,580	\$1,580
2" SR (Irrigation)	\$1,350	\$1,350
2" Compound	\$2,225	\$2,225
3" Compound	\$2,925	\$2,925
4" Compound	\$4,530	\$4,530
6" Compound	\$7,840	\$7,840

Meter Box Charge

A meter box charge is based on the cost of materials to install the meter box. Meter boxes are used when a suitable location for meter installation is not available in the building or property being served. The charge has been reviewed and it was found that the cost has not increased. It is recommended that the meter box charge remain unchanged at \$1250.

Hydrant Meter Charges

The use of meters on fire hydrants is a service provided as a convenience to contractors or individuals who need to obtain large quantities of water in a short period of time. It is recommended that the minimum charge for use of a hydrant meter remain at \$150. The minimum charge for supplying and installing a meter on a fire hydrant includes the use of 15,000 gallons of water. It is also recommended that the commodity charge for use over 15,000 gallons of water remain at \$6.40 per 1,000 gallons. Furthermore, that the deposit required to ensure the return of all hydrant meter hoses and other items remain at \$250. This deposit eliminates the potential problem of collecting for the service provided.

Fire Hydrant Flow Test Charge

Fire hydrant flow tests are often requested by insurance companies and developers to determine the quantity of water available for fire protection at a property. The established charge for providing a flow test ensures that the cost is borne by the benefiting customer and not the utility customers at large. It is recommended that the charge for a hydrant flow test remain at \$135.

Reinstatement Processing Fee

A fee is charged for reinstating water service turned off due to delinquency or at the request of the customer. In the case of delinquency, three notices are sent to the customer with a shut-off date established on the third notice. Once a work order has been issued for water shut-off, the processing fee is automatically added to the customer's bill and payment of the delinquent bill plus the processing fee is required prior to reactivation of service. The current fee is \$50 and is recommended to be continued for Fiscal Year 2021-2022. When payment for the balance due has been made, including the \$50 fee, and a waiver has been completed, water service will be restored the same day up to 4PM; if paid after 4PM, service is restored the next business day. No fee is charged for a water turn-off and subsequent restoration of water service when requested by the customer or contractor due to an emergency, or scheduled maintenance activity. For home inspections, when service is requested to be turned on and off the same or next business day, the processing fee and charges for usage of less than 3,000 gallons are waived. For water service turn-on after normal working hours, the current processing fee of \$100 is recommended to be continued for Fiscal Year 2021-2022. The \$100 processing charge reflects the added hourly cost for the service technician associated with the provision of water service turn-on after normal working hours.

Other Charges and Policies

1. **Flat Rate:** Non-metered sewer customers are billed based on a water usage of 15,000 gallons per quarter (flat rate). It is recommended that this policy be continued.
2. **Irrigation Allowance:** Single family residences, residential condominiums and all other individually metered residential units may be given a discount for irrigation as follows:
 - a. Charges for such customers are based on actual water consumption, except that there is no sewage charge for water consumption exceeding 125% of the water consumption for the most recent quarter billing in which the month of January is included;
 - b. Residential customers who do not have a quarter billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January have the sewer charge for the other three quarters established at the maximum rate volume of 15,000 gallons or actual usage, if less, per quarter until such time as quarter billing information, in which the month of January is included, is available. It is recommended that the irrigation allowance be continued.
3. **Senior Citizen Water Allowance:** City of Portage water customers 65 years of age and older who submit an application and provide proof of age are eligible for a 10% discount on water use charges for their primary residence account.
4. **Non-Sufficient Funds (NSF) Check Fee:** It is recommended to maintain the current fee of \$30 per occurrence to reflect current administrative cost for any returned/unpaid check or other failed financial instrument which results in uncollected funds.
5. **Outstanding Charges Limit:** The amount of past due/outstanding charges necessitating water shut-off is recommended to be maintained at \$60.
6. **Utility Late Fee Waivers:** It is recommended that the utility billing late fee be waived if the customer:
 - a. has paid all of the last 8 or more utility bills on time and the customer requests that the late fee be waived/removed or;
 - b. signs up for automatic payment where the amount due is taken from their bank account on the due date.

