

7:30 p.m. Call to Order.

Invocation: Pastor Richard Pilger of the Kalamazoo Valley Family Church.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Gun Violence Awareness Day.
2. Portage Soccer Classic Weekend.

A. Approval of City Council Meeting Minutes.

1. Special and Regular Meeting Minutes of May 10, 2016.
2. May 23, 2016 Pre-Council Meeting Minutes.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of May 24, 2016 as presented.

D. Public Hearings:

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

1. Communication from the City Manager recommending that City Council approve the Fiscal Year 2016-2017 Budget.
- * 2. Communication from the City Manager recommending that City Council approve the sole source purchase from Maxwell Products, Incorporated, for:
 1. 46,000 pounds of crack sealing material in the amount of \$19,504 for initial application in 2016; and
 2. 118,000 pounds of crack sealing material to be used during the 2016-2017 construction season; and

authorize the City Manager to execute all documents related to this action on behalf of the city.

- * 3. Communication from the City Manager recommending that City Council approve the:
 1. purchase of an EMC storage backup solution from Data Strategy, Incorporated, through the Western States Contracting Alliance cooperative purchasing program in the amount of \$47,578.41;
 2. professional installation services through Data Strategy, Incorporated, in the amount of \$10,000 in order to address storage backup failures and capacity issues on behalf of the City of Portage,

for a total project cost of \$57,578.41 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 4. Communication from the City Manager recommending that City Council approve the Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), subject to the three conditions in the April 29, 2016 Department of Community Development staff report.
- * 5. Communication from the City Manager recommending that City Council approve a Permit for a fireworks display on July 3, 2016, sponsored by the Portage Rotary Club.

- * 6. Communication from the City Manager regarding the April 2016 Environmental Report - Information Only.

G. Communications:

1. Annual presentation and update from the Human Services Board.
2. Annual presentation from the Historic District Commission.
3. Communication from the Mayor recommending that City Council appoint Paul Welch to an additional one-year term to the Planning Commission, effective June 1, 2016 through May 31, 2017.

H. Unfinished Business:

- * 1. Communication from the City Manager recommending that City Council approve the proposed amendments to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection.

* I. Minutes of Boards and Commissions Meetings:

1. Portage Senior Citizens Advisory Board of March 16 and April 19, 2016.
2. Portage Youth Advisory Committee of April 11, 2016.
3. Portage Public Schools Regular Meeting and Committee of the Whole of April 18 and May 2, 2016.
4. Portage Planning Commission of May 5, 2016.

J. Council Committee Reports:

K. New Business:

L. Bid Tabulations:

1. Communication from the City Manager recommending that City Council award a construction contract for the 2016-2017 Local Streets Reconstruction Program to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed \$935,588.80, subject to the adoption of the Fiscal Year 2016-2017 Budget and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council award a contract to AccessPoint of Portage, Michigan, to provide temporary and seasonal employment services through fiscal year 2016-2017, in an estimated amount of \$230,165 with the option of three one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

M. Other City Matters:

1. Statements of Citizens.
2. From City Council and City Manager.
- * 3. Reminder of Meetings:
 - a. Thursday, May 26, 4:30 p.m., Public Media Network Board of Directors, 359 S. Kalamazoo Mall, 3rd Floor, Kalamazoo.
 - b. Thursday, May 26, 5:00 p.m., Special Meeting of the Historic District Commission, Council Chambers.
 - c. Thursday, May 26, 7:00 p.m., Special Meeting of the Human Services Board, Council Chambers.
 - d. Wednesday, June 1, 8:15 a.m., Historic District Commission, City Hall Room No. 2.
 - e. Wednesday, June 1, 6:30 p.m., Park Board, Lexington Green Park.
 - f. Thursday, June 2, 6:30 p.m., Human Services Board, City Hall Room No. 1.
 - g. Thursday, June 2, 7:00 p.m., Planning Commission, Council Chambers.
 - h. Wednesday, June 8, 7:00 p.m., Environmental Board, City Hall Room No. 1.
 - i. Monday, June 13, 2:00 p.m., Youth Advisory Committee, City Hall Room No. 1.

j. Monday, June 13, 7:00 p.m., Zoning Board of Appeals, Council Chambers.

* N. Materials Transmitted.

1. Department Monthly Reports
2. Materials Transmitted of May 6, 2016.
3. Materials Transmitted of May 10, 2016.

Adjournment.

RESOLUTION DECLARING JUNE 2, 2016 NATIONAL GUN VIOLENCE AWARENESS DAY IN THE CITY OF PORTAGE, MICHIGAN

WHEREAS, six Kalamazoo-area residents were recently killed and two others badly wounded in a tragic mass shooting event in Kalamazoo; and

WHEREAS, two of the victims in the Kalamazoo mass shooting were children under the age of 18; and

WHEREAS, according to the Brady Campaign to End Gun Violence, 297 people are shot every day in the United States, including 48 children, and more than 33,000 people are killed by guns every year; and

WHEREAS, gun violence affects people of all race, gender, religion, socioeconomic status, ethnicity, national origin, sexual orientation and gender identity; and

WHEREAS, more than 1,000 people are killed with guns each year in Michigan, according to MLive Media Group; and

WHEREAS, it is our responsibility as commissioners to protect and promote the safety, health and welfare of our many constituents; and

WHEREAS, June 2, 2015 would have been the 18th birthday of Hadiya Pendleton, a Chicago teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later; and

WHEREAS, to honor Hadiya - and the nearly 300 people shot daily in the United States – a national coalition of organizations designated June 2 to be "National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their community to commemorate Hadiya's life by wearing orange, the color hunters wear to protect themselves from accidental shootings when out in the woods; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 2nd to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 2nd, Americans will raise awareness about gun violence and honor the lives and lost human potential stolen by gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and to encourage responsible gun ownership; and

WHEREAS, as local elected officials we call on our state and national representatives to take action to promote common sense, responsible gun ownership.

NOW, THEREFORE BE IT RESOLVED, that the Portage City Council declares June 2 to be Gun Violence Awareness Day in Portage and encourage all citizens to support efforts to prevent the tragic effects of gun violence and to honor and value human lives.



Signed this 24th day of May, 2016

Peter J. Strazdas, Mayor



City of Portage **Proclamation**

PORTAGE SOCCER CLASSIC TOURNAMENT WEEKEND

WHEREAS, the Portage Soccer Classic Tournament will be hosting its 30th Annual Youth Soccer Tournament on June 10-12, 2016; and

WHEREAS, the Portage Soccer Classic Tournament will host 120 teams, including over 2,000 soccer players from the states of Illinois, Indiana, Michigan and Ohio; and

WHEREAS, the economic impact of the Portage Soccer Classic Tournament to the greater Kalamazoo and Portage area is significant from the thousands of visitors who will be guests in our community; and

WHEREAS, the Portage Soccer Classic Tournament games will be held at the Portage Community Soccer Complex, a state of the art facility constructed through the collaborative efforts of the United Soccer Foundation and the City of Portage.

NOW, THEREFORE, BE IT RESOLVED THAT I, Peter J. Strazdas, Mayor of the City of Portage, Michigan, do hereby proclaim Friday, June 10, Saturday, June 11, and Sunday, June 12, 2016, as **PORTAGE SOCCER CLASSICS DAYS** in the City of Portage and encourage all citizens and businesses of the entire community to join in supporting this event.



Signed this 24th day of May 2016

Peter J. Strazdas, Mayor

CITY COUNCIL MEETING SUMMARY

May 10, 2016

PROCLAMATIONS

- ◆ Mayor Strazdas issued a Days of Remembrance Proclamation and a Young Men's Christian Association 150th Anniversary Proclamation.

ACCOUNTS PAYABLE REGISTER

- ◆ Approved the Accounts Payable Register of May 10, 2016, as presented.

PUBLIC HEARINGS

- ◆ Held a Public Hearing on the Fiscal Year 2016-2017 proposed Budget and the tax rate of 10.9256 mills required to support the proposed budget.
- ◆ Approved an ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by adding Article 9, Temporary Moratorium on the Use of Property and Structures for Dispensing and Cultivating Marihuana of Chapter 2, Administration.

REPORTS FROM THE ADMINISTRATION

- ◆ Approved the Community Development Block Grant (CDBG) Program 2016-2020 Consolidated Plan and FY 2016-2017 Annual Action Plan element of the Consolidated Plan and authorized the City Manager to submit the application to the U.S. Department of Housing and Urban Development.
- ◆ Awarded a sole-source contract for the Milham #1 pump replacement and motor rehabilitation to Peerless-Midwest, Incorporated, in an amount not to exceed \$25,436.78 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Accepted for first reading the proposed amendments to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, and consider final adoption no later than May 24, 2016.
- ◆ Approved the purchase, professional installation and training services of the SAFARI Montage digital learning platform through the local authorized SAFARI Montage dealer, Secant Technologies at a cost of \$28,317 and authorized the City Manager to execute all documents related to this action on behalf of the city.

COMMUNICATION

- ◆ Received the communication from Harry Haasch, Executive Director of Public Media Network.

UNFINISHED BUSINESS

- ◆ Received the communication from City Manager Laurence Shaffer regarding right-of-way encroachments for private parking as information only.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

- ◆ Appointed Aiyla Arif, Amanda Boelman, Eli Cartier, Riya Chaudhary, Cortney Chow, Megan Chow, William Chung, Shayaan Dar, Casey Flanagan, Vishnu Ghantasala, Alena Gleason, Sara Gleason, Lauren Hart, Anna Heystek, Enrique Infante, Maham Khanum, Tanvi Khurmi, Lily Kitagawa, Anjana Krishnan, Benjamin Miller, Sheila Mwanda, Lindy Nebiolo, Nicole Prihoda, Arya Shembekar, Tanvi Shembekar, Samhita Sunkara, Sana Syed and Omar Thaj to the Youth Advisory Committee with terms ending June 30, 2017; appointed Tanvi Shembekar as Youth Participant on the Environmental Board, Lindy Nebiolo as Youth Participant on the Human Services Board, Anna Heystek as Youth Participant on the Park Board, and Cortney Chow as Youth Participant on the Senior Citizens Advisory Board with terms ending June 30, 2017; reappointed Don Ramlow with term ending May 31, 2019, to the Public Media Network Board; reappointed Betty Schimmel and appointed Sarah Joshi and Raymond Shoup III with terms ending May 31, 2019, to the Planning Commission; and reappointed Barney Martlew, George Theodoru and Larry Schmidt with terms ending June 1, 2019, to the Construction Board of Appeals.

BID TABULATION

- ◆ Approved the bid from Too Clean Incorporated, for cleaning maintenance of park facilities in the amount of \$30,160 with the option of four one year renewals, and authorized the City Manager to execute all documents related to this action on behalf of the city.

STATEMENTS OF CITIZENS

- ◆ Arnie Demand, who admitted he was "hard of hearing," indicated the need to accommodate the hearing impaired in City Council Chambers.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Ford indicated that he enjoyed a visit to Greenfield Village with his son.
- ◆ Councilmember Pearson spoke of the Road Diet Study Meeting, May 5, 2016, which reflected the need to reduce the number of driving lanes on Portage Road, and complimented City Attorney Brown and his preparedness regarding the Marihuana Moratorium Ordinance with the audience this evening.
- ◆ Councilmember Reid expressed her appreciation for the Boards and Commissions applicants who interviewed at the earlier meeting and her appreciation for the spirited discussion of the Medical Marihuana Ordinance.
- ◆ Councilmember Randall concurred and thanked the public for passionately speaking about Medical Marihuana; she also congratulated Till Longjohn, Portage Central High School Chamber Singers, for winning a Michigan Arts Scholarship where the top 1,000 students were picked from 250,000 students.
- ◆ Mayor Pro Tem Ansari addressed the Marihuana Moratorium and asked for the patience of the public as the City Council takes the time to review Portage Ordinance as the law and regulations in this area develop statewide.
- ◆ Mayor Strazdas recognized Cindy Huntington of Portage who won the Women's Division of the Borgess Run, a Kalamazoo Marathon, and reflected on the passion of the youth in our community as observed at the earlier Youth Advisory Committee interviews.

MATERIALS TRANSMITTED

- ◆ Received the Materials Transmitted of April 22 and April 26, 2016.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.

MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL OF MAY 10, 2016 - BOARDS AND COMMISSIONS APPLICANTS

Mayor Peter Strazdas called the meeting to order at 5:15 p.m. The following Councilmembers were present: Councilmembers Richard Ford, Jim Pearson and Patricia Randall, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Councilmembers Richard Ford and Claudette Reid arrived at 5:28 p.m. Also present were City Manager Larry Shaffer and City Clerk James Hudson.

City Councilmembers introduced themselves and interviewed the following applicants who were present for the Youth Advisory Committee (YAC) and Youth Participants on various Boards and Commissions.

* 5:20-5:45 p.m., Aiyla Arif, Riya Chaudhary, Cortney Chow, Megan Chow, William Chung, Casey Flanagan, Vishnu Ghantasala, Alena Gleason, Sara Gleason, Anna Heystek, Enrique Infante, Sheila Mwanda, Lindy Nebiolo, Arya Shembekar, Tanvi Shembekar, Samhita Sunkara and Omar Thaj. Staff Liaison Adam Herringa, Deputy City Clerk, provided a review of the YAC activities throughout the year, and was present for questions. Discussion followed.

Mayor Strazdas also asked each of them to express a Board, Commission or Committee preference, if they wished and discussion followed.

City Council continued to interview applicants for the following City Council Advisory Boards and Commissions:

* 5:45- 5:51 p.m., No applicants were present and Councilmember Reid informed Council that the Public Media Network Board is considering establishing a cap of three members for any municipality. Discussion followed.

* 5:52 - 6:27 p.m., Sarah Joshi and Raymond Shoup, III, for the Planning Commission. Discussion followed.

* 6:28 - 6:47 p.m., Barney Martlew, Larry Schmidt and George Theodoru for the Construction Board of Appeals. Mr. Larry Schmidt indicated that the Board received updated Code Books in the past and would like to see that practice continued. Discussion followed.

ADJOURN: Mayor Strazdas adjourned the meeting at 6:48 p.m.

James R. Hudson, City Clerk

CITY COUNCIL MEETING MINUTES FROM MAY 10, 2016

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

At the request of Mayor Strazdas, Pastor Craig Glass of Portage Free Methodist 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 Richard Ford, Patricia M. Randall, Claudette Reid, Terry Urban and Jim Pearson, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATIONS: Mayor Strazdas issued a Days of Remembrance Proclamation and a Young Men's Christian Association 150th Anniversary Proclamation.

APPROVAL OF MINUTES: Motion by Reid, seconded by Ford, to approve the Committee of the Whole Meeting Minutes of April 26, 2016, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Ford, seconded by Reid, to approve the Regular Meeting Minutes of April 26, 2016, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Ford, seconded by Reid, to approve the Budget Meeting Minutes of May 3, 2016, as presented. Upon a voice vote, motion carried 7 to 0.

Motion by Pearson, seconded by Randall, to approve the Pre-Council Meeting Minutes of May 9, 2016, as presented. Upon a voice vote, motion carried 5 to 2 with Councilmembers Urban and Ford abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Ford to read the Consent Agenda, who removed Item H.1, Right-of-way Encroachments for Private Parking, from the Consent Agenda. Motion by Ford, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0 with Mayor Pro Tem Ansari abstaining from Item F.1, Community Development Block Grant (CDBG) Program.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 10, 2016:** Motion by Ford, seconded by Reid, to approve the Accounts Payable Register of May 10, 2016. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

PUBLIC HEARING ON FISCAL YEAR 2016-2017 BUDGET: Mayor Strazdas introduced this item and asked City Manager Larry Shaffer to comment on the Fiscal Year 2016-2017 Budget as presented. Mr. Shaffer thanked City Council for managing two budget sessions of approximately four hours each to go over in detail the \$68 million Proposed Fiscal Year 2016-2017 Budget. He indicated that the budget represents a 1.3% increase in expenditures over last year's budget. It includes 22 different funds with six different categories: the General Fund at approximately \$25 million, of a reduction of one-half of 1%, and the Capital Improvement Plan with \$14.8 million, or a 6% increase. He reviewed some of the highlights of the Proposed Budget including: funding for three additional police officers and three firefighters to address the increase in the number and severity of the calls; a number of efficiencies especially with the use of technology; consolidation of Administrative activities; a commitment to the Parks Department with a new Farmer's Market and a renewal of entertainment activities; and a commitment to do public works in house at the Department of Public Services.

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Mayor Strazdas reflected on the improvements being brought by this budget and asked, how does the City bring back six public safety officers, not raise the millage rate, and still accommodate the loss of the Personal Property tax along with the unknowns in the economy. He concluded by thanking the Administration and the City Council for their work and collaboration. Discussion followed.

Mayor Pro Tem Ansari concurred and added the extra benefit of paying down the debt. Mayor Strazdas concurred and Mr. Shaffer explained debt reduction and refinancing that has taken place. Discussion followed.

Councilmember Randall acknowledged the efforts of Mr. Shaffer and his influence on the Budget. She explained that the police and fire increases are a part of the Budget to assure that the ratio of police and fire personnel to the number of citizens is optimum. She also mentioned the feasibility of a Fall Clean-up in addition to the Spring Clean-up without the need to increase the millage.

Councilmember Reid indicated that besides reducing the debt, this Budget puts more cash toward some of the projects, and mentioned the water tower at Haverhill Park as an example where half of the cost will be paid with cash and half with bonding. She mentioned that she brought the Fall Clean-up to light, and asked for an explanation from Mr. Shaffer of how he plans to fund the extra pick-up. Mr. Shaffer indicated that Finance Director Bill Furry shows \$150,000 surplus in this Fund this year, plus the projection is to be able to add \$25,000 to that Fund partially due to lower gasoline costs, or a total of \$125,000 in the account. He mentioned that Waste Management has quoted a price of \$147,000, so a difference remains. He offered to propose supplementing this need with a General Fund appropriation at a later date when there is a better idea of the surplus for Fiscal Year 2015-2016. He said there is approximately \$450,000 at the present time and it keeps getting better, so no millage increase is necessary and explained. Discussion followed.

Councilmember Ford expressed his appreciation that the City is spending \$133,000 less than last year and hiring six new employees in the Public Safety Department. Councilmember Pearson concurred by saying the City has less people working in offices and more people working in the streets and the parks helping people in our community and thanked the City Manager.

Mayor Strazdas opened the public hearing; seeing no one come forward, motion by Reid, seconded by Ford, to close the Public Hearing on the Fiscal Year 2016-2017 proposed Budget and the tax rate of 10.9256 mills required to support the proposed budget. Upon a voice vote, motion carried 7 to 0.

MEDICAL MARIHUANA: Mayor Strazdas recused himself from the discussion of this item and left the room. Mayor Pro Tem Ansari took this item regarding the Michigan Medical Marihuana Act (MMMA) off of the table from April 26, 2016, and opened discussion from City Council. Councilmember Reid asked that the City Attorney explain what the moratorium does that would not be addressed if the moratorium was not in place. City Attorney Randy Brown responded that the moratorium would provide the Administration and his Office the time necessary to look at the issues that are pending with regard to Home Occupation, the use of marihuana, the issue of “dispensaries” which are not permitted in the City of Portage at the present time, pending Bills at the State level; so, there is the need for time to evaluate and investigate those issues, and perhaps propose an ordinance to Council that will change the status of the law in Portage with regard to those issues. He indicated that the second reason is that while we are doing that, we certainly do not want more “dispensaries” to open in the City of Portage and further complicate the issue, so the moratorium prohibits the establishment or extension of such a business.

Mr. Brown acknowledged that Councilmember Urban’s contention at the April 26th Meeting that the dispensaries are already illegal (so why do we need a moratorium to stop them) as being very true. He said that the reason for the moratorium is that there are arguments that they may be legal, but our position is that they are not legal, so we would rather have a moratorium than get into that issue at all. We would rather have a moratorium declare “dispensaries” not permitted, making it easier to enforce than to have to get into issues, discussions and even court proceedings as to whether those issues are or are not legal.

Councilmember Reid asked what happens to the two existing “dispensaries” that are active in Portage, functioning illegally and have been cited. Mr. Brown noted that the moratorium does not apply to the Home Occupations which are legal in Portage, nor does it disallow a patient or caregiver to grow the number of plants for himself or herself for personal use. So for the two businesses operating illegally in our community, he said that enforcement proceedings will ensue against them; there was a Zoning Board of Appeals decision that was denied, which did not go in their favor and, if they appeal then the City will defend that appeal and possibly take other enforcement action against them. He also responded that if there are other “dispensaries” of which we are unaware, they will be treated the same because they are not protected, just as the pending two are not protected. Moreover, he said if the City becomes aware of other “dispensaries” that are operating, then the City will take enforcement action there as well because the moratorium does not protect any kind of “dispensary” whether it is in business now, or goes into business after it is passed; in fact, it prohibits “dispensaries.” He pointed out that the only thing the moratorium is protecting is the Home Occupations presently existing in Portage or future Home Occupations that may be established.

Councilmember Pearson asked City Attorney Brown whether there is any big difference between the 2011 Moratorium and the 2016 Moratorium, and Mr. Brown answered that the language is very similar, that he used the 2011 version as a model and what is different is what is happening in the field. He said at that time, the City was not aware of any business in operation that we believed violated the MMMA whereas now we know of at least two that do.

Councilmember Urban asked for a better understanding of what the moratorium does because their position is a “dispensary” allowed under State Law, and the City of Portage cannot preempt State Law; neither the current ordinance, nor the moratorium allows a “dispensary” so what protection does the moratorium give to the City? Mr. Brown explained that if a “dispensary” opens, and the City does not have a moratorium, the City then has to take enforcement action in Court and go through this argument - this disagreement - that they believe they are operating in compliance with the MMMA, and the City believes they are not. He pointed out that the moratorium would prevent this from happening because the moratorium would state they are prohibited, so the first step in defending enforcement action would be to tell the Court that the City has a moratorium and this particular use falls under the prohibitions of the moratorium, and the matter should be settled at that point even though other arguments may surface, but it is a much better argument for the City to have a moratorium where “dispensaries” are a prohibited use than if the City did not have this prohibition. Discussion followed.

Mr. Brown indicated that the whole purpose of the moratorium is to stop uses from establishing, even if they are legal, because we do not want to continue those uses during the six month evaluation period.

Councilmember Randall asked if there have been any votes by the public, any court cases, or any decisions made in Lansing that has rendered our 2011 Ordinance outdated or obsolete in part or in full protecting some uses under State Law? Mr. Brown pointed out that the Law has been in flux and has been changing for years, in case after case. He agreed that there has been a trend, though not a total trend, as there are cases trending toward expanding the MMMA, which explains why there are bills pending in the Legislature and why other cities are looking at allowing “dispensaries.” He emphasized that this is why there is a need for some time to look into that in order to be able to advise Council with an opinion, and perhaps propose an Ordinance. He restated that the moratorium puts a stop to the establishment of these uses to give time to “analyze and determine that.”

Councilmember Pearson asked if staff is considering moving marihuana from just a neighborhood situation to a business district because there are a lot more patients who are being prescribed marihuana and because it could be an overburden for neighborhoods to accommodate these patients? City Attorney Brown answered he does not have an opinion today, so he needs the time to evaluate this matter. He concurred that there is a movement in the direction proposed by Councilmember Pearson, so he will be evaluating whether the City would want to expand these uses, not restrict them to Home Occupations, but to include them in the business district in one way or another. He said this is what will be analyzed, but there may be regulations attached to that, so it is important to

have a moratorium, so there are no uses established during that period, and then present an ordinance that makes them illegal or nonconforming uses. He noted that back in 2011, the Model Ordinance was the Home Occupation Ordinance; that was the Grand Rapids Ordinance and many other communities, and pointed out that yet today there is still that 5::1 ratio, close relationship under MMMA, and some may argue that that is what is intended and explained.

Councilmember Ford confirmed with City Attorney Brown that any type of “dispensary” occupation would be prohibited in the City of Portage, except the Home Occupation. Mr. Brown did explain that the City would have to look at businesses that do establish, and his guess was that they would violate the moratorium; however, there may be a business out there that may establish that somehow falls under the Home Occupation type of use. In answer to Councilmember Ford, City Attorney Brown responded the timeline for an appeal to the Circuit Court is 30 days from the date of the decision of the Zoning Board of Appeals (ZBA); he said the Circuit Court could uphold the decision, reverse the decision, or send it back to the ZBA to do it again. He indicated that briefs would be filed by each party, perhaps supplemental briefs, and oral arguments, and concluded it would take many months. As far as costs, Mr. Brown indicated that there would be a significant amount of staff time invested to provide factual background information for the briefs, but no testimony, and his office would handle the matter under the retainer contract, so no additional cost. If the City decided to handle it outside his office, he said it would cost many, many thousands of dollars.

Mayor Pro Tem Ansari asked the audience to maintain the decency and decorum of this Chamber before opening the public hearing. He opened the public hearing for comments from the audience and said the audience has four minutes to speak, and asked them to limit their discussion to moratorium.

Those who spoke in opposition to the moratorium were: Blake Sims, 1307 Wayside Road, Kalamazoo Township; Jevin Weyenberg, 5817 Cheshire Street; Attorney D. Glen Smith, 10143 Portage Road; Susan Dishette (sp and no address); Eric Johnson , 6109 Milham Woods Court; Attorney Scott Wagenaar, 2534 Cumberland Street, Kalamazoo Township; Private Investigator Tim Gilbert, 34435 Nancy Street, Westland; Dean Marks, 1711 Forest Drive; David Westman, 2720 Woodhams Avenue; Shaun Barsic, 1602 Cedar Point Drive, Niles Charter Township; Michael Brandt, 2724 Beethoven Avenue; Mary Underwood, 2727 E 7 Mile Road, Sault St. Marie; Joey Cernick (sp), 2926 South 9th Street, Oshtemo Township; Victoria Patterson, 227 North State Street, Kalamazoo; Arnie Demand (sp and no address); Jeff Binghamman, 2301 Fairfield Avenue; and Garrick Ehrnstrom, 530 Minor Avenue, Kalamazoo. Discussion followed.

Those who spoke in favor of the moratorium were: Mindy Tai, 1620 Romence Road; Tim Earl, 6862 Shallowford Way. Discussion followed.

Motion by Pearson, seconded by Randall, to close the public hearing. Upon a roll call vote, motion carried 6 to 0. Discussion followed. City Attorney Brown advised Councilmember Randall that if she makes a motion, she cannot vote against it, and if she speaks, she cannot speak against it.

Motion by Urban, seconded by Reid, to approve an ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by adding Article 9, Temporary Moratorium on the Use of Property and Structures for Dispensing and Cultivating Marihuana of Chapter 2, Administration.

When Councilmember Pearson asked that Councilmember Randall elaborate on her question to the City Attorney, she indicated that it was her understanding that the six month moratorium allowed the City to really look at the situation, let Lansing make its decisions, court cases be settled and the vote in November take place before the end of it. She understood the two businesses already in business in the City would be somehow be protected by a stay of enforcement by City Council, or a decision with the City Manager to not instruct the Police to actively close these places down. She noted there is a divided Council and a full audience; laws are changed all of the time through social pressure and grass roots effort; and, she expressed her preference that Portage become a leader in this area and explained there are no protections for these people with this moratorium. Mr. Brown explained it is up to City Council to do that and the Ordinance can state that if Council so desires, and he pointed out that this is not an unusual moratorium ordinance and again explained the purpose of the moratorium and the duty of the

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City Manager with regard to ordinance enforcement. He pointed out there are only a handful of dispensary ordinances because the State Law does not address this and Portage is not late; hence, there is hesitation to move forward with “dispensaries” in the State. Discussion followed.

Councilmember Ford agreed that the moratorium is desirable since it gives Council time to make sure we are doing the right thing early on, and the State level is important rather than have the municipality spend a lot of time only to have the State change it and take away all of our hard work. He also expressed his trust that the City Manager will enforce ordinances for the health and safety of our community and take into consideration the comments made by these patients this evening. He said enforcement of ordinances is an Administrative matter and that he had an interest in the City Manager to stay the enforcement of this ordinance.

Councilmember Pearson indicated that he has a Phd. In Biochemistry, 29 years in the Pharmaceutical industry; was in the development of addictive opioids; knows of the literature on Medical Marijuana; knows that the State of Michigan legally qualifies marijuana treatment; knows of the alternatives to glaucoma and that marijuana works very well; knows of it as an indication for chronic pain; and knows that THC works very well when compared with the opioids. He indicated his reluctance to see people going into a back alley to obtain marijuana not knowing what it will do and advocated testing as the safe thing to do and pointed out that the City Council is divided and explained. He spoke in favor of the motion.

Councilmember Reid thanked everyone for their comments regarding the benefits of marijuana and recognized that the State Regulation was set up a long time ago with a caregiver and five patients and the current Portage ordinance was set up by this standard. She objected to the requirement that the City of Portage to set up regulations to control “dispensaries” and sees it as a State responsibility and cited House Bill 4209 and 4210 and explained. Nevertheless, she indicated that the Council cannot ignore businesses that are operating illegally, and advocated continued enforcement action in this matter. She reviewed the options of going to Court by the businesses and disagreed with Councilmember Pearson that there would be an extra cost in real dollars. She expressed her preference for the need for the moratorium for more time to consider what to do.

Mayor Pro Tem Ansari expressed his empathy for those who are suffering and cited the MMMA which enabled the City of Portage Home Occupation Ordinance as an alternative. He objected to the shops being set up in the business district, and said he is not free to pick and choose which ordinances to enforce and which ones to ignore. He disagreed with micromanaging the City Manager, and left it up to the Administration as to how when and where to enforce the ordinance. He concurred with the moratorium and the time needed to consider this issue and noted the State and referendum options available and pending and explained there are other issues and listed some of them. Upon a roll call vote, motion carried 6 to 0. Discussion followed.

Motion by Pearson, seconded by Randall, to request the City Manager to temporarily refrain from issuing citations or enforcing any currently issued citation(s) for a business operation on April 26, 2016, which is engaged in registered qualifying patient/registered caregiver exchanges or dispensing of medical marijuana to registered qualifying patients until such time as a Moratorium Ordinance has expired or an ordinance is adopted by Council addressing issues concerning the medical use of marijuana under the Michigan Medical Marijuana Act, whichever occurs first. This applies only to a business which has exhausted its administrative remedies under the Portage Zoning Ordinance through the Zoning Board of Appeals. This does not apply to building, plumbing, electrical, or non-zoning code violations, nor does it give any rights as a non-conforming use of otherwise. If an ordinance is adopted as described above, such businesses shall conform to the ordinance or cease its operations. Discussion followed.

Upon a roll call vote, motion failed: Upon a roll call vote, motion to call the question failed 3 to 3. No: Councilmembers Reid and Urban and Mayor Pro Tem Nasim Ansari. Yeas: Councilmembers Ford, Pearson and Randall. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

- * **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:** Motion by Ford, seconded by Reid, to approve the Community Development Block Grant (CDBG) Program 2016-2020 Consolidated Plan and FY 2016-2017 Annual Action Plan element of the Consolidated Plan and authorize the City Manager to submit the application to the U.S. Department of Housing and Urban Development. Upon a roll call vote, motion carried 6 to 0 with Mayor Pro Tem Ansari abstaining.
- * **MILHAM #1 PUMP REPLACEMENT AND MOTOR REHABILITATION:** Motion by Ford, seconded by Reid, to award a sole-source contract for the Milham #1 pump replacement and motor rehabilitation to Peerless-Midwest, Incorporated, in an amount not to exceed \$25,436.78 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.
- * **AMENDMENT TO THE CODE OF ORDINANCES:** Motion by Ford, seconded by Reid, to accept for first reading the proposed amendments to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, and consider final adoption no later than May 24, 2016. Upon a roll call vote, motion carried 7 to 0.
- * **SAFARI MONTAGE PURCHASE:** Motion by Ford, seconded by Reid, to approve the purchase, professional installation and training services of the SAFARI Montage digital learning platform through the local authorized SAFARI Montage dealer, Secant Technologies at a cost of \$28,317 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

HARRY HAASCH, EXECUTIVE DIRECTOR OF PUBLIC MEDIA NETWORK (PMN): Since there was no discussion, motion by Randall, seconded by Urban, to receive the communication from Harry Haasch, Executive Director of Public Media Network. Upon a roll call vote, motion carried 6 to 0 with Councilmember Ford abstaining.

UNFINISHED BUSINESS:

RIGHT-OF-WAY ENCROACHMENTS FOR PRIVATE PARKING: City Manager Shaffer referred to the communication to him from T&U Director Chris Barnes dated May 3, 2016, enclosed in the City Council Agenda Packet dated May 10, 2016. He indicated that the City of Portage enacted an Ordinance that prohibited parking places in the City right-of-way. He explained the process of the removal of pavement where there is the paving of parking spaces in the public right-of-ways as a part of road reconstruction. He reviewed the optional compromise measures as solutions for the affected property owners and discussion followed.

Judy Anderson, 5737 Bratcher Street, asked when did the Ordinance become effective, how does her paved parking space in the public right-of-way deteriorate the neighborhood, and is it alright for people to park on their lawns. Mr. Barnes responded that the Ordinance became effective in the year 2000 in response to an investigation by the City and was based upon a complaint from a neighborhood which resulted in finding out that there were a number of these illegal parking areas throughout the City. With regard to the deterioration effect on the neighborhood, he said there is a constructability and a maintenance issue, and there is an aesthetic issue. He noted that this neighborhood has the highest density of these structures in the City so far; they are not built to a particular standard; there is no particular size or location for the structures; some obstruct drainage; some are constructed on streets

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with no curbing; they are haphazard and there is no uniformity of materials utilized for the construction; there are various methods utilized; sometimes the City is unsure whether it is our responsibility to maintain them; and there is even a question of ownership and exclusivity – can a neighbor park there, for example. Discussion followed.

Mr. Shaffer explained that this is a zoning violation; people are constructing parking on spots they do not own; terraces are owned by the taxpayers, not by one individual; so, the City turns a “blind eye” to them until it is time to reconstruct the streets. He said this is not an idiosyncratic issue with one

individual; the problem is the lack of a policy on how to deal with it; and, if the Council is predisposed to approve and allow these structures and change the Ordinance, he asked, “What would your policy be?” He asked rhetorically, “Would all of the public right-of-ways to be subject to private ownership and use?” He expressed empathy for Ms. Anderson saying it has gone on for a long time, but it is not their land and it is a Zoning violation. Discussion followed.

Ms. Anderson asked for something to be done about parking on the front lawns. At the request of Mayor Strazdas, Mr. Shaffer informed her that she may anonymously call the Community Development Department at 329-4477 or go to the City website and the portal, *SeeClickFix on Report It!* when there is a problem or concern and track the progress. Discussion followed.