SUMMARY OF RECOMMENDATIONS

Summarizing recommendations for Fiscal Year 2021-2022 utility fees and charges, it is advised that:

1. Charges for meters be adjusted to reflect the current cost of installation.
3. Charges for installation of meter box remain the same.
4. The current charge of a \$250 deposit for the installation of a hydrant meter remains the same and the current minimum charge including the use of up to 15,000 gallons of water remains at \$150. Further, the current commodity charge of \$6.40 per thousand gallons for all water used over 15,000 gallons remains the same.
5. The \$50 processing fee associated with turn-on or shut-off of a water service is continued, except the initial turn-on for first-time customers will be at no charge. When the city dispatches a person to turn on water during non-business hours, the processing fee of \$100 will be continued.
6. The flat rate based on a consumption of 15,000 gallons per quarter for non-metered sewer customers continues in effect.
7. The sewer billing cap for residential customers having a zero water meter reading in the quarter that contains January remains at 15,000 gallons.
8. The current charge of \$30 per occurrence will be assessed for any returned/unpaid check or other failed financial instrument which results in uncollected funds.
9. The utility billing late fee will be waived:
 - a. if the customer has paid all of the last 8 or more utility bills on time and the customer requests that the late fee be waived/removed or;
 - b. if the customer signs up for automatic payment.
10. A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.
11. An amount past due of more than \$60 remain as the shut-off level amount.

Utility Fund Statement of Revenues and Expenses

SEWER FUND							
2020/2021 RATES							
	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
	Audited	Estimated	Budgeted	Projected	Projected	Projected	Projected
SALES (million gallons)	1,168	1,174	1,180	1,186	1,192	1,198	1,204
RATE (per 1000 gallons)	\$4.60	\$4.60	\$5.06	\$5.06	\$5.06	\$5.06	\$5.06
BASE CHARGE (per quarter)	\$26.91	\$26.91	\$29.60	\$29.60	\$29.60	\$29.60	\$29.60
User charges	8,173,032	8,161,769	8,952,000	9,278,000	9,308,000	9,339,000	9,370,000
Tap in fees and other revenue	249,651	194,242	213,666	235,033	258,536	284,390	312,829
TOTAL OPERATING REVENUE	8,422,683	8,356,011	9,165,666	9,513,033	9,566,536	9,623,390	9,682,829
Operations and maintenance	2,662,899	2,382,288	2,418,000	2,454,000	2,491,000	2,528,000	2,566,000
Sewer treatment charges	3,211,600	3,287,096	4,000,000	4,060,000	4,121,000	4,183,000	4,246,000
General and administrative	1,266,352	1,323,530	1,343,000	1,363,000	1,383,000	1,404,000	1,425,000
Depreciation	962,479	980,554	1,000,879	1,024,954	1,055,104	1,078,167	1,091,779
TOTAL OPERATING EXPENSE	8,103,330	7,973,468	8,761,879	8,901,954	9,050,104	9,193,167	9,328,779
OPERATING GAIN (LOSS)	319,353	382,543	403,787	611,079	516,432	430,223	354,050
Interest income	256,330	169,178	170,900	172,600	174,300	176,000	177,800
Interest on outstanding debt	(85,024)	(65,125)	(49,531)	(38,563)	(28,851)	(20,331)	(13,559)
Capital outlay	0	(197,000)	(202,000)	(207,000)	(212,000)	(217,000)	(222,000)
NET NON-OPERATING REVENUE (EXPENSE)	171,306	(92,947)	(80,631)	(72,963)	(66,551)	(61,331)	(57,759)
NET GAIN (LOSS) BEFORE TRANSFERS	490,659	289,595	323,156	538,116	449,881	368,892	296,291
TRANSFERS IN (OUT)	(95,000)	(95,000)	(95,000)	(95,000)	(100,000)	(100,000)	(100,000)
CHANGE IN NET POSITION	395,659	194,595	228,156	443,116	349,881	268,892	196,291
CASH FLOW ANALYSIS							
Beginning Cash Balance	13,349,490	12,160,750	11,389,825	11,055,430	10,114,074	9,183,439	9,190,693
Net Cash from Operating Activities	1,661,650	1,363,097	1,404,666	1,636,033	1,571,536	1,508,390	1,445,829
Net Transfers In & Investing Activities	244,888	169,178	170,900	172,600	174,300	176,000	177,800
Proceeds of Bond Issuance	-	-	-	-	-	-	-
CASH AVAILABLE	15,256,028	13,693,024	12,965,392	12,864,063	11,859,910	10,867,829	10,814,322
Capital Improvement Needs	2,568,233	1,802,000	1,497,000	2,312,000	2,322,000	1,382,000	1,072,000
Principal & Interest on Long Term Debt	527,045	501,199	412,962	437,989	354,471	295,136	225,845
CASH OUTFLOW	3,095,278	2,303,199	1,909,962	2,749,989	2,676,471	1,677,136	1,297,845
ENDING CASH BALANCE	12,160,750	11,389,825	11,055,430	10,114,074	9,183,439	9,190,693	9,516,477
WORKING CAPITAL	12,650,779	11,848,789	11,500,919	10,521,630	9,553,495	9,561,041	9,899,952
Typical residential % change	-3.69%	0.00%	10.00%	0.00%	0.00%	0.00%	0.00%