Councilmember Urban provided his assurances that a contractor did not obtain a permit to put one of these parking spaces in as indicated at the last Council Meeting and Mr. Barnes said any construction within the public right-of-way with the exception of trees and shrubs is subject to Council approval and gave examples of the extent of the agreement necessary. Discussion followed.

Simone Heller, 6846 Cornell Street, spoke in favor of the parking spots.

Motion by Randall, seconded by Pearson, to receive the communication from the City Manager regarding right-of-way encroachments for private parking. Discussion followed regarding street configuration and widening where possible. Upon a roll call vote, motion carried 6 to 0 with Councilmember Ford abstaining. Discussion followed.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of:

Portage Public Schools Board of Education Regular of March 28, 2016.
Portage Human Services Board of April 7, 2016.
Portage Planning Commission of April 21, 2016.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Ford, seconded by Reid, to appoint Aiyla Arif, Amanda Boelman, Eli Cartier, Riya Chaudhary, Cortney Chow, Megan Chow, William Chung, Shayaan Dar, Casey Flanagan, Vishnu Ghantasala, Alena Gleason, Sara Gleason, Lauren Hart, Anna Heystek, Enrique Infante, Maham Khanum, Tanvi Khurmi, Lily Kitagawa, Anjana Krishnan, Benjamin Miller, Sheila Mwanda, Lindy Nebiolo, Nicole Prihoda, Arya Shembekar, Tanvi Shembekar, Samhita Sunkara, Sana Syed and Omar Thaj to the Youth Advisory Committee with terms ending June 30, 2017; appoint Tanvi Shembekar as Youth Participant on the Environmental Board, Lindy Nebiolo as Youth Participant on the Human Services Board, Anna Heystek as Youth Participant on the Park Board, and Cortney Chow as Youth Participant on the Senior Citizens Advisory Board with terms ending June 30, 2017; reappoint Don Ramlow with term ending May 31, 2019, to the Public Media Network Board; reappoint Betty Schimmel and appoint Sarah Joshi and Raymond Shoup III with terms ending May 31, 2019, to the Planning Commission; and reappoint Barney Martlew, George Theodoru and Larry Schmidt with terms ending June 1, 2019, to the Construction Board of Appeals. Upon a roll call vote, motion carried 7 to 0.

BID TABULATION:

*** CLEANING MAINTENANCE CONTRACT FOR PARK FACILITIES – BID**

TABULATION: Motion by Ford, seconded by Reid, to approve the bid from Too Clean, Incorporated, for cleaning maintenance of park facilities in the amount of \$30,160 with the option of four one year renewals, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Arnie Demand, who admitted he was “hard of hearing,” indicated the need to accommodate the hearing impaired in City Council Chambers.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Ford indicated that he enjoyed a visit to Greenfield Village with his son.

Councilmember Pearson spoke of the Road Diet Study Meeting, May 5, 2016, which reflected the need to reduce the number of driving lanes on Portage Road, and complimented City Attorney Brown and his preparedness regarding the Marihuana Moratorium Ordinance with the audience this evening.

Councilmember Reid expressed her appreciation for the Boards and Commissions applicants who interviewed at the earlier meeting and her appreciation for the spirited discussion of the Medical Marihuana Ordinance.

Councilmember Randall concurred and thanked the public for passionately speaking about Medical Marihuana; she also congratulated Till Longjohn, Portage Central High School Chamber Singers, for winning a Michigan Arts Scholarship where the top 1,000 students were picked from 250,000 students.

Mayor Pro Tem Ansari addressed the Marihuana Moratorium and asked for the patience of the public as the City Council takes the time to review Portage Ordinances as the law and regulations in this area develop statewide.

Mayor Strazdas recognized Cindy Huntington of Portage who won the Women’s Division of the Borgess Run, a Kalamazoo Marathon, and reflected on the passion of the youth in our community as observed at the earlier Youth Advisory Committee interviews.

MATERIALS TRANSMITTED:

*** MATERIALS TRANSMITTED OF APRIL 22, 2016:** Motion by Ford, seconded by Reid, to receive the Materials Transmitted of April 22, 2016.

*** MATERIALS TRANSMITTED OF APRIL 26, 2016:** Motion by Ford, seconded by Reid, to receive the Materials Transmitted of April 26, 2016.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:34 p.m.

James R. Hudson, City Clerk

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

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager

SUBJECT:

SUPPORTING PERSONNEL:

ACTION RECOMMENDED:

FUNDING:

Attachments: 1. May 23, 2016 Pre-Council Meeting Minutes.

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MINUTES OF THE SPECIAL PRE-MEETING OF THE PORTAGE CITY COUNCIL OF MAY 23, 2016

Mayor Peter Strazdas called the meeting to order at 9:00 a.m. The following were present: Councilmember Jim Pearson, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Councilmember Patricia M. Randall was present via the cell phone of Councilmember Pearson. Those not present were: Councilmembers Richard Ford, Claudette Reid and Terry Urban. Also in attendance were City Manager Larry Shaffer, Deputy City Manager Rob Boulis and City Clerk James Hudson.

Mayor Strazdas asked if there were any questions for the Administration regarding items on the Agenda.

1. Councilmember Pearson asked about the Salary and Wage Resolution attached to Item F.1, where it speaks of 2% for non-union employees and lists the PPOA, the PPCOA, IAFF and UAW that in July when all of the negotiations are complete, that City Council receive an update on the increases. Mr. Boulis noted that the IAFF and UAW are not in negotiations; the UAW contract is valid through 2018 and the IAFF is valid through 2020; so, the police contract is all that is still to be done and the goal is to complete those by the end of June at which point City Council will hopefully approve the contract.
2. Councilmember Pearson asked whether the City is using On Staff USA, and about Item L.2, Temporary/Seasonal Employment Services Contract – Bid Tabulation, and Mr. Boulis pointed out that the City is currently using On Staff USA, but went out for a Request for Proposals to around fourteen vendors and received two packages back. Mr. Boulis indicated that there were no problems with On Staff USA; that the contract with them was in place three to four years; and that the change was based solely on AccessPoint being the low bidder. He indicated that there were a few other incremental costs, and gave the example that currently the City performs the drug screening, whereas AccessPoint will pay for the drug screening under the new contract. He also confirmed that there is nothing to prevent On Staff USA from bidding next time.
3. Mayor Strazdas indicated that he would be adding an item under New Business since Dave Felicijan, Vice Chairman of the Planning Commission, resigned. He mentioned this in conjunction with the fact that Planning Commission Chair Paul Welch was term-limited out, that there are no applicants for the Planning Commission at this time, and that Council filled his upcoming vacancy at the May 10, 2016 Regular City Council Meeting. He indicated that Mr. Welch was amenable to serving one more year, so he would be asking Mr. Shaffer to provide a communication to City Council asking to approve the appointment of Paul Welch to one year of the unfulfilled term vacated by Dave Felicijan ending May 31, 2018. Councilmember Pearson offered his support for Paul Welch as a Planning Commissioner and Mayor Strazdas concurred. Mayor Strazdas

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indicated that Ms. Georgeau said that there is a need for the ninth person since they are busy, and she has the meeting minutes that reflect that Mr. Felicijan is resigning. City Clerk James Hudson assured Councilmember Pearson that the City would advertise for applicants to fill the vacancy (by next May 31, 2017). Mayor Strazdas indicated that Mr. Felicijan is not upset; instead, he is extremely busy with his new position as President of ACCU-MOLD LLC, and cannot put the necessary time into the Advisory Board position.

ADJOURN: Mayor Strazdas adjourned the meeting at 9:10 a.m.

James Hudson, City Clerk

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of May 24, 2016 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period April 24, 2016 through May 8, 2016 and notes \$175,987.01 in automated clearing house payments, \$759,149.85 in paper checks and \$7,144.30 in auto-pay payments for a grand total of \$942,281.16.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/24/2016 To: 5/8/2016

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Check Date	Check	Vendor Name	Amount
05/06/16	5072(A)	ABONMARCHE CONSULTANTS, INC	27,135.02
05/06/16	5073(A)	ADMIRAL LOCK & KEY SERVICE	147.00
05/06/16	5074(A)	ADVANTAGE ROOFING, INC.	798.00
05/06/16	5075(A)	ALL CITY MANAGEMENT SERVICES, INC.	4,362.12
05/06/16	5076(A)	ALL-PHASE ELECTRIC SUPPLY CO.	164.81
05/06/16	5077(A)	ALRO STEEL CORPORATION	179.64
05/06/16	5078(A)	AMERICAN HYDROGEOLOGY CORP.	1,277.00
05/06/16	5079(A)	AMERICAN SAFETY & FIRST AID	484.14
05/06/16	5080(A)	APOLLO FIRE EQUIPMENT COMPANY	1,877.65
05/06/16	5081(A)	APPLIED IMAGING	2,329.76
05/06/16	5082(A)	APPROVED PROTECTION SYSTEMS	1,335.00
05/06/16	5083(A)	ARGUS-HAZCO	8.31
05/06/16	5084(A)	BEEBE, RONALD E.	192.00
05/06/16	5085(A)	BELL EQUIPMENT COMPANY	418.00
05/06/16	5086(A)	BLUESTONE PSYCH	390.00
05/06/16	5087(A)	C D W GOVERNMENT, INC.	1,368.38
05/06/16	5088(A)	C T S TELECOM, INC.	1,681.35
05/06/16	5089(A)	CARRIER & GABLE	5,001.00
05/06/16	5090(A)	CHUCK'S ELECTRICAL SERVICE INC.	600.00
05/06/16	5091(A)	E J USA, INC.	2,020.14
05/06/16	5092(A)	EG WORKFORCE SOLUTIONS	1,623.80
05/06/16	5093(A)	ETNA SUPPLY, INC.	2,710.12
05/06/16	5094(A)	FISHBECK THOMPSON CARR & HUBER, INC	3,800.20
05/06/16	5095(A)	FURRY, WILLIAM	99.64
05/06/16	5096(A)	GLOBAL TELEMATIC SOLUTIONS LLC	800.00
05/06/16	5097(A)	GRIFFIN PEST SOLUTIONS, INC.	190.00
05/06/16	5098(A)	HOWARD PRINTING	7,125.00
05/06/16	5099(A)	HURST MECHANICAL, INC.	241.35
05/06/16	5100(A)	INDUSCO SUPPLY CO., INC.	697.01
05/06/16	5101(A)	IRISH AYRES ENTERPRISES, LLC	1,179.00
05/06/16	5102(A)	J-AD GRAPHICS, INC	1,772.00
05/06/16	5103(A)	KEHOE, EDWARD J	280.00
05/06/16	5104(A)	KUIPER BUILDING SERVICES, LLC	2,150.00
05/06/16	5105(A)	MARTIN SPRING & DRIVE, INC.	42.95
05/06/16	5106(A)	MATERIALS RESOURCES	189.24
05/06/16	5107(A)	MAURER'S TEXTILE RENTAL SERVICES	614.65
05/06/16	5109(A)	MEDEMA, TIMOTHY	104.00
05/06/16	5110(A)	MEEKHOF TIRE SALES & SERVICE INC.	331.00
05/06/16	5111(A)	MEIER, MICHAEL	144.00
05/06/16	5112(A)	MEJEUR ELECTRIC LLC	3,222.00
05/06/16	5113(A)	MONIFA A. JUMANNE, PH.D.	900.00
05/06/16	5114(A)	NEW FRESH CLEANING SERVICE	1,651.00
05/06/16	5115(A)	O'BOYLE-COLWELL-BLALOCK & AS.	1,285.00
05/06/16	5116(A)	ONE WAY PRODUCTS	117.78

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/24/2016 To: 5/8/2016

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Check Date	Check	Vendor Name	Amount
05/06/16	5117(A)	PECKELS, CHRISTINE	180.00
05/06/16	5118(A)	PERCEPTIVE CONTROLS, INC.	1,268.80
05/06/16	5119(A)	PORTAGE FIREFIGHTERS	7,426.97
05/06/16	5120(A)	PORTAGE FIREFIGHTERS	1,645.17
05/06/16	5121(A)	PORTAGE ON-CALL FIREFIGHTERS	100.00
05/06/16	5122(A)	PORTAGE POLICE OFFICERS ASSOC	707.00
05/06/16	5123(A)	ROAD EQUIPMENT PARTS CENTER	844.07
05/06/16	5124(A)	ROE-COMM, INC.	3,052.00
05/06/16	5125(A)	SAFETY SERVICES, INC.	559.20
05/06/16	5126(A)	SECANT TECHNOLOGIES	230.00
05/06/16	5127(A)	SIMMONS FORD	302.56
05/06/16	5128(A)	SNELL, DEBRA	288.00
05/06/16	5129(A)	SOLARWINDS, INC.	1,999.00
05/06/16	5130(A)	TECHNOLOGY SOLUTIONS	297.50
05/06/16	5131(A)	TERMINAL SUPPLY CO.	727.58
05/06/16	5132(A)	TRUCK & TRAILER SPECIALTIES	210.66
05/06/16	5133(A)	TYLER TECHNOLOGIES, INC.	61,795.00
05/06/16	5134(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	588.32
05/06/16	5135(A)	VANCE OUTDOORS, INC.	398.90
05/06/16	5136(A)	VANDERBERG, WARD M	94.00
05/06/16	5137(A)	W W GRAINGER INC	61.25
05/06/16	5138(A)	WARNER NORCROSS & JUDD LLP	3,906.27
05/06/16	5139(A)	WEST MICHIGAN STAMP & SEAL, INC	18.20
05/06/16	5140(A)	WEST, STEVEN R	127.50
05/06/16	5141(A)	WIGHTMAN & ASSOCIATES, INC.	5,950.00
05/06/16	5142(A)	WOLVERINE POWER SYSTEMS	170.00
	SUBTOTAL:	70 CHECKS	175,987.01
04/29/16	297422	MICHIGAN TAX TRIBUNAL	50.00
05/06/16	297423	3D DISTRICT COURT	300.00
05/06/16	297424	A T & T	130.17
05/06/16	297425	ADP, INC.	815.53
05/06/16	297426	AFC INTERNATIONAL INC.	13,732.65
05/06/16	297427	ALLEGRA PRINT & IMAGING	329.45
05/06/16	297428	ALTA EQUIPMENT CO.	841.03
05/06/16	297429	AMERICAN MUSEUM OF MAGIC	120.00
05/06/16	297430	APPLIED INDUSTRIAL TECHNOLOGIE	691.38
05/06/16	297431	APT-US&C	385.00
05/06/16	297432	ARTWEAR APPAREL GRAPHICS, INC.	110.00
05/06/16	297433	ASSOCIATED GOVERNMENT SERVICES INC	4,050.00
05/06/16	297434	AT&T YELLOW PAGES	52.80
05/06/16	297435	AUTOMATIC MICROFILM CO.	1,768.67
05/06/16	297436	AUTOZONE STORES, INC.	59.91
05/06/16	297437	B S & A SOFTWARE	1,340.00

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Check Date	Check	Vendor Name	Amount
05/06/16	297438	BAKER, STACEY	342.85
05/06/16	297439	BEACON ATHLETICS	2,170.66
05/06/16	297440	BEL-AIRE HEATING & AIR CONDITI	1,550.00
05/06/16	297441	BESCO WATER TREATMENT, INC.	10.50
05/06/16	297442	BOWMAN, KAREN	104.00
05/06/16	297443	BRIDGEWORKS II, LLC	921.78
05/06/16	297444	CAPPAERT, LYNNE	12,000.00
05/06/16	297445	CARDINAL BUS, INC.	1,930.50
05/06/16	297446	CARNEY, JEANNETTE	42.00
05/06/16	297447	CHARTER COMMUNICATIONS	528.70
05/06/16	297448	CHICAGO TITLE OF MICHGAN	75.87
05/06/16	297449	CITY OF KALAMAZOO TREASURER	485,562.67
05/06/16	297450	CONSUMERS ENERGY	34,337.51
05/06/16	297451	COSTAR REALTY INFORMATION, INC.	307.95
05/06/16	297452	CRAWFORD, AMY	100.00
05/06/16	297453	DEAF & HARD OF HEARING SERVICES	388.16
05/06/16	297454	DEGRAAF, JOAN	100.00
05/06/16	297455	DEHAAN HEATING	273.00
05/06/16	297456	DELOOF CONSTRUCTION, INC.	3,976.00
05/06/16	297457	DON SEELYE FORD, INC.	57,357.00
05/06/16	297458	EASON, WALKER	150.00
05/06/16	297459	EMERGENCY MEDICAL PRODUCTS INC	180.80
05/06/16	297460	ENTRANCE TECHNOLOGIES INC.	300.00
05/06/16	297461	FAB MAGIC	30.00
05/06/16	297462	FADER EQUIPMENT, INC.	301.86
05/06/16	297463	FLETCHER ENTERPRISES	1,081.00
05/06/16	297464	FN AMERICA, LLC	250.00
05/06/16	297465	FORSHEE, MARK	184.00
05/06/16	297466	GORDON WATER SYSTEMS	66.00
05/06/16	297467	GORSALITZ, JULIE	44.00
05/06/16	297468	GRAHAM FORESTRY SERVICE, INC.	1,472.00
05/06/16	297469	GREATER KALAMAZOO FOP LODGE 98	3,322.66
05/06/16	297470	GREATER KALAMAZOO UNITED WAY	875.68
05/06/16	297471	HARMON AUTOGLASS	215.00
05/06/16	297472	HOCKEY SERVICES	318.00
05/06/16	297473	HOGNACHI, DAVID	184.00
05/06/16	297474	HOME DEPOT	3,498.32
05/06/16	297476	HOYLE, KATHLEEN	389.74
05/06/16	297477	HURLEY & STEWART, LLC	31,371.04
05/06/16	297478	INTERNATIONAL CODE COUNCIL, INC	188.00
05/06/16	297479	KAHLE, JOAN	37.00
05/06/16	297480	KALAMAZOO COUNTY HEALTH & COMMUNITY	112.00
05/06/16	297481	KALAMAZOO COUNTY SAFE KIDS COALITIO	1,050.00
05/06/16	297482	KALAMAZOO COUNTY TREASURER	1,654.11

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Check Date	Check	Vendor Name	Amount
05/06/16	297483	KALAMAZOO LANDSCAPE SUPPLIES	195.85
05/06/16	297484	KAR LABORATORIES	140.00
05/06/16	297485	KZOO TIRE COMPANY	808.00
05/06/16	297486	LAND MATTERS LLC	712.50
05/06/16	297487	LANGUAGE LINE, INC	75.14
05/06/16	297488	LARRY W. MCCULLIN	168.00
05/06/16	297489	LEXISNEXIS RISK SOLUTIONS	150.00
05/06/16	297490	LOUTHAN, WILLIAM F	144.00
05/06/16	297491	LOWE'S HOME CENTER	3,321.94
05/06/16	297492	MCDONALD'S TOWING & RESCUE, INC.	150.00
05/06/16	297493	MCNALLY ELEVATOR CO.	119.75
05/06/16	297494	MEDILODGE OF PORTAGE	535.50
05/06/16	297495	MENARDS, INC	132.25
05/06/16	297496	MI GOVT FINANCE OFFICERS ASSOC	130.00
05/06/16	297497	MICH AMATEUR SOFTBALL ASSOC	4,520.00
05/06/16	297498	MICH LAW ENFORCEMENT TRAINING ASSOC	250.00
05/06/16	297499	MICH LAW ENFORCEMENT TRAINING ASSOC	250.00
05/06/16	297500	MICH MUNICIPAL POLICE & FIRE REPAIR	239.01
05/06/16	297501	MICHIGAN ELECTION RESOURCES, LLC	1,655.15
05/06/16	297502	MICHIGAN MUNICIPAL LEAGUE	117.10
05/06/16	297503	MIDWEST ENERGY COOPERATIVE	272.68
05/06/16	297504	MLIVE MEDIA GROUP	4,129.33
05/06/16	297505	MOORE MEDICAL, LLC	95.00
05/06/16	297506	MUNCY, SHAUNA	100.00
05/06/16	297507	NELSON'S APPLIANCE SERVICE	70.00
05/06/16	297508	NOTRE DAME COLLEGE	340.00
05/06/16	297509	OFFICE DEPOT, INC.	1,438.20
05/06/16	297511	OMG NATIONAL	497.44
05/06/16	297512	ONSTAFF USA INC	10,102.56
05/06/16	297513	PETERMAN CONCRETE CO.	171.17
05/06/16	297514	PETTY CASH-CITY HALL	837.60
05/06/16	297515	PETTY CASH-PARKS	331.45
05/06/16	297516	PETTY CASH-POLICE DEPT.	378.45
05/06/16	297517	PETTY CASH-SENIOR CENTER	561.63
05/06/16	297518	PHILLIPS, THOM	100.00
05/06/16	297519	POSTMAN INC., THE	903.00
05/06/16	297520	POWERPHONE	458.00
05/06/16	297521	PREMIER TRUCK SALES & RENTAL, INC.	6,600.00
05/06/16	297522	PRINTEK, INC.	318.52
05/06/16	297523	PURE FISHING, INC.	1,626.13
05/06/16	297524	RATHCO SAFETY SUPPLY, INC.	245.00
05/06/16	297525	REPUBLIC SERVICES OF WEST MICHIGAN	867.20
05/06/16	297526	ROE, GAIL	150.00
05/06/16	297527	SEPANIK, LOUISE	104.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/24/2016 To: 5/8/2016

Page 5 of 5

Check Date	Check	Vendor Name	Amount
05/06/16	297528	SEVERANCE ELECTRIC COMPANY,INC	4,680.00
05/06/16	297529	SHELBURNE, LAURIE	224.84
05/06/16	297530	SIMPLIFILE LLC	90.00
05/06/16	297531	SLAVIN, NATHAN	399.00
05/06/16	297532	SMITH, JESSICA	22.91
05/06/16	297533	SPARTAN DISTRIBUTORS INC.	220.83
05/06/16	297534	STACEY BAKER	49.99
05/06/16	297535	STATE OF MICHIGAN (DOT)	14,369.65
05/06/16	297536	STATE SYSTEMS RADIO, INC	3,919.21
05/06/16	297537	STEENSMA LAWN & POWER EQUIPMENT	1,173.91
05/06/16	297538	STEGMAN, LOIS	66.00
05/06/16	297539	SUZANNE GERNAAT	310.00
05/06/16	297540	SWT EXCAVATING, INC	2,875.00
05/06/16	297541	T-MOBILE USA INC	29.99
05/06/16	297542	TEAMINTEL, L.L.C.	364.00
05/06/16	297543	THOMAS HAMANN	1,182.50
05/06/16	297544	TIGER DIRECT, INC.	56.16
05/06/16	297545	TODD ARBANAS ENTERPRISES INC.	4,750.00
05/06/16	297546	TYCO INTEGRATED SECURITY LLC	544.71
05/06/16	297547	UNITED PARCEL SERVICE	15.88
05/06/16	297548	VANDERBILT, JOHN	96.00
05/06/16	297549	VANGUARD FIRE & SUPPLY CO., INC.	59.61
05/06/16	297550	VERIZON WIRELESS SERVICES, LLC	2,017.98
05/06/16	297551	W MICH CRIMINAL JUSTICE TRAINING CO	1,802.15
05/06/16	297552	WATKINS, GREG	138.00
05/06/16	297553	WENDLING-OSBORN, JANE A	42.00
05/06/16	297554	WHEELER, JOYCE	37.00
05/06/16	297555	XEROX CORPORATION	970.03
	SUBTOTAL:		132 CHECKS 759,149.85
04/25/16	3068	AUTO-PAY PAYMENT	1,516.69
04/26/16	3071	AUTO-PAY PAYMENT	1,608.07
05/05/16	3096	AUTO-PAY PAYMENT	4,019.54
	SUBTOTAL:		3 CHECKS 7,144.30
	GRAND TOTAL:		205 CHECKS 942,281.16

** (A) DENOTES ACH PAYMENTS

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Fiscal Year 2016-2017 Budget Approval

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Fiscal Year 2016-2017 Budget.

Following City Council budget review sessions on April 19 and May 3, as well as the public hearing on May 10, 2016, the adoption of the General Appropriations Act and the Salary and Wage Resolution will complete the Fiscal Year 2016-2017 Budget adoption and authorize implementation beginning July 1, 2016.

The Fiscal Year 2016-2017 Budget is a conservative financial plan that maintains a high level of excellence in service. The persistent financial challenges of the state economy continue to affect local governments, bringing uncertainty regarding revenue sharing monies, Act 51 street funds, and other state and federal awards and entitlements. However, effective financial controls and planning instituted by the City Administration will minimize the effects of future budget challenges.

This budget is a sound financial plan for the community that:

- Maintains the overall city tax rate (millage) at 10.9256 mills;
- Includes reimbursements from the state offsetting revenue reductions due to personal property tax losses;
- Reinstates three police officer and three firefighter positions eliminated since 2006, improving call response time for public safety services;
- Maintains the City Council prescribed fund balance for the General Fund at 24 percent of General Fund expenditures;
- Preserves the City of Portage position in the lower 25 percent of all Michigan cities with populations greater than 20,000 in terms of millage level.

The General Appropriations Act Resolution, which is attached, has been prepared to conform to all requirements of the City Charter and state statutes. The Salary and Wage Resolution, necessary to establish salary and wage schedules, is also attached. In accordance with the timeline prescribed by the City Charter, Council adoption of these two resolutions is recommended.

FUNDING: N/A

Attachments:

1. General Appropriations Act Resolution
2. Salary and Wage Resolution

GENERAL APPROPRIATIONS ACT
RESOLUTION TO ADOPT THE BUDGET
OF THE CITY OF PORTAGE FOR THE FISCAL YEAR
JULY 1, 2016 TO JUNE 30, 2017
AND TO MAKE APPROPRIATIONS THEREFORE

Moved by
Supported by

WHEREAS, Chapter 7 of the City Charter requires: That the City Manager submit a budget proposal with his recommendation to the City Council; that a public hearing be held on said budget proposal; that the City Council by resolution adopt a budget for the ensuing fiscal year, make an appropriation of the money needed therefore, and designate the sum to be raised by taxation; and

WHEREAS, the Manager has submitted said budget and recommendations and a public hearing has been held thereon;

NOW, THEREFORE, BE IT RESOLVED as provided in Chapter 7 of the City Charter, and in conformity with Public Act 621 of 1978, the Uniform Budgeting and Accounting Act, that the budgets attached hereto and made a part hereof by reference are hereby considered and adopted, to be administered on an activity level, with the exception of the Capital Improvement Fund, which will be administered on a program/project level, as the budgets of the City of Portage to cover the operations and expenditures thereof for the fiscal year July 1, 2016 to June 30, 2017.

BE IT FURTHER RESOLVED that the sum of \$20,872,000 be raised by taxation by the levy of 10.9256 mills for operations on the taxable value of all real and personal property in the City as follows:

General Operating Fund	7.5000 mills	\$14,328,000
Capital Improvement Fund	2.0000 mills	3,821,000
Curbside Recycling Fund	0.3049 mills	582,000
Leaf Pickup/Spring Cleanup Fund	0.3455 mills	660,000
Municipal Street Fund	<u>0.7752 mills</u>	<u>1,481,000</u>
	<u>10.9256 mills</u>	<u>\$20,872,000</u>

BE IT FURTHER RESOLVED that the City Manager be authorized to transfer necessary amounts between activities/ departments within a fund and make any adjustments within or between funds which do not change ending fund balance. The Capital Improvement Funds shall be considered one fund for the purposes of this provision.

BE IT FURTHER RESOLVED that for the General Fund, the fund balance shall be at least 24% of the 2016-2017 appropriations, including transfers.

BE IT FURTHER RESOLVED that a copy of this budget resolution be furnished to the City Assessor, who together with the Finance Director shall then proceed to assess and collect the taxes in accordance with the City Charter and State Statutes.

YES:
NO:
ABSENT:

James R. Hudson, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 24th day of May, 2016 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 24th day of May, 2016

APPROVED AS TO FORM
DATE 5/11/16

CITY ATTORNEY

James R. Hudson, City Clerk

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Street Crack Sealing Material - Sole Source Purchase Recommendation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Services

ACTION RECOMMENDED: That City Council approve the sole source purchase from Maxwell Products, Incorporated, for:

1. 46,000 pounds of crack sealing material in the amount of \$19,504 for initial application in 2016; and
2. 118,000 pounds of crack sealing material to be used during the 2016-2017 construction season; and

authorize the City Manager to execute all documents related to this action on behalf of the city.

Crack sealing is a proven process that can reduce pavement deterioration by restricting water penetration into underlying base and sub-base layers. This prevention measure helps to maintain pavement structural capacity and limit future degradation, improving pavement life by three to five years. The crack sealing process cleans and fills longitudinal and transverse cracks that occur in major streets as the asphalt ages and is the most cost-effective, long-term preventative maintenance option compared to other pavement maintenance techniques. This preventative maintenance is necessary to ensure long-lasting asphalt driving surfaces.

As Council will recall, city staff reviewed the prior crack sealing contracted practice in July 2015. It was determined that the city would realize a savings of \$7,000 by bringing the process in-house, purchasing the crack sealer (completed July 2015) and having city laborers perform the work. Only the crack sealing material would require annual procurement. Maxwell Products, Incorporated of Salt Lake City, Utah is the recommended sole supplier for the crack sealing material, not only for their low price per pound (\$0.424), but also their unique packaging system. This system is a time saver for the Public Services crews because unwrapping and disposal of cardboard and plastic wrapping (common with other vendors' products) is not required. In addition, the city will realize a cost-savings without the need to pay for the shipping or disposal of the cardboard and plastic wrapping materials. The city previously utilized Maxwell Products for the 2015 construction season with great success.

A second quote was received by another vendor with the price per pound of material coming in at \$0.445. This product is provided with the cardboard and plastic wrapping that becomes a waste product and yields inefficiency in the crack sealing process.

The combination of city crews performing this work in-house and the cost-effective, efficiently packed

crack sealing material from Maxwell Products results in a 60 percent increase in miles of city street crack sealing coverage. The Public Services Department will purchase the crack sealing materials needed for the currently scheduled 2016 work utilizing available Fiscal Year 2015-16 funds and make a separate purchase at a later time for the 2016-17 work utilizing Fiscal Year 2016-17 funding.

Therefore, it is recommended that City Council approve the sole source purchase of 46,000 pounds of crack sealing material in the amount of \$19,504 from Maxwell Products, Incorporated for initial application in 2016. Additionally, it is recommended that City Council authorize the additional purchase of crack sealing material in the amount not to exceed \$50,000 to be used during the 2016-2017 construction season, and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Funds are available in the Fiscal Year 2015-2016 Major Streets Maintenance Fund and will be programmed in the Fiscal Year 2016-2017 Major Streets Maintenance Fund.

Attachments: 1. N/A

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Backup Storage Replacement

SUPPORTING PERSONNEL: Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: That City Council approve the:

1. purchase of an EMC storage backup solution from Data Strategy, Incorporated, through the Western States Contracting Alliance cooperative purchasing program in the amount of \$47,578.41;
2. professional installation services through Data Strategy, Incorporated, in the amount of \$10,000 in order to address storage backup failures and capacity issues on behalf of the City of Portage,

for a total project cost of \$57,578.41 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The city network infrastructure consists of two aging Coraid storage backup devices. Both devices are nearing capacity and are failing on a regular basis. Over the past two months, failure rates have escalated to where 79 percent of city data is not backed up. The Coraid service provider indicates that the devices cannot be repaired and should be replaced.

The Technology Services Department solicited a quote from Data Strategy, Incorporated of Grand Rapids, Michigan, for a backup storage solution using EMC Corporation hardware and software components that will work seamlessly with the primary EMC city network components installed earlier this year by Data Strategy, Incorporated. The Data Strategy quote of \$57,578.41 includes \$47,578.41 for hardware and software components, as well as licensing and \$10,000 for professional installation services. Pricing for the hardware, software and licensing was provided through the Western States Contract Alliance cooperative purchasing program. For price verification, two additional quotes for the same hardware and software components were solicited from major technology vendors, CDW-G and PCM, which were \$3,000 to \$7,000 higher than the Data Strategy quote. The preferred vendor for the professional installation services is also Data Strategy, Incorporated since this vendor recently installed the primary EMC city network components and devised a backup storage solution to work seamlessly with these components. Staff also sought price references for the professional installation services by soliciting an additional quote from CDW-G. The CDW-G quote was approximately \$4,300 less than Data Strategy, but only represented a portion of the required installation as CDW-G does not have the expertise to perform the full installation. PCM

does not have local installers with the required expertise needed for this project.

Therefore, it is recommended that City Council approve the purchase of the recommended EMC storage backup solution and professional installation services through Data Strategy, Incorporated in the amount of \$57,578.41 to address storage backup failures and capacity issues and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Sufficient funds have been allocated in Technology Services Capital Improvement Program for FY 2015-2016 for the replacement of the backup data storage.

Attachments: 1. Tabulation of Quotes

TABULATION OF QUOTES
EMC STORAGE BACKUP SOLUTION

	Data Strategy <u>Grand Rapids, MI</u>	CDW-Government <u>Silver Spring, MD</u>	PCM <u>Los Angeles, CA</u>
Parts	\$47,578.41*	\$55,561.98	\$51,752.10
Labor	\$10,000.00	\$5,700.00**	No Quote

* Cooperative Purchasing Program - Western States Contracting Alliance

**Incomplete bid

PARTS

Quantity	Part Number	City Hall Backup
2	PC-NA120V-1	POWER CORD NORAMERICA120V 5-15P C13 2M
1	C-10GMOP2P	OPTION,DD 10GBE,IO MODULE,OP SFP,2PORT
1	DD2500	SYSTEM,DD2500,NFS,CIFS
1	DD2500-36TB	SYSTEM,DD2500-12X3HDD SAS,36TB,NFS,CIFS
1	C-FLDIN2500	OPTION,FIELD INSTALL KIT,DD2500
1	L-BST-2500	LICENSE,BOOST,DD2500
1	M-ENHSWDD-M1	LICENSE BASE DD OE DD2500-36=IA
1	L-XCAP2500-B	LICENSE,DD2500 EXP CAP,MORE THAN 66TB
1	DDOS-DOC-A4N	DOCS,DD OS DOC,A4
1	M-ENHHWDD-M1	ENHANCED SYSTEM SUPPORT 3YR
1	M-ENHSWDD-M1	ENHANCED SOFTWARE SUPPORT 3YR

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council approve the Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), subject to the three conditions in the April 29, 2016 Department of Community Development staff report.