Utility Fund Statement of Revenues and Expenses

WATER FUND							
2020/2021 RATES							
	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
	Audited	Estimated	Budgeted	Projected	Projected	Projected	Projected
SALES (million gallons)	1,364	1,364	1,371	1,378	1,384	1,391	1,398
RATE (per 1000 gallons)	\$3.14	\$3.14	\$3.14	\$3.14	\$3.14	\$3.14	\$3.14
BASE CHARGE (per quarter)	\$20.59	\$20.59	\$20.59	\$20.59	\$20.59	\$20.59	\$20.59
User charges	6,393,603	6,672,434	6,207,000	6,230,000	6,253,000	6,276,000	6,299,000
Tap in fees and other revenue	329,964	321,264	327,689	330,966	334,275	337,618	340,994
TOTAL OPERATING REVENUE	6,723,567	6,993,698	6,534,689	6,560,966	6,587,275	6,613,618	6,639,994
Operations and maintenance	1,737,923	1,676,172	1,705,500	1,735,300	1,765,700	1,796,600	1,828,000
General and administrative	1,689,042	1,444,200	1,469,500	1,495,200	1,521,400	1,548,000	1,575,100
Depreciation	885,050	927,913	991,138	1,045,250	1,083,275	1,112,300	1,166,675
TOTAL OPERATING EXPENSE	4,312,015	4,048,285	4,166,138	4,275,750	4,370,375	4,456,900	4,569,775
OPERATING GAIN (LOSS)	2,411,552	2,945,414	2,368,551	2,285,216	2,216,900	2,156,718	2,070,219
Interest income	311,856	205,825	209,900	318,100	209,900	214,100	324,500
Interest on outstanding debt	(407,037)	(297,113)	(286,120)	(230,494)	(176,971)	(130,568)	(92,746)
Capital outlay	0	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)
NET NON-OPERATING REVENUE (EXPENSE)	(95,181)	(141,288)	(126,220)	37,606	(17,071)	33,532	181,754
NET GAIN (LOSS) BEFORE TRANSFERS	2,316,371	2,804,125	2,242,331	2,322,822	2,199,829	2,190,250	2,251,973
TRANSFERS IN (OUT)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)
CHANGE IN NET POSITION	2,256,371	2,744,125	2,182,331	2,262,822	2,139,829	2,130,250	2,191,973
CASH FLOW ANALYSIS							
Beginning Cash Balance	7,698,243	6,238,033	4,526,619	704,724	385,890	5,454	911,232
Net Cash from Operating Activities	3,421,930	3,732,038	3,233,469	3,368,072	3,283,104	3,302,550	3,418,648
Net Transfers In & Investing Activities	179,211	222,109	222,109	207,810	217,343	215,754	213,635
Proceeds of Bond Issuance	-	-	-	500,000	1,000,000	-	4,000,000
CASH AVAILABLE	11,299,384	10,192,180	7,982,197	4,780,605	4,886,337	3,523,758	8,543,516
Capital Improvement Needs	2,293,035	3,425,000	5,125,000	2,210,000	2,980,000	1,010,000	6,360,000
Principal & Interest on Long Term Debt	2,768,316	2,240,561	2,152,473	2,184,715	1,900,883	1,602,526	1,223,679
CASH OUTFLOW	5,061,351	5,665,561	7,277,473	4,394,715	4,880,883	2,612,526	7,583,679
ENDING CASH BALANCE	6,238,033	4,526,619	704,724	385,890	5,454	911,232	959,837
WORKING CAPITAL	5,144,931	3,733,411	581,234	318,270	4,499	751,555	791,643
Typical residential % change	-3.42%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Table 3