Glas Associates has submitted the fourth and final phase of the Whispering Meadows subdivision. Phase 4 of Whispering Meadows proposes construction of 15 single-family residential lots on approximately 12.78 acres. The existing two-story farmhouse and detached garage located on the property, opposite Arbutus Trail, will be relocated to the northwestern portion of the site (0.4 acre parcel) and will be exempted from the plat.

In conjunction with the proposed preliminary plat, the applicant is also requesting variances from the Code of Ordinances - Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Sections 42-804). Consistent with Section 42-713 (Variances) of the Subdivision and Land Division Regulations, the applicant has submitted a written communication in support of the requested variances.

Section 42-803(j) of the Subdivision and Land Division Regulations (Streets - Location and Arrangement), states, in part, "The street layout shall provide for the continuation of collector streets in the adjoining subdivision or for the proper projection of streets when adjoining property is not subdivided, or shall conform to a plan for a neighborhood unit drawn up and adopted by the planning commission." Immediately east of the subject property is the Robinswood subdivision that includes a public street stub (Camelot Street) that extends to the eastern boundary of the proposed Whispering Meadows No. 4 subdivision. In written correspondence dated April 27, 2016, the applicant discusses the rationale for this variance request, including the desire to preserve home values and privacy and the secluded neighborhood character of the Whispering Meadows subdivision, which has no public street interconnections to the east in the previous three phases in an effort to discourage vehicular through traffic to Angling Road.

Section 42-804 of the Subdivision and Land Division Regulations (Sidewalks) establishes a requirement that a four-foot-wide concrete sidewalk be provided on both sides of all local streets, including the full length and bulb of any cul-de-sacs. In the attached correspondence, the applicant discusses the rationale for this variance request, including the lack of sidewalks in the existing Whispering Meadows No. 1, No. 2 and No. 3 plats, along with the lack of continuous sidewalk in the surrounding area (Angling Road and adjacent residential neighborhoods to the east and west).

In lieu of a public street extension/connection to Camelot Street and sidewalk installation along both sides of all streets, the applicant is proposing to install a pedestrian walkway between Lots 71 and 72, which would provide for pedestrian connectivity between neighborhoods without an increase in vehicular traffic through the Whispering Meadows subdivision. This public walkway would also provide a pedestrian linkage to Amberly Elementary School to the east and West Middle School/Moorsbridge Elementary School to the south. Also, the applicant will remove the west 62 feet of the existing Camelot Street improvements (asphalt and curb/gutter) and restore this area to greenspace.

In a report dated April 29, 2016, the Department of Community Development recommended the Preliminary Plat of Whispering Meadows No. 4 be approved, subject to three conditions detailed in the staff report. The conditions entail: the requested variances; public streets, walkways and utilities, and storm water retention.

The Planning Commission convened a public hearing during its May 5, 2016 meeting to consider the Preliminary Plat. The applicant, Mr. Charlie Glas of Glas Associates, was present to support the application and explain the development project. No additional citizens spoke during the public hearing and no written communications were received from area residents or interested citizens. At the conclusion of the public hearing, the Commission voted unanimously to also recommend to City Council that the Preliminary Plat of Whispering Meadows No. 4 be approved, including the requested variances, subject to the three conditions detailed in the April 29, 2016 Department of Community Development staff report.

FUNDING: Not Applicable

Attachments:

1. Department of Community Development report dated April 29, 2016 with attachments
2. Planning Commission minutes dated May 5, 2016 (draft)
3. Planning Commission transmittal dated May 13, 2016

TO: Planning Commission

DATE: April 29, 2016

FROM: Vicki Georgeau,  Director of Community Development

SUBJECT: Preliminary Plat: Whispering Meadows No. 4, 6513 Angling Road.

I. INTRODUCTION:

The preliminary plat of Whispering Meadows No. 4 has been submitted for review and approval. The fourth and final phase of the Whispering Meadows subdivision proposes construction of 15 single family residential lots on approximately 12.78 acres. Based on information provided by the applicant, the existing 2-story farmhouse and detached garage located on the property, opposite Arbutus Trail, will be relocated to the northwestern portion of the site (0.4 acre parcel) and will be exempted from the plat. The existing barns will be moved to an off-site location.

Applicant	Lots/Area	Location
Glas Associates	15 lots/12.78 acres	Southeast ¼ of Section 7, East of Angling Road and north of Mullein Lane.

In conjunction with the proposed preliminary plat, the applicant is also requesting variances from the Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Sections 42-804). Consistent with Section 42-713 (Variances) of the Subdivision and Land Division Regulations, the applicant has submitted a written communication in support of the requested variances.

II. BACKGROUND INFORMATION:

The following is important background information and summarizes the requirements that are applicable to the preliminary plat application. All required improvements will comply with Article 5 – Subdivision and Land Division Regulations of the City of Portage Land Development Regulations.

Street Access	Northerly extension of Bunchberry Drive (public street) and construction of a new public cul-de-sac street (Boxwood Court). Existing access to Angling Road and Romance Road provided through existing public streets located with previous phases of the Whispering Meadows subdivision.
Storm Water	Directed to an existing private storm water basin located to the south, along the east side of Bunchberry Drive, within Whispering Meadows No. 3.
Public Improvements	Public streets, curb-gutter, municipal water, sanitary sewer, streetlights will be provided pursuant to established ordinance requirements.
Zoning	R-1B, one family residential: Minimum 80 foot lot widths (100 feet for corner lots); minimum lot size of 9,600 square feet; and minimum setbacks of 30-feet (front), 10-feet (side) and 40-feet (rear).

Environmental impacts	No wetlands, floodplain or other environmental issues are present on the subject property. Existing mature trees located across the property and along Angling Road will be preserved, to the extent possible, to serve as an amenity to the development and to provide screening/buffering to future residents.
Traffic	A total of 15 single-family residential dwellings can be expected to generate approximately 75-90 vehicles per day (equivalent to 150-180 vehicle trips per day).

III. PUBLIC NOTICE REQUIREMENTS:

In accordance with the Michigan Planning Enabling Act (Public Act No. 33 of 2008, as amended), a public notice was published in the local newspaper and notice was mailed to owners of land immediately adjoining the proposed plat 15 days prior to the date of the public hearing.

Submission of the preliminary plat is intended to provide the community with the opportunity to examine existing and proposed conditions pertaining to the development of the subdivision. After approval by the City Council, preliminary plat approval is effective for 12 months. During the 12 month period, detailed engineering drawings will be prepared and submitted to City Council for review and approval. Following construction of the plat improvements, the developer will request that City Council grant final plat approval.

IV. VARIANCE REQUESTS:

Section 42-803(j) of the Subdivision and Land Division Regulations (Streets - Location and Arrangement), states, in part, that "The street layout shall provide for the continuation of collector streets in the adjoining subdivision or for the proper projection of streets when adjoining property is not subdivided, or shall conform to a plan for a neighborhood unit drawn up and adopted by the planning commission." Immediately east of the subject property is the Robinswood subdivision that includes a public street stub (Camelot Street) that extends to the eastern boundary of the proposed Whispering Meadows No. 4 subdivision. In written correspondence dated April 27, 2016, the applicant discusses the rationale for this variance request including the desire to preserve home values and privacy, and the secluded neighborhood character of the Whispering Meadows subdivision, which has no public street interconnections to the east in the previous three phases to discourage vehicular through traffic to Angling Road.

Section 42-804 of the Subdivision and Land Division Regulations (Sidewalks) establishes a requirement that a four-foot wide concrete sidewalk be provided on both sides of all local streets, including the full length and bulb of any cul-de-sacs. In the attached correspondence, the applicant discusses the rationale for this variance request including the lack of existing sidewalks in Whispering Meadows No. 1, No. 2 and No. 3, along with the lack of continuous sidewalk in the surrounding area (Angling Road and adjacent residential neighborhoods to the east and west).

Neighborhood connectivity and installation of pedestrian facilities have been encouraged and required, when and where possible. As explained by the applicant, the Whispering Meadows development was originally planned and the first three phases constructed without pedestrian or public street connections to adjacent neighborhoods. For Commission information, Towhee Court was originally stubbed to the south property line of Whispering Meadows No. 3, between 3382 and 3440 Davcliff Avenue. During the planning and construction phase of Whispering Meadows No. 3, Towhee Street was not extended at the request of the developer. Since it was not extended, the street improvements were removed by the developer and the area

restored to greenspace. Additionally, the west end of Davcliff Avenue was stubbed to the Whispering Meadows development site. This street was also not extended into Whispering Meadows and instead, the developer constructed a small, six residential lot cul-de-sac.

In lieu of a public street extension/connection to Camelot Street, the applicant is proposing to install a pedestrian walkway, between Lots 71 and 72, which would provide for pedestrian connectivity between neighborhoods, without an increase in vehicular traffic through the Whispering Meadows subdivision. This public walkway would also provide a pedestrian linkage to Amberly Elementary School to the east and West Middle School/Moorsbridge Elementary School to the south. Also, the applicant will remove the west 62 feet of the existing Camelot Street improvements (asphalt and curb/gutter) and restore this area to greenspace.

With regard to sidewalks, during development of the first three phases of Whispering Meadows, the Land Development Regulations did not require sidewalks if the lots were greater than 100 feet in width. Since the Whispering Meadows lots are greater than 100 feet in width, installation of sidewalks was optional. The Land Development Regulations were changed in 1998 to require sidewalks on both sides of all new residential subdivisions. As noted above, the applicant is proposing a pedestrian connection to the neighborhood to the east in the final phase of Whispering Meadows, and a bikeway along Angling Road and Romence Road is provided along the major street frontage for the development.

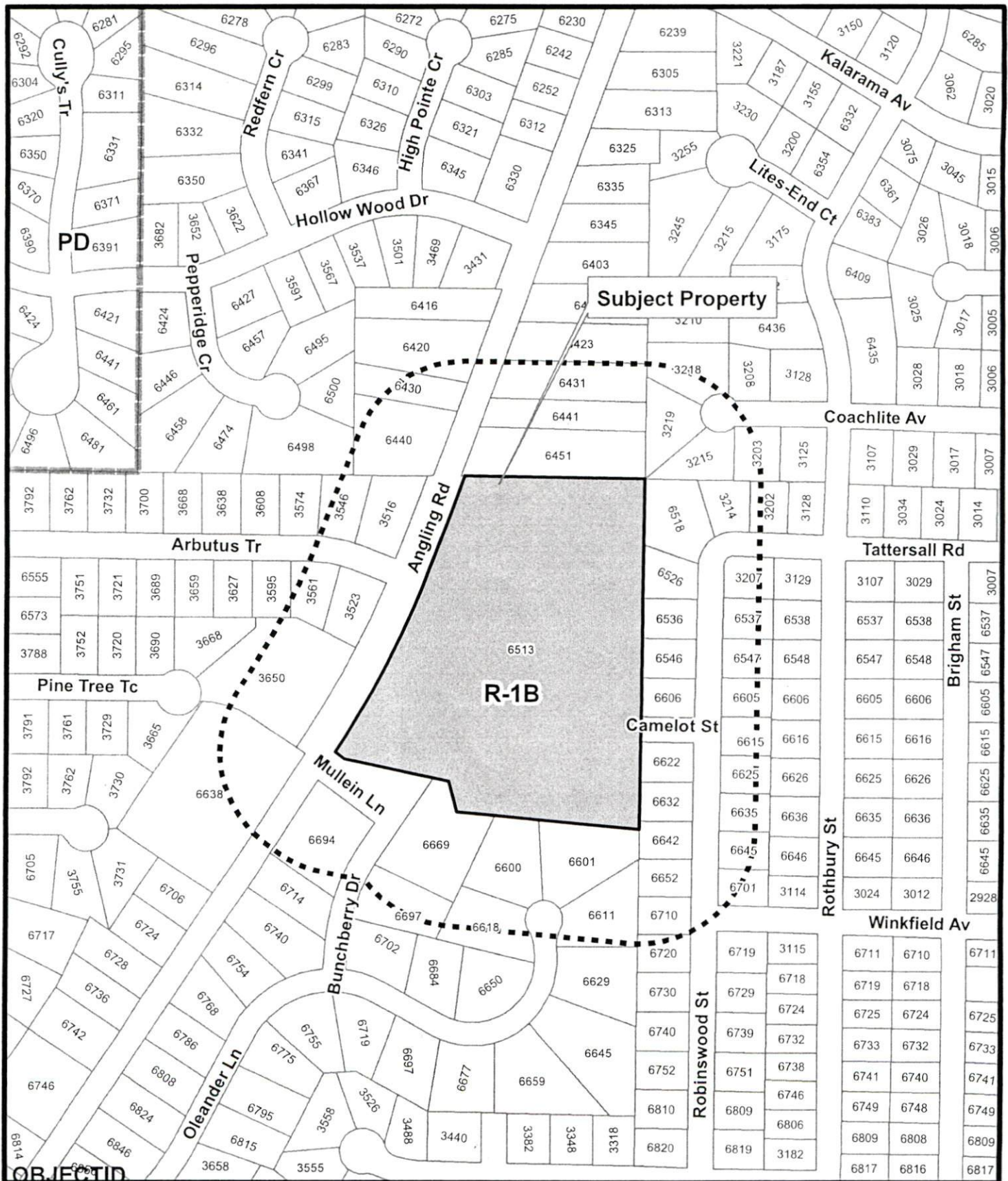
V. RECOMMENDATION:

The proposed plat has been reviewed within the context of the Comprehensive Plan, Land Development Regulations and other applicable ordinance requirements. Based on the above information and subject to any additional information received during the public hearing, staff advises the Planning Commission recommend to City Council that the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, be approved subject to the following conditions:

1. Variance Requests – The applicant is requesting to complete the final phase of the Whispering Meadows development project consistent with approval of the first three phases. As such, approval of the variance requests involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Sections 42-804) with a finding that the criteria outlined in Section 42-713 (Variances) of the Subdivision and Land Division Regulations have been satisfied: (1) There are special circumstance of conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land; (2) The variances are necessary for the preservation and enjoyment of a substantial property right of the petitioner; and (3) The granting of the variances will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
2. Public Streets, Walkway and Utilities – The proposed street system, municipal water and sanitary sewer are acceptable in concept. Final design, location and related issues will be addressed upon submittal of the detailed engineering drawings. Any public utility located outside of the street right-of-way (water main between lots 71 and 72) will require that an easement(s) be conveyed to the city. Additionally, an easement will also need to be provided for the public walkway located between Lots 71 and 72.

3. Storm Water Retention – Storm water run-off from Whispering Meadows No. 4 will be conveyed to an existing private storm water retention basin located to the south within Whispering Meadows No. 3. This storm water basin is owned and maintained the Whispering Meadows Home Owners Association. An easement and maintenance/indemnification agreement will need to be conveyed to the city for discharge of storm water from public streets within Whispering Meadows No. 4 to this private basin before approval of the detailed engineering drawings. Final design and related issues associated with this additional storm water discharge will be addressed upon submittal of the detailed engineering drawings.

Attachments: Zoning/Vicinity Map
Aerial Photo Map
Communication from Glas Associates received April 27, 2016
Preliminary Plat Drawing



-  300' Notification
-  6513 Angling
-  Zoning Boundary

Preliminary Plat Whispering Meadows No. 4 6513 Angling Road



1 inch = 333 feet



 6513 Angling

Preliminary Plat
Whispering Meadows No. 4
6513 Angling Road



1 inch = 325 feet

(42)

GlasAssociates

CUSTOM HOME DESIGNERS/BUILDERS
COMMERCIAL CONTRACTING

6339 Stadium Drive
Kalamazoo, MI 49009

ph: 269.353.7737
fax: 269.353.7316
glasassociates.com

RECEIVED

APR 27 2016

COMMUNITY DEVELOPMENT

April 11, 2016

[April 26, 2016 Revised – See Paragraph 8]

City of Portage
7900 South Westnedge Avenue
Portage, MI 49002

Attention: Mr. Christopher Forth, AICP, Deputy Director of Planning, Development and Neighborhood Services

**RE: PRELIMINARY PLAT OF WHISPERING MEADOWS NO. 4, 6513 ANGLING ROAD,
PORTAGE, MICHIGAN**

Dear Mr. Forth:

Thank you for providing the City Administration review and comments. In response thereto, below please find comments which correspond to the item numbers contained in your April 4, 2016 letter.

Community Development Department

1. An executed affidavit of ownership is enclosed for your review and approval.
2. Please accept this correspondence as a written request for a variance from the neighborhood interconnection requirements with the adjacent Robinswood subdivision to the east. Justifications for this request, in accordance with the criteria outlined in Section 42-713 of the Subdivision Regulations, are as follows:
 - a. General Overview
 - i. Whispering Meadows No.s 1, 2 and 3 were recorded in 1992, 1994, and 1997, respectively, all of which predate the current ordinance provisions adopted in 1998. The first three phases created a secluded neighborhood character with high value homes. The road network specifically focused on discouraging the use by through traffic, which is still consistent with current ordinance provision 42-803.(1) for street location and arrangement. This was also desired since the market value of the Whispering Meadows homes in comparison to those in adjoining neighborhoods are nearly 300-400% higher as supported by current SEV and taxable value information found on the City GIS web site. The lack of interconnectivity helps preserve the privacy and values of these property owners. Whispering Meadows No. 4 is proposed as a final extension of this existing neighborhood and aims to create a cohesive character and environment for the sake of both existing and new home/property owners.
 - b. Section 42-713
 - i. Condition 1 – There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
 1. The street layout of the previous three phases provides no interconnectivity, or proposed connection, to adjoining subdivisions for reasons stated above. This development pattern was set in place before much of the recent emphasis on

comprehensive planning connectivity and Complete Streets policies. Imposing the current ordinance provisions creates a special circumstance/condition which deprives the applicant from reasonably developing this final phase in a nature consistent with the existing phases. It would detract from the existing home values and lessen the market viability of the developers proposed use of the land for the final phase. Finally, the currently adequate interconnectivity among adjacent subdivisions to the same major thoroughfares to which Whispering Meadows No.s 1-4 connects does not significantly benefit vehicular circulation in the vicinity when contrasted with the detriments to the neighborhood character.

- ii. Condition 2 – The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
 1. The variance is necessary to preserve the same and substantial property rights of the petitioner previously afforded for the betterment/enjoyment of the eventual home/property owners and development character. It is also necessary to preserve the property rights of homeowners of the previous three phases.
 - iii. Condition 3 – The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
 1. To the contrary, the granting of variance will warrant against injurious conditions to the other existing properties in the territory/Whispering Meadows No.s 1-3 and will preserve the public safety/welfare by limiting through traffic within these quiet neighborhoods.
3. Please accept this correspondence as a written request for a variance from the four- and five-foot sidewalk installation requirements throughout the development and along Angling Road. Justifications for this request, in accordance with the criteria outlined in Section 42-713 of the Subdivision Regulations, as well as the City Complete Streets Policy, are as follows:
- a. General Overview
 - i. The lack of sidewalks in all phases of the Whispering Meadows subdivision is purposeful for the same reasons stated above for the roadway interconnectivity. The addition of sidewalk in Whispering Meadows No. 4 would be a gap filling measure at best given a lack of any other major network in the vicinity, especially in Whispering Meadows No. 1 through 3. In the west and east neighborhoods, the sidewalk network is very sporadic and incomplete. Without a documented capital improvements plan demonstrating a timely feasible financial plan to implement sidewalk installation throughout the area, we further believe it would be in the public's best interest to prolong installation in Whispering Meadows until such a time. This approach would prevent premature deterioration (and sooner than necessary rehabilitation/replacement) of the sidewalk in an immediate time frame when it would be highly under-utilized. A sidewalk to a "nowhere" terminus could also create potential safety issues by entering/existing pedestrians and non-motorized traffic to/from a vehicular network not designed for this mixed-use pattern.
 - b. Section 42-713
 - i. Condition 1 – There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
 1. See above item 2 and 3.a.i.
 - ii. Condition 2 – The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
 1. See above item 2 and 3.a.i.

- iii. Condition 3 – The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
 - 1. See above item 2 and 3.a.i.
- c. Complete Streets
 - i. The City of Portage Complete Streets Policy provides the City Administration the discretion to permit exceptions from the policy if meeting one or more of certain provisions. The following are two such provisions applicable to the Whispering Meadows application:
 - 1. Provision 2 – An alternative route, such as a multi-use trail in the immediate vicinity provides an option for non-motorized transportation.
 - a. An alternative non-motorized transportation route in the immediate vicinity is available by means of the existing designated widened shoulder trail along Angling Road.
 - 2. Provision 9 – The adopted Comprehensive Plan, or other present and/or anticipated market conditions that can be documented, indicate an absence of existing or future need (e.g. sparse population), for a Complete Street element or elements.
 - a. As mentioned in item 2 and 3.a.i above, market and character conditions within all Whispering Meadows phases support the absence of sidewalk throughout the development. The absence of such a transportation element in the general area, as aforementioned, also supports the lack of current need without significant area wide investment and support, all while avoiding placing unneeded replacement operation, maintenance and replacement costs for a highly under-utilized asset onto future users.
- 4. The variance request for the Lot 1 front yard building setback along the south property line is hereby withdrawn. Thank you for coordinating the request requirements between your office and the City attorney.
- 5. A signed letter from the Whispering Meadows Home Owners Association concerning the ownership and use of this basin for Whispering Meadows No. 4 is enclosed for your review and approval.
- 6. It is our intent to preserve the mature tree line to the greatest extent possible in the area from the existing overhead electric utility lines towards Angling Road to preserve the desired private and naturally wooded character of this development. Any clearing which may occur would consist of removing fallen trees/limbs or underbrush which inhibit the health of the mature tree line. In this stretch, we will supplement landscaping and/or berming as appropriate adjacent to Lots 1 through 6 to comply with Subdivision Regulation requirements.
- 7. The proposed setbacks have been dimensioned for the relocated structures shown on the land division application for the 0.40 acre exempted parcel. The updated plat drawing is enclosed.
- 8. *[April 26, 2016 Revision]*
Additional comment not in City review letter dated April 4, 2016 – A subsequent phone conversation with Ms. Vicki Georgeau, Director of Community Development, indicated City staff would be agreeable to recommending the above stated variance requests (see items 3 and 4) with the stipulation a 10' wide dedicated public walk be installed from the cul-de-sac of proposed Boxwood Court to the revised asphalt limits of Camelot Street. We are agreeable to this stipulation and commit to providing the dedicated public walk and coordinating the removal of asphalt (as shown on the updated plan) and abandonment of the Camelot Street right-of-way.

Fire Department

1. The "no parking-fire lane" sign posting requirement is noted on the enclosed updated preliminary plat drawing.

Transportation and Utilities Department

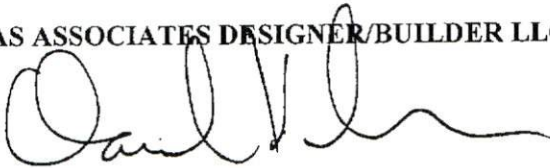
1. We understand the cut/fill requirements associated with this site. The site design construction drawings submitted to the City for approval between Preliminary and Final Plat approval will consider this comment and aim to mitigate any adverse effects associated therewith to the greatest extent possible.
2. A 20 foot easement for water main looping has been added between lots 12 and 13 on the enclosed updated preliminary plat drawing.

We believe the above responses address the City Administration comments. Accordingly, also enclosed please find eight copies of the revised plans at an 11" x 17" reduction in effort to be scheduled on the May 5, 2016 Planning Commission meeting agenda.

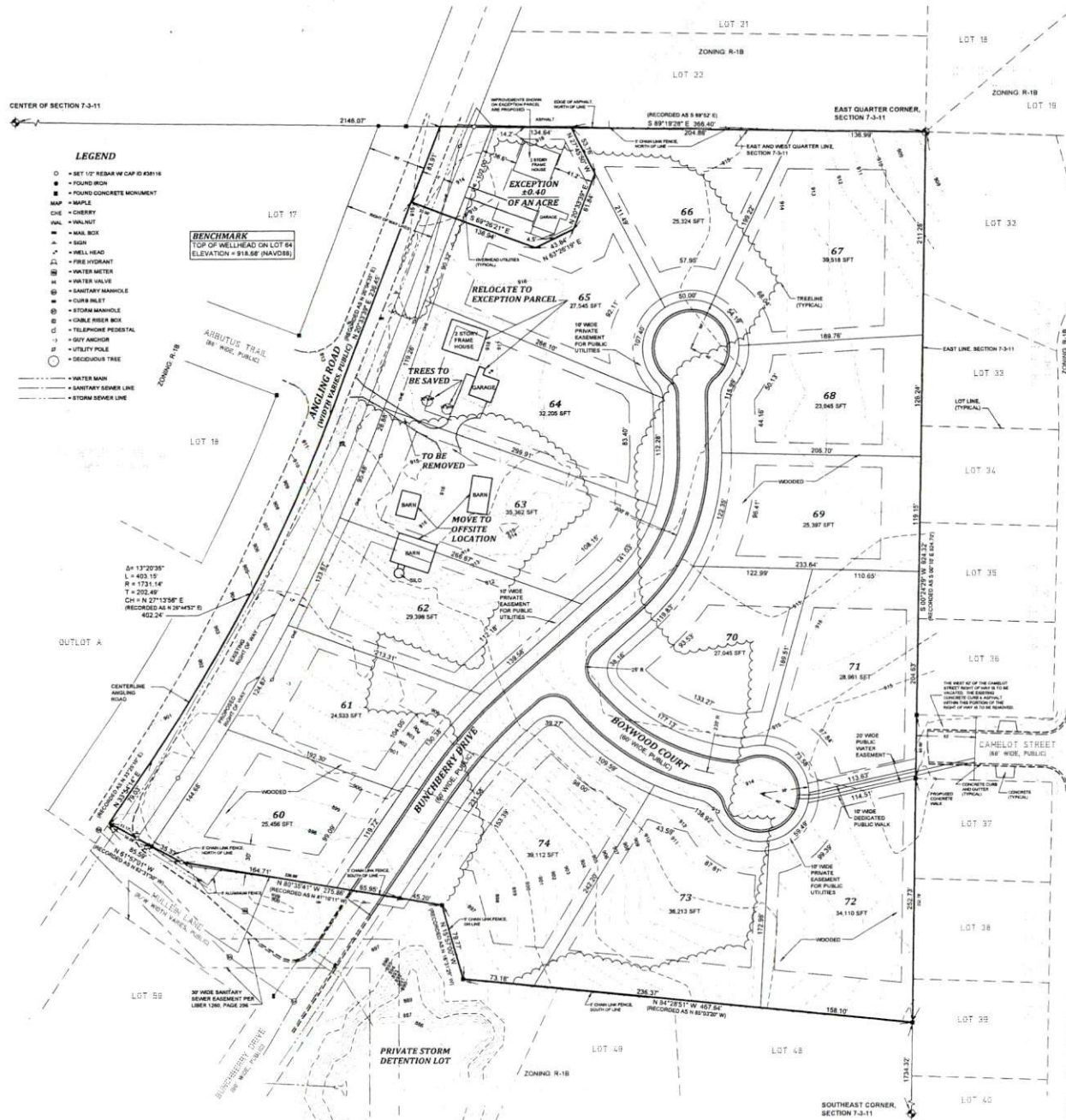
Thank you and other City staff in advance for your diligent efforts on the review of our application. If you have comments or questions, please do not hesitate to contact me at any time.

Sincerely,

GLAS ASSOCIATES DESIGNER/BUILDER LLC

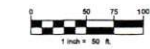
A handwritten signature in black ink, appearing to read 'Charlie Glas', with a stylized, flowing script.

Charlie Glas, Member



WHISPERING MEADOWS NO. 4
 BEING A SUBDIVISION IN THE
 SOUTHEAST QUARTER OF FRACTIONAL
 SECTION 7, TOWNSHIP 3 SOUTH, RANGE
 11 WEST, CITY OF PORTAGE,
 KALAMAZOO COUNTY, MICHIGAN.

PROPRIETOR/OWNER
 GLAS ASSOCIATES DESIGNER/BUILDER LLC
 5339 STADIUM DRIVE
 KALAMAZOO, MI 49009
 SURVEYOR/ENGINEER
 WIGHTMAN & ASSOCIATES, INC.
 9635 PORTAGE ROAD
 PORTAGE, MI 49602
 (269) 200-3700



VICINITY MAP
 SCALE: 1" = 100'

WHISPERING MEADOWS NO. 4

- NOTES:**
- ZONING: TRACKS ZONING: R-18
 - PRINCIPLE STRUCTURE: PROPOSED = 10' FRONT, PROPOSED = 40' REAR, PROPOSED = 17' SIDE, WITH EXCEPTION OF SOUTH LINE LOT 66 WHICH IS 30'
 - ACCESSORY STRUCTURE, EXCEPTION PARCEL, ONLY: REQUIRED = 7' REAR / 7' SIDE
 - LOT WIDTH (SECTION 42-104-4-115): MINIMUM LOT WIDTH = 115' BUILDING SETBACK REQUIRED = 40' PROPOSED = 40'
 - LOT AREA (SECTION 42-104-4-115): MINIMUM LOT AREA REQUIRED = 8,800 SQUARE FEET PROPOSED = 23,945 SQUARE FEET
 - LOT FRONTAGE (SECTION 42-104-4-115): ON PUBLIC STREET REQUIRED = 100' PROPOSED = 110'
 - ON PUBLIC CUL-DE-SAC: REQUIRED = 50' PROPOSED = 50'
 - PAVEMENT WIDTH (EXCLUDING CURB, SECTION 42-104-4-115): REQUIRED = 24' PROPOSED = 24'
 - PUBLIC CUL-DE-SAC PAVEMENT RADIUS: REQUIRED = 30' PROPOSED = 30'
 - FLOODPLAIN: THIS AREA IS LOCATED IN ZONE X - AREAS DETERMINED TO BE OUTSIDE OF THE 1% ANNUAL CHANCE OF FLOODING ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 24070C0201E DATED FEBRUARY 17, 2006.
 - SANITARY SEWER: PROPOSED SUBDIVISION WILL BE SERVICED BY PUBLIC SANITARY SEWER. PROPOSED SANITARY SEWER SHALL FLOW INTO THE EXISTING SANITARY SEWER SYSTEM SITUATED IN BUNCHBERRY DRIVE.

- WATER:**
 THE PROPOSED SUBDIVISION WILL BE SERVICED BY PUBLIC WATER MAIN. TO BE CONNECTED TO THE EXISTING WATER MAIN ADJACENT TO THE PROPOSED SUBDIVISION.
- STORM SEWER:**
 STORM SEWER SYSTEM SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTAGE REQUIREMENTS AND DEDICATED TO THE CITY. ALL STORM RUNOFF SHALL BE DIRECTED TO THE EXISTING PORTAGE STORM DETENTION LOT LOCATED IN WHISPERING MEADOWS NO. 1, WHICH WILL BE RELOCATED TO ACCOMMODATE INCREASED FLOW.
- STREETS:**
 ALL STREETS WILL BE PUBLIC WITH CONCRETE CURBS AND GUTTERS AND ADJACENT EASEMENTS TO BE 10' BACK OF CURB TO BACK OF CURB IN A 90° RIGHT-OF-WAY.
- STREET LIGHTING:**
 STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THE CITY OF PORTAGE STREET LIGHTING POLICY.
- PRIVATE UTILITIES:**
 PRIVATE UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, ETC. SHALL BE LOCATED IN PRIVATE EASEMENTS. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- CONTIGUOUS PROPERTIES:**
 THE PROPOSED SUBDIVISION HAS NO OWNERSHIP INTEREST IN THE PROPERTIES CONTIGUOUS TO THE PROPOSED SUBDIVISION.
- EXCEPTION PARCEL:**
 THE EXCEPTION PARCEL IS TO BE RETAINED BY CURRENT OWNER FOR ALLOCATION OF EXISTING HOUSE AND GARAGE FOR RESIDENTIAL USE.
- VARIANCE REQUESTS:**
 PLEASE SEE LETTER FROM PROPOSED SUBDIVISION DATED APRIL 11, 2018 AND REPLY FROM CITY OF PORTAGE DATED APRIL 11, 2018.

DESCRIPTION OF WHISPERING MEADOWS NO. 4

PART OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 89°24'20" WEST (RECORDED AS SOUTH 89°10' EAST) ON THE EAST LINE OF SAID SECTION 7 AND THE WEST LINE OF ROBINSWOOD; ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 29 OF PLAT PAGE 14, KALAMAZOO COUNTY RECORDS; AND ROBINSWOOD NO. 2; ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 86, KALAMAZOO COUNTY RECORDS; 82.35 FEET (RECORDED AS 82.35 FEET) TO THE NORTH LINE OF WHISPERING MEADOWS NO. 3; ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 30 OF PLATS, PAGE 86, KALAMAZOO COUNTY RECORDS; THENCE NORTH 84°27'51" WEST (RECORDED AS NORTH 84°27'51" WEST) ON SAID NORTH LINE 407.64 FEET; THENCE NORTH 19°20'20" WEST (RECORDED AS NORTH 19°20'20" WEST) ON SAID NORTH LINE 79.77 FEET; THENCE NORTH 89°24'20" WEST (RECORDED AS NORTH 89°24'20" WEST) ON SAID NORTH LINE 278.18 FEET; THENCE NORTH 81°57'01" WEST (RECORDED AS NORTH 82°13'30" WEST) ON SAID NORTH LINE 85.59 FEET TO THE CENTERLINE OF ANGLING ROAD AND THE EAST LINE OF "SUNBRIGHT WALK"; ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 31 OF PLATS, PAGE 86, KALAMAZOO COUNTY RECORDS; THENCE NORTH 37°54'14" EAST (RECORDED AS NORTH 37°21'15" EAST) ON SAID CENTERLINE AND ON SAID EAST LINE 78.03 FEET; THENCE NORTHEASTERLY 403.18 FEET ON SAID CENTERLINE, ON SAID EAST LINE AND ON A 1731.14 FOOT RADIUS CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 12°20'20" AND WHOSE CHORD BEARS NORTH 27°13'27" EAST (RECORDED AS NORTH 26°42'42" EAST) 162.14 FEET; THENCE NORTH 27°23'07" EAST (RECORDED AS NORTH 27°23'07" EAST) ON SAID CENTERLINE AND ON SAID EAST LINE 28.45 FEET; THENCE SOUTH 89°24'20" EAST PERPENDICULAR TO SAID CENTERLINE AND SAID EAST LINE 138.14 FEET; THENCE NORTH 87°28'19" EAST 43.84 FEET; THENCE NORTH 37°23'07" EAST PARALLEL WITH SAID CENTERLINE AND SAID EAST LINE 51.54 FEET; THENCE NORTH 27°45'59" WEST 53.78 FEET TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 7 AND THE SOUTH LINE OF "DAILEY PLAT NO. 1"; AS RECORDED IN LIBER 22 OF PLATS, PAGE 86, KALAMAZOO COUNTY RECORDS; THENCE SOUTH 89°24'20" EAST (RECORDED AS SOUTH 89°24'20" EAST) ON SAID EAST AND WEST QUARTER LINE AND ON THE SOUTH LINE OF SAID "DAILEY PLAT NO. 1" A DISTANCE OF 346.40 FEET TO THE POINT OF BEGINNING, CONTAINING 12.16 ACRES MORE OR LESS.

SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART THEREOF TAKEN, USED, OR DEDICATED FOR STREET, ROAD, OR HIGHWAY PURPOSES.

BEARINGS ARE RELATED TO THE MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, INTERNATIONAL FEET.

WIGHTMAN & ASSOCIATES, INC.
 ENGINEERING
 SURVEYING
 ARCHITECTURE

2303 Pipeline Road
 Portage, MI 49602
 Phone: (269) 827-4100

9535 Portage Road
 Portage, MI 49602
 Phone: (269) 327-3532

384 Western Avenue
 Adrian, MI 48610
 Phone: (269) 873-8465

www.wightman-associates.com

GARY D. HAIN
 P.E. 3516

PROJECT NAME
PROPOSED WHISPERING MEADOWS NO. 4
 PORTAGE, MI

GLAS ASSOCIATES DESIGNERS / BUILDERS, LLC
 5339 STADIUM DRIVE
 KALAMAZOO, MI 49009

4020214 REVISED TO ADD DEDICATED PUBLIC WALK & BOULEVARD BETWEEN LOTS 71 & 72. GDN

DATE: MARCH 11, 2019

SCALE: 1" = 80'

DRAWN BY: ACK

CHECKED BY:

PRELIMINARY PLAT

154218

PRELAT

PLANNING COMMISSION

May 5, 2016

DRAFT

The City of Portage Planning Commission meeting of May 5, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 25 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (not present), Dargitz (yes), Bosch (yeas), Somers (yes) and Schimmel (yes). A motion was offered by Commissioner Dargitz, seconded by Commissioner Schimmel, to approve the role excusing Commissioner Richmond. The motion was unanimously approved 7-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the April 21, 2016 meeting minutes contained in the agenda packet. A motion was then made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. **Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road.** Mr. Forth summarized the staff report dated April 29, 2016 regarding the request by Glas Associates to construct the fourth and final phase of the Whispering Meadows single-family residential subdivision. Mr. Forth stated Whispering Meadows No. 4 proposes 15 single family residential lots on approximately 12.78 acres. Mr. Forth indicated the existing 2-story farmhouse and detached garage building located on the property would be relocated to the northwestern portion of the site (0.4 acre parcel) and would be exempted from the plat. In conjunction with the preliminary plat, Mr. Forth stated the applicant was requesting variances from the Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Section 42-804). Mr. Forth summarized the analysis section of the staff report and indicated staff is recommending approval of the preliminary plat, including the requested variances, subject to the three conditions outlined in the April 29, 2016 Department of Community Development report.

Mr. Charlie Glas of Glas Associates (applicant/developer) was present to support the proposed plat. Mr. Glas explained the rationale for the requested variances and thanked staff for their assistance during the review process. Chairman Welch opened the public hearing. There being no public comment, a motion was made by Commissioner Somers, supported by Commissioner Bosch, to close the public hearing. The motion was unanimously approved 7-0.

 DRAFT

After a brief discussion, a motion was made by Commissioner Patterson, supported by Commissioner Bosch, to recommend to City Council approval of the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, subject to the three conditions outlined in the Department of Community report dated April 29, 2016 including the requested variances and with a finding that the criteria outlined in Section 42-713 of the Subdivision and Land Division Regulations for issuance of the variances had been satisfied. The motion was unanimously approved 7-0.

2. Preliminary Report; Rezoning Application #15/16-5, 715 West Osterhout Avenue. Mr. Forth summarized the preliminary staff report dated April 29, 2016 regarding a request from Landmark Development Properties LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. Mr. Forth discussed the two-step PD process involving the rezoning/tentative plan review and then the subsequent final/site plan review. Mr. Forth stated the PD rezoning would facilitate construction of 102 single-family detached and attached residential condominium dwellings on approximate 39 acres. Mr. Forth summarized various elements of the proposed tentative plan including access, private street design/layout, sidewalks and walking trails, wetlands and open space preservation, phasing and overall density of the development. Mr. Forth then reviewed the preliminary analysis section of the report including the Comprehensive Plan/Future Land Use Plan designations and the suitability of the existing zoning and impacts of the proposed PD zoning.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) was present to support the rezoning application and explain the planned development project. Mr. Flanagan introduced Mr. Aaron Hovestadt (principal of Landmark Development Properties) and thanked staff for their assistance during the review process. Mr. Flanagan presented a color rendering of the proposed development project and discussed the plans to install a fire sprinkler system within each dwelling unit. Mr. Flanagan discussed the target market of the development (55 years and older, "empty nesters") and reviewed various aspects of the project including access, internal private street network, sidewalks and walking trails, size and square footage of the homes, building materials and energy efficiency features, building setbacks, phasing and development densities, wetlands assessment, storm water management, open space areas and plans to preserve mature trees and natural areas across the property.

The public hearing was opened by Chairman Welch. Two citizens spoke regarding the proposed rezoning: 1) Mr. Elmon Oliver, 951 West Osterhout Avenue and 2) Mr. Mike Davidovich. Mr. Oliver stated he had no objections to the development project and Mr. Davidovich had questions regarding construction traffic. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Schimmel, to adjourn the public hearing for Rezoning Application #15/16-5, 715 West Osterhout Avenue, to the May 19, 2016 meeting. The motion was unanimously approved 7-0.

3. Special Land Use Permit: KEPS Technologies (Verizon antenna collocation), 6301 South Westnedge Avenue. Mr. West summarized the staff report dated April 29, 2016 regarding a request from KEPS Technologies to install three (3) 10-foot tall telecommunication antennas on top of the roof of the existing Verizon Wireless building located at 6301 South Westnedge Avenue. Mr. West stated that Section 42-135.G.1.c of the Wireless Telecommunications Facilities and Towers Ordinance permits placement or collocation of antennas on existing conforming towers, buildings and similar structures. Mr. West indicated the antennas would be slate grey or brush silver in color so as to blend into the existing structure and surroundings and would extend approximately 10-feet above the top of the roof. Mr. West stated the application fulfills the requirements for issuance of a special land use permit and was recommended for approval. Mr. West also referred the Commission to an April 29, 2016 letter from KIN Properties contained in the final agenda packet opposing the antenna collocation.

Ms. Kacey Polisky of ACD.net (applicant representative) was present to support the application and to discuss the need for the additional antennas. Ms. Polisky stated the three antennas, along with other antenna locations planned across the area, were necessary to improve in-building coverage and to reduce the over saturation that was occurring in the Verizon Wireless network. The public hearing was then opened by Chairman Welch. One citizen spoke regard to the proposed special land use permit: Mr. Brandon Ovenhander

TO: Honorable Mayor and City Council

FROM: Planning Commission

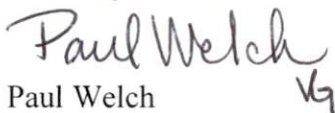
DATE: May 13, 2016

SUBJECT: Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road

The Planning Commission convened a public hearing during the May 5, 2016 meeting to consider the preliminary plat of Whispering Meadows No. 4. The applicant, Mr. Charlie Glas of Glas Associates, was present to support the application and explain the development project. No additional citizens spoke during the public hearing and no written communications were received from area residents or interested citizens.

After careful consideration, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to recommend to City Council that the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, be approved subject to the three conditions outlined in the Department of Community report dated April 29, 2016 including the requested variances and with a finding that the criteria outlined in Section 42-713 of the Subdivision and Land Division Regulations for issuance of the variances had been satisfied. The motion was unanimously approved 7-0.

Sincerely,

A handwritten signature in cursive script that reads "Paul Welch". To the right of the signature is a small, stylized handwritten mark that appears to be "Vg".

Paul Welch
Chairman

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Permit to Conduct Fireworks Display

SUPPORTING PERSONNEL: James Hudson, City Clerk

ACTION RECOMMENDED: That City Council approve a permit for a fireworks display on July 3, 2016, sponsored by the Portage Rotary Club.

The Portage Rotary Club has submitted an application for a permit to conduct a public fireworks display on July 3, 2016 at Portage Public Schools' McCamley Field. A letter from the Portage Rotary requesting favorable consideration of the permit is attached, as well as a letter of support from Portage Public Schools. The public display of fireworks is regulated by Public Act 328 of 1931, the Fireworks Law. The Act provides that municipalities may issue permits for public fireworks displays on a form issued by the State Fire Marshal.

The Act requires that the local governmental unit rule on the competency and qualifications of pyrotechnic operators who propose to conduct a display before the permit is issued. In the City of Portage, the responsibility is designated to the Fire Marshal. Night Magic, Incorporated, a professional pyrotechnic company with a long record of conducting public fireworks displays, including those in the City of Portage, will be conducting the 2016 display. Based on requirements set forth in the International Fire Code and applicable National Fire Protection Association (NFPA) standards, the Fire Marshal has determined that Night Magic, Incorporated, is both competent and qualified.

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

FUNDING: N/A

Attachments:

1. Application Materials for a public display of fireworks on July 3, 2016
2. Rotary Notice Letter

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

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

KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)

Multi Shot Boxes (1 1/2 + 2 1/2 inch)

DATE

2-1-76

2016

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

Authority Compliance Permit	2011 PA 258 Revised Permit will not be issued	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

Public Display		
ISSUED TO	John Beebe - Night Magic Displays	
AGE (18 or over)	45	
ADDRESS	8600 N. 17th Street, Katonah, MI 49009	
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION		
ADDRESS		
NUMBER AND TYPES OF FIREWORKS	454 pcs 2 1/2 - 3 inch display shells 12 pcs Multi shot boxes	
EXACT LOCATION OF DISPLAY OR USE		
CITY, VILLAGE, TOWNSHIP	DATE	TIME
BOND OR INSURANCE FILED		
☒ Yes ☐ No	AMOUNT \$10,000,000.00	

Issued by action of the Legislative Body of a		
☐ city	☐ village	☐ township of _____ on the _____ day of _____ 20__.
_____ (Signature and Title of Legislative Body Representative)		

FORM IS VALID FOR YEAR SHOWN ONLY

NIGHT MAGIC DISPLAYS

3999 Hupp Rd. La Porte IN 46350

800-998-3900 Toll Free

Fax 574-272-6042

AGREEMENT

AGREEMENT made this 4th day of February, 2016, by **Night Magic Displays**, by its authorized agent hereinafter referred to as "Seller" and the **City of Portage**, hereinafter referred to as "Buyer".

1. **SALE OF GOODS:** The Seller shall sell to the Buyer certain Fireworks Display(s) in accordance with the program (Bid) attached hereto which shall be incorporated herein. This Display will be given on the evening(s) **July 2, 2016**, weather permitting, it being understood that should inclement weather prevent the giving of any Display on the date mentioned herein, it will be given on the next clear agreed upon date in the given year.

2. **PURCHASE PRICE and PAYMENT:** Purchase price shall be **\$9,000.00**. Payment shall be made within 10 days after display is shot. A finance charge of one and one half percent per month will be assessed on all accounts overdue.

If inclement weather should prevent the giving of this display on the alternate agreed upon date, the Buyer will have the option of fulfilling this contract with a buyout of 40% of the display amount to the Seller.

3. **CLAIMS:** Any claims for loss or damage, defective materials and or product or shortages in count, or for any other cause is waived by Buyer unless made within Three (3) days after delivery.

WARRANTIES: The Seller warrants that the displays and their contents are in conformity with the specifications set forth in the Bid. No other representations or warranties have been made by the Seller or relied upon by the Buyer. This warranty is expressly in lieu of any and all warranties expressed or implied.

4. **LIABILITY:** The Buyer further agrees to provide the following:

- a) Sufficient area for the Displays in accordance with the N.F.P.A. code of distances.
- b) Adequate Security Staff protection to prevent spectators from entering Display Area.
- c) Protection of the Display area by roping off or similar facility.
- d) Daylight inspection of Display site the day following the Display.
- e) State Permit for Fireworks Display.

5. ADDITIONAL COVENANTS:

- a) Seller agrees to furnish Pyrotechnicians for this Display. This includes labor for setup, firing, tear down of display and initial inspection and clean up of Display area.
- b) Seller shall purchase insurance for the benefit of Seller and Buyer in the amount of \$10,000,000.00 for each display. Such insurance shall cover damage and personal injury resulting from any aspect of this contract.

6. **BENEFIT:** This agreement shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

IN WITNESS, WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT THIS _____

DAY OF 2-1-, 2016.

NIGHT MAGIC DISPLAYS

By _____
Authorized Agent of SELLER


Authorized Agent of BUYER

Karen Foster

Printed Name

email address

PO Box 55, Portage, IN 49001
Billing Address City State Zip

Insurance certificate will be emailed to
address provided here by buyer

Please sign and return both originals to NIGHT MAGIC DISPLAYS. - an executed original will be returned for your records.

Today's Date 02/22/16

PORTAGE PUBLIC SCHOOLS

REGULATION #1464 Continued (4)

**PORTAGE PUBLIC SCHOOLS
Request For Use Of School Facilities**

Organization Name Portage Rotary

Organization Representative Karen Foster Home Phone 649 1301

Address 8308 E. WX Ave City Vicksburg MI, Zip 49097

Email Address kfoster@bpmportage.com Cell Phone 2076122

Description of Activity annual fireworks, City of Portage

Facility Preference McCamley practice field and baseball field

Day(s) & Date(s) of Activity ~~Friday~~ ^{Saturday} July 2, set up-July 3 event

Event Time 8 am to midnight Time Doors Open: 6 pm

Set-Up Time: afternoon 7/1 Break-Down Time: July 3/cleanup

Equipment Needs and Special Requests: US Flag at Softball field, use of ticket office

Requests for use of school facilities are processed on a "first come, first serve" basis, with school related groups receiving priority. The requesting group will receive a confirmation of facility use, equipment needs, and an estimate of charges. Group must stay in the designated area they are approved for renting. Adult supervision is required at all times.

COMPLETE THIS REQUEST AND RETURN TO: Portage Public Schools, Marti Phelps, Facility Coordinator, 8107 Mustang Drive, Portage, MI 49002. (Please complete all blanks that apply.)

I HAVE READ PORTAGE PUBLIC SCHOOLS REGULATION #1464 (enclosed) AND AGREE THAT THE ACTIVITY WILL BE CONDUCTED IN ACCORDANCE WITH THAT REGULATION. I FURTHER AGREE THAT I AM RESPONSIBLE FOR ALL CHARGES INCURRED AS A RESULT OF THIS ACTIVITY.

Signature of Organization Representative Karen L Foster
Digitally signed by Karen L Foster
DN: cn=Karen L Foster, o, ou,
email=kfoster@bpmportage.com, c=US
Date: 2016.02.23 11:40:01 -0500

Office use only: ☐ Certificate of Insurance on file ☐ Custodian ☐ Site Supervisor



30833 Northwestern Hwy, Suite 100, Farmington Hills, MI 48334
Phone: (248) 932-9030 OR (800) 981-5900 Fax: (248) 932-9060

DATE: 3/30/2016

INSURANCE BINDER

Page 1 of 3

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN BELOW.

INSURED: Portage Rotary Club

P O Box 55
Portage, MI 49081

B&W PRODUCER: Mandy M Johnson
AGENT: JOHN SCHURING JR. AGENCY
P.O. BOX 156
Portage, MI 49081-1566

LOCATION(S) OF RISK:

1. Portage Central High School, 8135 S Westnedge Ave, Portage, MI 49002

POLICY EFFECTIVE FROM: 07/03/2016 AT 12:01 AM TO 07/04/2016 AT 12:01 AM STD TIME AT RISK LOCATION.

FORM OF COVERAGE: COMMERCIAL GENERAL LIABILITY OCCURRENCE

POLICY NO: CPS2378968

INSURER(S):

Line Of Business	Supplier(s)	Participation
Commercial General Liability	Scottsdale Insurance Company	100.00 %

LIMITS / DEDUCTIBLES:

Loc	Sub Coverage	Limit(s)	Deductible(s)	Co Ins
1	General Aggregate	\$2,000,000		
1	Products and Completed Operations	Excluded		
1	Each Occurrence	\$1,000,000	\$500 Per Claim BI/PD	
1	Personal and Advertising Injury	\$1,000,000		
1	Medical Expense / Any One Person	\$1,000		
1	Damage to Premises Rented to You / Each Occurrence	\$100,000		

TOTAL CHARGES:

Premium: \$ 100.00 Additional Insured (Fully Earned)
Premium: \$ 2,000.00 Commercial General Liability
Premium: \$ 150.00 Terrorism, Certified Acts of (CGL)
Fee: \$ 59.00 Policy Fee (Fully Earned)
Tax: \$ 56.25 Surplus Lines Tax - GenLiab

TOTAL: \$ 2,365.25

100% MINIMUM & DEPOSIT

MINIMUM RETAINED PREMIUM:
100.00 % EARNED (Except Where Fully Earned)
MINIMUM PREMIUM = \$2,250.00

EXCLUSIONS:

FORMS APPLICABLE WHEN MARKED BY AN "X"

ENDORSEMENTS:

FORMS APPLICABLE WHEN MARKED BY AN "X"

CONDITIONS:

THIS TEXT IS RED.