Utility Fund Statement of Revenues and Expenses

SEWER AND WATER FUNDS							
2020/2021 RATES							
	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
	Audited	Estimated	Projected	Projected	Projected	Projected	Projected
User charges	14,566,635	14,834,203	15,159,000	15,508,000	15,561,000	15,615,000	15,669,000
Tap fees	579,615	515,506	541,355	565,999	592,812	622,008	653,823
TOTAL OPERATING REVENUE	15,146,250	15,349,709	15,700,355	16,073,999	16,153,812	16,237,008	16,322,823
Operations and maintenance	4,400,822	4,058,460	4,123,500	4,189,300	4,256,700	4,324,600	4,394,000
Sewer treatment charges	3,211,600	3,287,096	4,000,000	4,060,000	4,121,000	4,183,000	4,246,000
General and administrative	2,955,394	2,767,730	2,812,500	2,858,200	2,904,400	2,952,000	3,000,100
Depreciation	1,847,529	1,908,467	1,992,017	2,070,204	2,138,379	2,190,467	2,258,454
TOTAL OPERATING EXPENSE	12,415,345	12,021,753	12,928,017	13,177,704	13,420,479	13,650,067	13,898,554
OPERATING GAIN (LOSS)	2,730,905	3,327,956	2,772,339	2,896,295	2,733,333	2,586,942	2,424,269
Interest income	568,186	375,003	380,800	490,700	384,200	390,100	502,300
Interest on outstanding debt	(492,061)	(362,238)	(335,651)	(269,057)	(205,822)	(150,899)	(106,305)
Capital outlay	0	(247,000)	(252,000)	(257,000)	(262,000)	(267,000)	(272,000)
NET NON-OPERATING REVENUE (EXPENSE)	76,125	(234,235)	(206,851)	(35,357)	(83,622)	(27,799)	123,995
NET GAIN (LOSS) BEFORE TRANSFERS	2,807,030	3,093,721	2,565,488	2,860,938	2,649,711	2,559,143	2,548,264
TRANSFERS IN (OUT)	(155,000)	(155,000)	(155,000)	(155,000)	(160,000)	(160,000)	(160,000)
CHANGE IN NET POSITION	2,652,030	2,938,721	2,410,488	2,705,938	2,489,711	2,399,143	2,388,264
CASH FLOW ANALYSIS							
Beginning Cash Balance	21,047,733	18,398,783	15,916,444	11,760,154	10,499,964	9,188,893	10,101,925
Net Cash from Operating Activities	5,083,580	5,095,135	4,638,135	5,004,105	4,854,641	4,810,940	4,864,477
Net Transfers In & Investing Activities	424,099	391,287	393,009	380,410	391,643	391,754	391,435
Bond issue Proceeds	-	-	-	500,000	1,000,000	0	4,000,000
CASH AVAILABLE	26,555,412	23,885,204	20,947,589	17,644,668	16,746,247	14,391,587	19,357,838
Capital Improvement Needs	4,861,268	5,227,000	6,622,000	4,522,000	5,302,000	2,392,000	7,432,000
Principal & Interest on Long Term Debt	3,295,361	2,741,760	2,565,435	2,622,704	2,255,354	1,897,662	1,449,524
CASH OUTFLOW	8,156,629	7,968,760	9,187,435	7,144,704	7,557,354	4,289,662	8,881,524
ENDING CASH BALANCE	18,398,783	15,916,444	11,760,154	10,499,964	9,188,893	10,101,925	10,476,314
WORKING CAPITAL	17,795,710	15,582,201	12,082,153	10,839,900	9,557,993	10,312,596	10,691,595
Typical residential % change	-3.56%	0.00%	5.47%	0.00%	0.00%	0.00%	0.00%

Table 4

	Fiscal 2020-2021 Current Rates			Fiscal 2021-2022 Proposed rates		
	Sewer Cap = 125%			Sewer Cap = 125%		
	Sewer (000 Gal.)	Water (000 Gal.)	Total	Sewer (000 Gal.)	Water (000 Gal.)	Total
Winter	14	14		14	14	
Spring	14	14		14	14	
Summer	18	33		18	33	
Fall	14	14		14	14	
Total	60	75		60	75	
Rate per 1000 gallons	\$4.60	\$3.14		\$5.06	\$3.14	
Usage charge	\$276.00	\$235.50	\$511.50	\$303.60	\$235.50	\$539.10
Annual basic rate	107.64	82.36	190.00	118.40	82.36	200.76
Total	\$383.64	\$317.86	\$701.50	\$422.00	\$317.86	\$739.86
% change				10.00%	0.00%	5.47%

Increased cost for the Typical Portage Residential Customer

	<u>for sewer</u>	<u>for water</u>	<u>for both</u>
per year	\$38.36	\$0.00	\$38.36
per quarter	\$9.59	\$0.00	\$9.59
per month	\$3.20	\$0.00	\$3.20
per week	\$0.74	\$0.00	\$0.74
per day	\$0.11	\$0.00	\$0.11

CAPITAL IMPROVEMENT PROJECT SUMMARY

SANITARY SEWER

Project Expenditures

Project Number/Title				21-22	22-23	23-24	Fiscal Year 24-25	25-26	26-31	Total
1	T&U	Lift Station Renovations	Cash	1,000,000	1,000,000	1,000,000	750,000	750,000	3,750,000	8,250,000
2	T&U	Lovers Lane Sanitary Sewer Extension	Cash	200,000						200,000
3	T&U	Ramona Park Plat Sanitary Sewer			950,000					950,000
4	T&U	South Westnedge Avenue Sanitary Sewer Lead			60,000					60,000
5	T&U	Portage Road Sanitary Sewer Extension				350,000				350,000
6	T&U	Zylman Avenue Sanitary Sewer, South Sprinkle Road to Deep Point Drive				660,000				660,000
7	T&U	Weaver Drive Sanitary Sewer, Charles Street to north end					315,000			315,000
8	T&U	Portage Road - Emily Lift Station Force Main Replacement							300,000	300,000
TOTALS				1,200,000	2,010,000	2,010,000	1,065,000	750,000	4,050,000	11,085,000
		Special Assessments			40,000	55,000				95,000
		Municipal Street Fund			40,000	55,000				95,000
		Sewer Fund cash	Cash	1,200,000	1,930,000	1,900,000	1,065,000	750,000	4,050,000	10,895,000

CAPITAL IMPROVEMENT PROJECT SUMMARY

WATER

Project Expenditures

Project Number/Title				Fiscal Year					Total
				21-22	22-23	23-24	24-25	25-26	
1	T&U	Lakeview Drive Water Main Replacement	Cash	1,800,000					1,800,000
2	T&U	Northwest Water Storage Facility Rehabilitation	Cash	1,200,000					1,200,000
3	T&U	Local Streets Water and Storm Improvements	Cash	865,000					865,000
4	T&U	Angling Road Storm Drainage Improvements	Cash	500,000					500,000
5	T&U	Portage Village Drain Enclosure	Cash	400,000					400,000
6	T&U	Storm Drainage Improvements Program	Cash	300,000	300,000	300,000	300,000	300,000	1,500,000
7	T&U	Brown Street Storm Driveainage Improvements			200,000				200,000
8	T&U	Shaver Road Water Main Replacement			1,300,000				1,300,000
9	T&U	Ramona Park Plat Water Main			350,000				350,000
10	T&U	Meredith Street Water Main Replacement				1,150,000			1,150,000
11	T&U	Cox's Drive Storm Drainage Improvements				100,000			100,000
12	T&U	Portage Road Storm Drainage Improvements				850,000			850,000
13	T&U	Portage Road Water Main Extension, Helen Avenue to Byrd Drive				350,000			350,000
14	T&U	Woodland Elementary School Water Main				115,000			115,000
15	T&U	Water System Reliability Study Update				55,000			55,000
16	T&U	Shuman Wellfield Iron Removal Facility					650,000	6,000,000	6,650,000
17	T&U	Portage Road Water Main and Storm Driveain Replacement						1,000,000	1,000,000
18	T&U	Schuring Road Water Main Replacement						525,000	525,000
19	T&U	Water System Risk and Resiliency Assessment						50,000	50,000
20	T&U	East Shore Drive Water Main Replacement						310,000	310,000
21	T&U	East Centre Avenue Water Main Replacement						1,300,000	1,300,000
22	T&U	Northeast Quadrant Well Field Development						1,200,000	1,200,000
TOTALS				5,065,000	2,150,000	2,920,000	950,000	6,300,000	23,325,000
Capital Improvement Bonds								5,000,000	5,000,000
Water Fund Cash				Cash	5,065,000	2,150,000	2,920,000	1,300,000	18,325,000

Table 5

CAPITAL IMPROVEMENT PROJECT SUMMARY

SANITARY SEWER

				Project Expenditures						
Project Number/Title				21-22	22-23	23-24	Fiscal Year 24-25	25-26	26-31	Total
1	T&U	Lift Station Renovations	Cash	1,000,000	1,000,000	1,000,000	750,000	750,000	3,750,000	8,250,000
2	T&U	Lovers Lane Sanitary Sewer Extension	Cash	200,000						200,000
3	T&U	Ramona Park Plat Sanitary Sewer			950,000					950,000
4	T&U	South Westnedge Avenue Sanitary Sewer Lead			60,000					60,000
5	T&U	Portage Road Sanitary Sewer Extension				350,000				350,000
6	T&U	Zylman Avenue Sanitary Sewer, South Sprinkle Road to Deep Point Drive				660,000				660,000
7	T&U	Weaver Drive Sanitary Sewer, Charles Street to north end					315,000			315,000
8	T&U	Portage Road - Emily Lift Station Force Main Replacement							300,000	300,000
TOTALS				1,200,000	2,010,000	2,010,000	1,065,000	750,000	4,050,000	11,085,000
		Special Assessments			40,000	55,000				95,000
		Municipal Street Fund			40,000	55,000				95,000
		Sewer Fund cash	Cash	1,200,000	1,930,000	1,900,000	1,065,000	750,000	4,050,000	10,895,000

Table 6

CAPITAL IMPROVEMENT PROJECT SUMMARY

WATER

				Project Expenditures						Total
Project Number/Title				21-22	22-23	23-24	Fiscal Year 24-25	25-26	26-31	
1	T&U	Lakeview Drive Water Main Replacement	Cash	1,800,000						1,800,000
2	T&U	Northwest Water Storage Facility Rehabilitation	Cash	1,200,000						1,200,000
3	T&U	Local Streets Water and Storm Improvements	Cash	865,000						865,000
4	T&U	Angling Road Storm Drainage Improvements	Cash	500,000						500,000
5	T&U	Portage Village Drain Enclosure	Cash	400,000						400,000
6	T&U	Storm Drainage Improvements Program	Cash	300,000	300,000	300,000	300,000	300,000	1,500,000	3,000,000
7	T&U	Brown Street Storm Driveainage Improvements			200,000					200,000
8	T&U	Shaver Road Water Main Replacement			1,300,000					1,300,000
9	T&U	Ramona Park Plat Water Main			350,000					350,000
10	T&U	Meredith Street Water Main Replacement				1,150,000				1,150,000
11	T&U	Cox's Drive Storm Drainage Improvements				100,000				100,000
12	T&U	Portage Road Storm Drainage Improvements				850,000				850,000
13	T&U	Portage Road Water Main Extension, Helen Avenue to Byrd Drive				350,000				350,000
14	T&U	Woodland Elementary School Water Main				115,000				115,000
15	T&U	Water System Reliability Study Update				55,000			55,000	110,000
16	T&U	Shuman Wellfield Iron Removal Facility					650,000	6,000,000		6,650,000
17	T&U	Portage Road Water Main and Storm Driveain Replacement							1,000,000	1,000,000
18	T&U	Schuring Road Water Main Replacement							525,000	525,000
19	T&U	Water System Risk and Resiliency Assessment							50,000	50,000
20	T&U	East Shore Drive Water Main Replacement							310,000	310,000
21	T&U	East Centre Avenue Water Main Replacement							1,300,000	1,300,000
22	T&U	Northeast Quadrant Well Field Development							1,200,000	1,200,000
TOTALS				5,065,000	2,150,000	2,920,000	950,000	6,300,000	5,940,000	23,325,000
Capital Improvement Bonds								5,000,000		5,000,000
Water Fund Cash				Cash	5,065,000	2,150,000	2,920,000	950,000	1,300,000	18,325,000

CITY OF PORTAGE

RESOLUTION

SEWER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2021 at 7:00 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for sewer service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of wastewater service rendered by the wastewater system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2021.

A. CUSTOMER CHARGES

The charges to be paid by users of wastewater service rendered by the sewer system shall consist of a basic quarterly charge plus commodity charges as follows:

<u>Meter Size</u>	<u>Basic Quarterly Charge</u>
5/8"	\$ 29.60
3/4"	\$ 44.40
1"	\$ 66.60
1-1/2"	\$ 118.40
2"	\$ 177.60
3"	\$ 296.00
4"	\$ 592.00
6"	\$1,036.00
8"	\$1,480.00

COMMODITY CHARGES

For all metered use, except as may be provided under Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
Per 1000 Gallons
\$5.06

B. MINIMUM FOR NON-METERED (FLAT RATE) CUSTOMERS

The flat rate for non-metered customers shall be established based on water usage of 15,000 gallons per quarter.

	<u>Flat Charge</u>	<u>Basic Charge</u>	<u>Total Charge</u>
Per quarter based on commodity charge for 15,000 gallons	\$75.90	\$29.60	\$105.50

C. IRRIGATION ALLOWANCE

Residential customers shall be given a discount if the customer is eligible for an irrigation discount under City Ordinance as follows: 1) Charges for such customers shall be based on actual water consumption, except that there shall be no sewage charge for the water consumption exceeding 125 percent of the water consumption for the most recent quarter billing in which the month of January is included; 2) Residential customers who do not have a quarterly billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January, shall have the sewer charge for the other three quarters established at the maximum rate volume of 15,000 gallons or actual usage, if less, per quarter until such time as quarterly billing information, in which the month of January is included, is available.

D. SURCHARGES AND CREDITS

Surcharges for pollutant loadings above standard domestic waste will be charged rates established by ordinance of the City of Kalamazoo. Industries which pretreat may qualify for credits for pollutant loading at a strength below standard domestic strength in accordance with rates established by ordinances of the City of Kalamazoo.

E. ADDITIONAL CHARGES

Additional charges shall be as follows:

- (1) Equal to the actual expense incurred by the City for removing prohibited material discharged or caused or allowed to be discharged by the user and/or for the handling and/or treating of material in the wastewater system; and
- (2) Equal to the actual expense incurred by the City for cleaning or repairing the waste water system or any part thereof as required by a discharge by, or caused or allowed by, a user.

F. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Schoolcraft Township customers shall be the same as charged to city customers, as detailed in Section “A” above. Commodity charges for Schoolcraft Township customers shall be set at \$5.66 per thousand gallons of water used. Other charges and fees to township customers shall be the same as for City of Portage customers.

G. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

H. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

I. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 8 or more quarterly utility bills on time; and
(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city’s automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

Erica Eklov, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of 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 _____ 2021, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2021.

Erica Eklov, City Clerk

Approved as to form:
(Previously approved by City Attorney)

Michael Carroll, Chief Legal Officer

CITY OF PORTAGE

RESOLUTION

WATER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2021 at 7:00 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for water service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of water service rendered by the water system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2021.

A. CUSTOMER CHARGES

The charges to be paid by users of water service rendered by the water system shall consist of a basic quarterly charge plus commodity charges as follows:

Meter Size	Basic Quarterly Charge
5/8"	\$ 20.59
3/4"	\$ 30.89
1"	\$ 46.33
1-1/2"	\$ 82.36
2"	\$ 123.54
3"	\$ 205.90
4"	\$ 411.80
6"	\$ 720.65
8"	\$1029.50

COMMODITY CHARGES

For all use, except as may be provided under Hydrant Meter Charges, Fire Protection Service Charges and Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
<u>Per 1000 Gallons</u>
\$3.14

B. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Pavilion Township and Schoolcraft Township customers shall be the same as charged to City customers, as detailed in section "A" above. Commodity charges for Pavilion Township and Schoolcraft Township customers shall be set at \$3.78 per thousand gallons of water used. Other charges and fees to township customers will be the same as for City of Portage customers.

C. FIRE PROTECTION SERVICE CHARGES

The charges to be paid by users of fire protection service rendered by the water system shall consist of a basic quarterly charge as follows:

Service <u>Size</u>	Basic Quarterly <u>Charge</u>
4"	\$ 15.00
6"	\$ 35.00
8"	\$ 60.00
10"	\$ 95.00
12"	\$135.00
16"	\$240.00

For all use metered on Fire Protection Services the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
<u>Per 1000 Gallons</u>
\$6.40

D. METER CHARGES

The charges to be paid for installing meters are as follows:

<u>Meter Size</u>	<u>Meter Charge</u>
5/8"	\$ 225
3/4"	\$ 280
1"	\$ 345
1 ½" SR (Irrigation)	\$ 1,050
1 ½" (Compound)	\$ 1,580
2" SR (Irrigation)	\$ 1,350
2" (Compound)	\$ 2,225
3" (Compound)	\$ 2,925
4" (Compound)	\$ 4,530
6" (Compound)	\$ 7,840

E. METER BOX CHARGE

The charges to be paid for Meter Boxes are as follows:

<u>Service Provided</u>	<u>Meter Box Charge</u>
Meter Box	\$1,250

F. HYDRANT METER CHARGES

The charges to be paid for installation of hydrant meters and use of hydrant water are as follows:

<u>Service Provided</u>	<u>Hydrant Meter Charge</u>
Meter installation	\$150*
Hydrant Use	\$6.40/thousand gallons

*Charge includes 15,000 gallons of water.

Furthermore, a deposit of \$250 will be required before installation of the hydrant meter. The deposit will be applied to the charges and water usage.

H. HYDRANT FLOW TEST

A charge of \$135 per occurrence will be charged for a fire hydrant flow test to determine the quantity of water available for fire fighting use.

I. PROCESSING FEE

The charge to be paid by users having water service turned on is as follows:

<u>Service Provided</u>	<u>Processing Fee</u>
Turning on water service	\$50 (except for first time customers and customer repairs) \$100 (turn on after normal working hours)

This fee also applies to services that are turned off for delinquency and is applied once a city work order has been issued.

J. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

K. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

L. WATER SHUT OFF DUE TO NON-PAYMENT

An amount past due of more than \$60.00 is established as the water shut-off level amount.

M. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 8 or more quarterly utility bills on time; and

(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

Erica Eklov, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of 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 _____ 2021, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2021.

Erica Eklov, City Clerk

Approved as to form:
(Previously approved by City Attorney)

Michael Carroll, Chief Legal Officer

TO: Honorable Mayor and City Council

FROM: Joseph La Margo, City Manager



SUBJECT: Resolution Condemning Hate Crimes, Hateful Rhetoric and Hateful Acts

SUPPORTING PERSONNEL: Adam Herringa, Deputy City Manager
Erica Eklov, City Clerk
Mary Beth Block, Public Information Officer

ACTION RECOMMENDED: Adopt the Resolution to Condemn Hate Crimes, Hateful Rhetoric and Hateful Acts.

During the April 13, 2021 City Council Meeting, citizen Mary Beth Henry spoke to the City Council to highlight discrimination against members of the Asian American Pacific Islanders (AAPI) community, both nationally and locally. She noted her own experience with AAPI discrimination and urged Council to issue a statement against such acts and address the matter. Following additional discussions between Ms. Henry and the City Administration, the attached Resolution was crafted and subsequently expanded in scope to include the black, indigenous and people of color communities (BIPOC). The document condemns hate crimes, hateful rhetoric and hateful acts, both locally and nationally, as well as outlines a public service announcement plan for the City of Portage. It is recommended that City Council adopt the Resolution.

FUNDING: Any public service campaign expenditures will be covered with existing funds in the Public Information Office budget.

Attachments: 1. Resolution

**CITY OF PORTAGE
RESOLUTION TO CONDEMN
HATE CRIMES, HATEFUL RHETORIC, AND HATEFUL ACTS**

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the 27th day of April 2021 at 7:00 p.m. local time.

PRESENT:

ABSENT:

Resolution offered by _____ and seconded by _____.

WHEREAS, racism, prejudice and violence has occurred toward Black, Indigenous, Asian American Pacific Islanders and other People of Color (BIPOC); and

WHEREAS, we must confront the pervasiveness of racism and its impact on BIPOC communities in our interpersonal, institutional, and structural relationships; and

WHEREAS, culturally insensitive rhetoric regarding COVID-19 has contributed to a spike in discrimination and hate crimes toward Asian American Pacific Islanders. More than 30 percent of Asian American Pacific Islanders have reported being subjected to discrimination since the beginning of the Pandemic. According to Stop AAPI Hate, 3,795 incidents have been reported between March 19, 2020 and February 28, 2021 from all 50 states, including 16 in Michigan; and

WHEREAS, acts of hate and discrimination are antithetical to our values as Portagers, Michiganders and Americans. As civic leaders, it is our duty to promote respect, inclusion, and a welcoming community for people of all races, national origins, and ethnicities; and

WHEREAS, addressing anti-Asian sentiment requires collaboration with Black, Indigenous, Latino/a/x, Muslim, Arab/Middle Eastern, and Native Hawaiian and Pacific Islander communities to find long-term solutions to stop systemic racism, xenophobia, and violence in all our communities; and

WHEREAS, all Portage citizens can play a role in establishing a safe and welcoming community by intervening and reporting instances of hate and discrimination; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Portage City Council encourages any Portage citizens who experience hate crimes to report such incidents to local law enforcement or the Michigan Attorney General's Hate Crimes Unit; and

BE IT FURTHER RESOLVED THAT, the Portage City Council calls on the City Administration to create a city-wide public service campaign within the next 30 to 60 days stating that Portage condemns any hate crimes, rhetoric and hateful acts, including valuable contact information, via both written and audio-visual publications (such as the *Portager* newsletter and social media), and

BE IT FURTHER RESOLVED THAT, the Portage City Council does hereby condemn white supremacy, racism, misogyny, and xenophobia; denounce hate crimes, hateful rhetoric, and hateful acts against Asians/Asian Americans and BIPOC communities.

YEAS:

NAYS:

ABSENT:

Erica L. 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 27th day of April 2021, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my signature this 27th day of April 2021.

Erica Eklov, City Clerk