THIS INSURANCE HAS BEEN PLACED WITH AN INSURER THAT IS NOT LICENSED BY THE STATE OF MICHIGAN. IN CASE OF INSOLVENCY, PAYMENT OF CLAIMS MAY NOT BE GUARANTEED.

THIS TEXT IS RED.



Burns & Wilcox

30833 Northwestern Hwy, Suite 100, Farmington Hills, MI 48334
Phone: (248) 932-9030 OR (800) 981-5900 Fax: (248) 932-9060

DATE: 3/30/2016

INSURANCE BINDER

Page 2 of 3

FORMS LIST - COMMON FORMS:

X02-08NOTX0178CW - CLAIM REPORT INFORMATION.
X08-100PS-D-1 - COMMON POLICY DECLARATIONS.
X12-09UTS-COVPG - COVER PAGE.
X12-95UTS-SP-2 - SCHEDULE OF FORMS & ENDORSEMENT.
X08-98UTS-SP-3 - SCHEDULE OF LOCATIONS.
X02-09UTS-365S - AMENDMENT OF NON PAYMENT / CANCELLATION CONDITION.
X04-13CG 00 01 - COMMERCIAL GENERAL LIABILITY COVERAGE FORM - CG0001 04-13.
X04-13CG 24 26 - AMENDMENT OF INSURED CONTRACT DEFINITION.
X08-01CLS-SD-1L - COMMERCIAL GENERAL LIABILITY COVERAGE PART SUPPLEMENTAL DECLARATIONS.
X10-93CLS-SP-1L - COMMERCIAL GENERAL LIABILITY COVERAGE PART EXTENSION OF SUPPLEMENTAL DECLARATIONS.
X11-07GLS-289s - KNOWN INJURY OR DAMAGE EXCLUSION - FOR PERSONAL & ADVERTISING INJURY.
X08-14GLS-455s - MARIJUANA/CANNABIS PRODUCTS EXCLUSION.
X10-07UTS-128s - OPTIONAL PROVISIONS: MINIMUM & ADVANCE PREMIUM ENDORSEMENT; SERVICE OF SUIT.
X03-14UTS-246s - AMENDATORY ENDORSEMENTS: CANCELLATION, INSPECTIONS, AUDIT CONDITIONS; LEAD CONTAMINATION EXCLUSION; EMPLOYMENT RELATED PRACTICES EXCLUSION; NUCLEAR ENERGY LIABILITY EXCLUSION; CONTRACTOR'S SPECIAL CONDITIONS; PUNITIVE OR EXEMPLARY DAMAGE EXCLUSION; ASBESTOS EXCLUSION; FUNGI OR BACTERIA EXCLUSION (DOES NOT APPLY TO GOODS OR PRODUCTS INTENDED FOR BODILY CONSUMPTION); HYDRAULIC FRACTURING EXCLUSION; AMENDMENT TO OTHER INSURANCE CONDITION; EXCLUSION - ACCESS OR DISCLOSURE OF CONFIDENTIAL OR PERSONAL INFORMATION; DATA-RELATED LIABILITY - WITH LIMITED BODILY INJURY EXCEPTION AND AIRCRAFT EXCLUSION.
X CG 21 16 - PROFESSIONAL EXCLUSION - "ANY AND ALL PROFESSIONAL EXPOSURES".
X CG 21 44 - LIMITATION OF COVERAGE TO DESIGNATED PREMISES / PROJECT.
X CG 22 58 - MECHANICAL RIDES/DEVICES EXCLUSION.
X GLS-106S - TOTAL LIQUOR EXCLUSION.
X GLS-227S - ASSAULT AND/OR BATTERY EXCLUSION.
X GLS-271S - AMUSEMENT RIDE EXCLUSION.
X GLS-5S - SPECIAL EVENTS AMUSEMENT DEVICE PARTICIPANT AND ATHLETIC PARTICIPANT EXCLUSION.
X CG 20 12 - ADDITIONAL INSURED - STATE OR POLITICAL SUBDIVISIONS - PERMITS (CONTRACTORS).
X03-15IL 09 85 - DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE.
X 03-15 UTS-444S - CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM: EXCLUDING NUCLEAR, BIOLOGICAL, CHEMICAL AND RADIOLOGICAL ACTS OF TERRORISM.

TERRORISM

Note: Terrorism coverage cannot be added mid-term. When making your decision to purchase Terrorism Coverage, please be aware that coverage for "insured losses" as defined in the Act is subject to the coverage terms, conditions, amount, and limits in this Policy applicable to losses arising from events other than acts of terrorism.

THE FOLLOWING FORMS ARE DUE PRIOR TO BINDING:

- ☒ Signed and Dated Application - Acord
- ☒ Signed and Dated Terrorism Sel/Rej Form
- ☒ Certificate of Insurance from the pyrotechnics people who set off the fireworks

PLEASE REVIEW THIS BINDER CAREFULLY AS IT MAY DIFFER FROM COVERAGES AND LIMITS REQUESTED.

STATE LAW REQUIRES THAT THE INSURED BE NOTIFIED PRIOR TO BINDING, THAT COVERAGE IS TO BE PLACED IN A CARRIER NOT LICENSED IN THIS STATE, AND THAT THE PAYMENT OF LOSS MAY NOT BE GUARANTEED IN CASE OF INSOLVENCY.

THIS COMPANY BINDS THE KIND(S) OF INSURANCE STIPULATED HEREIN. THE ABOVE COVERAGES ARE THE ONLY COVERAGES BOUND. ANY COVERAGE REQUESTED IN THE APPLICATION THAT DIFFERS FROM THE ABOVE IS NOT INCLUDED. THE INSURANCE IS SUBJECT TO THE TERMS, CONDITIONS, LIMITATIONS, AND FORMS OF THE POLICY(S) IN CURRENT USE BY THE COMPANY. THIS BINDER IS CANCELLED SIXTY (60) DAYS FROM THE EFFECTIVE DATE OR WHEN REPLACED BY A POLICY, WHICHEVER COMES FIRST.

THE AGENT MUST READ THIS CERTIFICATE AND IF NOT CORRECT RETURN IT IMMEDIATELY TO BURNS & WILCOX, LTD.



Burns & Wilcox

30833 Northwestern Hwy, Suite 100, Farmington Hills, MI 48334
Phone: (248) 932-9030 OR (800) 981-5900 Fax: (248) 932-9060

DATE: 3/30/2016

INSURANCE BINDER

Page 3 of 3

BY: Alan J. Kaufman, Authorized Representative



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/15/2016

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

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

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 777 108th Ave NE, #200 Bellevue WA 98004		CONTACT NAME: Kristen Look PHONE (A/C, No, Ext): 425-586-1016 FAX (A/C, No): 425-451-3716 E-MAIL: ADDRESS:	
INSURED Mianinc-01 Mian, Inc. dba Night Magic Displays 3999 E. Hupp Road, Bldg R-3-1 La Porte IN 46350		INSURER(S) AFFORDING COVERAGE INSURER A: T.H.E. Insurance Company INSURER B: Liberty Insurance Corporation INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 12866 42404	

COVERAGES

CERTIFICATE NUMBER: 617731200

REVISION NUMBER:

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

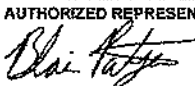
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Per Show Agg GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			CPP010529900	2/4/2016	2/4/2017	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ALL OWNED AUTOS ☐ SCHEDULED AUTOS HIRED AUTOS ☐ NON-OWNED AUTOS			CPP010529900	2/4/2016	2/4/2017	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$1,000,000 PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			ELP001210400	2/4/2016	2/4/2017	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC34S311836056 WC534S524913036	2/4/2016 2/4/2016	2/4/2017 2/4/2017	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as additional insured on the General Liability policy per form number CG133F (07/95)
The City of Portage, its agents, employees & Elected officials, Portage Public Schools and Portage Rotary Club are named as additional insured with respects to the July 3, 2016 firework display in Portage MI.

CERTIFICATE HOLDER

CANCELLATION

City of Portage 8111S. Westnedge Portage MI 49002 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---

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NIGHT MAGIC DISPLAYS

3999 Hupp Rd. La Porte IN 46350

800-998-3900 Toll Free

Fax 574-272-6042

AGREEMENT

AGREEMENT made this 4th day of February, 2016, by **Night Magic Displays**, by its authorized agent hereinafter referred to as "Seller" and the **City of Portage**, hereinafter referred to as "Buyer".

July 3

1. **SALE OF GOODS:** The Seller shall sell to the Buyer certain Fireworks Display(s) in accordance with the program (Bid) attached hereto which shall be incorporated herein. This Display will be given on the evening(s) ~~July 2, 2016~~, weather permitting, it being understood that should inclement weather prevent the giving of any Display on the date mentioned herein, it will be given on the next clear agreed upon date in the given year.

2. **PURCHASE PRICE and PAYMENT:** Purchase price shall be **\$9,000.00**. Payment shall be made within 10 days after display is shot. A finance charge of one and one half percent per month will be assessed on all accounts overdue.

If inclement weather should prevent the giving of this display on the alternate agreed upon date, the Buyer will have the option of fulfilling this contract with a buyout of 40% of the display amount to the Seller.

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4. **LIABILITY:** The Buyer further agrees to provide the following:

- a) Sufficient area for the Displays in accordance with the N.F.P.A. code of distances.
- b) Adequate Security Staff protection to prevent spectators from entering Display Area.
- c) Protection of the Display area by roping off or similar facility.
- d) Daylight inspection of Display site the day following the Display.
- e) State Permit for Fireworks Display.

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- a) Seller agrees to furnish Pyrotechnicians for this Display. This includes labor for setup, firing, tear down of display and initial inspection and clean up of Display area.
- b) Seller shall purchase insurance for the benefit of Seller and Buyer in the amount of \$10,000,000.00 for each display. Such insurance shall cover damage and personal injury resulting from any aspect of this contract.

6. **BENEFIT:** This agreement shall be binding upon and inure to the benefit of the parties, their successors, and assigns.

IN WITNESS, WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT THIS

DAY OF 2-1-, 2016.

NIGHT MAGIC DISPLAYS

By [Signature]
Authorized Agent of SELLER



[Signature]
Authorized Agent of BUYER

KAREN FOSTER

Printed Name

email address

PO Box 55, Portage, IN 46901
Billing Address City State Zip

Insurance certificate will be emailed to
address provided here by buyer

Please sign and return both originals to NIGHT MAGIC DISPLAYS. - an executed original will be returned for your records.

***City of Portage
Fireworks!
July 02, 2016
\$9,000.00***

REVISED 2/5/2016

Opening Barrage

Two & One Half Inch Display Shells

- 12 - Fancy Color Chrysanthemum and Peonies
- 12 - Titanium Salutes

Body Of Display

Two & One Half Inch Display Shells

- 9 - Phoenix Shells shot in flight
- 9 - Vulcan Display Shells shot in flight
- 6 - Kanto Special Effect Shells
- 6 - Titanium Salutes shot in flight
- 4 - Crackling Spider Kings
- 4 - Gold Palm Trees
- 4 - Brocade Crowns in Flight
- 3 - Kanto Shells shot in flight

Three Inch Display Shells

- 48 - Japanese Style Chrysanthemums
- 36 - Fancy Colors & Effect Shells
- 36 - Wizard Special Imported Shells
- 10 - Titanium Salute with Rising Tail

- 10 - Yung Feng Japanese Style Shells
- 8 - Red Hearts in flight
- 4 - Crackling Nishiki Kamuro's in flight
- 4 - Crackling Palm Trees in flight
- 4 - Multi Color Cycas Blooms
- 4 - Green Strobe Shells in flight
- 4 - Red, White & Blue Peonies in flight
- 4 - Red Strobe Shells in flight
- 4 - Glittering Silver Strobes in flight
- 4 - White Strobe Shells in Flight
- 4 - Smiley Face Shells shot in flight
- 4 - Brocade Crown Flight Shells
- 3 - Gold Comet to Brocade Crowns
- 3 - Titanium Salutes with Rising Tails Shot in Flight
- 2 - Assorted Color Sky Mines
- 1 - White Strobe with Red Pistil
- 1 - Multi Color Stars with Pistil
- 1 - Diamond Screamer and Blue Stars
- 1 - Tourbillions & Stars

Multishot Boxes

- 1 - 50 Shot 2 Inch Color Peonies and Salutes
- 1 - 36 Shot 2.5" Color Strobes
- 1 - 36 Shot 2.5" Brocade Waves
- 1 - 121 Shot Gold Crown Fan
- 1 - 126 Shot Silver Comets with Coconuts & Reports
- 1 - 130 Shot Christmas Tree w/reports
- 1 - 200 Shot Crackling Tails to Multi Colors
- 1 - 200 Shot American Thunder Fan

1 - 100 Shot Red Wave Tails to Silver Glittering

The Grand Finale

84 - Three Inch Grand Finale Bombshells consisting of Fancy Oriental Shells, Glittering Comets, and Flash Salutes

60 - Three Inch Wizard Specialty Finale Shells

48 - Three Inch Titanium Salute Finale Shells

130 - ignitors

36 - Three Inch Gold Brocade Finale Shells

Portage Rotary July 4th Fireworks Celebration 2016





Portage Rotary Club

April 29th, 2016

Greetings:

The Portage Rotary Club is planning a public fireworks show to be held the evening of July 3, 2016, beginning at dusk, at McCamley Field located at Portage Central High School. A licensed professional pyrotechnic operator contracted by Portage Rotary will conduct the fireworks display.

Records provided by the City of Portage indicated that you are a property owner located within one-quarter mile of this location. In an effort to promote positive neighbor relations, Portage Rotary is notifying you of this community event.

It is anticipated that the Portage City Council will review and consider granting a permit to conduct a fireworks display at the May 24, 2016 City Council Meeting held at City Hall. As a neighbor, if you have any formal comments regarding the proposed fireworks display, they can be heard at the May 24, 2016 City Council Meeting or submitted in writing to the following:

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

If you have questions about the proposed fireworks display, please contact me at 269 303-5459. The Portage Rotary hopes you will enjoy the fireworks display and thanks you in advance for your support of this patriotic community event.

Sincerely,

A handwritten signature in black ink that reads "Jim Pearson".

Jim Pearson
President
Portage Rotary Club

cc. Portage City Clerk
Portage Fire Marshal

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: April Environmental Summary Report

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation & Utilities

ACTION RECOMMENDED: Information Only

Attached please find the April 2016 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes, P.E. New material or material of specific interest to City Council is presented in italics.

City Council has a quality of environment goal to “enhance environmental quality and protect natural resources.” The summary report is intended for informational purposes and to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

FUNDING: N/A

Attachments: 1. April 2016 Summary Environmental Activity Report

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
April 2016 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. The 2 nd year of AHC's contract is underway with annual testing ongoing.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. <i>-Review of 6 site/building plan and/or plats completed in April 2016.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in April 2016: 4 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The Association has selected to use Restorative Lake Sciences, LLC for consulting services 2015 weed

		treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June. <i>The Association has elected to renew the contract with Restorative Lake Science for 2016. Weed treatment is on schedule for 2016.</i>
Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. Monitoring performed in October 2014 and July 2015. Monthly sampling at two retention basins continues. <i>Current findings show groundwater levels have increased approximately 18 inches over the 2015 levels.</i>
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	-Current Wellhead Protection was originally approved in 2001. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr & Huber update work is complete. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing.
Leaf Compost Monitoring Program	Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.	- City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts. <i>2016 report due in July.</i>
National Pollution	Five year plan to implement the	-Received NPDES general permit on August 15, 2001. Renewal

Discharge Elimination System (NPDES)
Permit Implementation

current NPDES stormwater permit.

Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. Semi-annual report submitted to MDEQ on December 21, 2015. Implementation is ongoing.

National Pollution Discharge Elimination System (NPDES)
Permit Implementation

Kalamazoo River Mainstream Watershed Management Plan

- Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

Portage River Watershed
Management Plan

-Original proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conversation District. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.

Plan to implement and maintain an
Illicit Discharge Elimination Program
(IDEP) Storm Sewer Outfall Testing.

-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled “Storm Water Illicit Discharges and Connections.” Program implementation is ongoing. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report submitted to MDEQ as part of the annual report. Next report due in June 2016.

Garden Lane Arsenic
Removal Facility

Native Prairie Restoration

Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. New informational signs are complete and maintenance is ongoing. *Native prairie burn completed in March 2016. Staff assisting the Environmental Board with*

invasive species.

Environmental Incident/Spill Clean Up Notification	Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.	Emergency spill response contract for 2016-17 with Terra Contracting has been renewed. <i>The number of environmental incident/spill investigations performed in April – 0. Number of environmental cleanups in April– 0.</i>
Southwest Michigan Regional Sustainability Covenant	Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.	On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.
<i>Deer Management</i>	<i>Assist the Environmental Board with the impact of the native deer population in the city.</i>	<i>In the fall of 2015, the Environmental Board conducted several on-line surveys to determine the public opinion of deer/human interaction in the city. On April 14, 2016, an open forum was held to discuss results of the survey, deer population estimation and gauge public opinion on deer impacts to public safety health and private property damage. Investigation work in conjunction with the board is ongoing.</i>

**TRANSMITTAL FROM
HUMAN SERVICES BOARD**

DATE: May 5, 2016

TO: Honorable Mayor and City Council

FROM: Amanda Woodin, Chair, Human Services Board



SUBJECT: FY 2015-2016 Board update

On behalf of the Human Services Board, I am writing to summarize the activities of the Human Services Board during the current fiscal year:

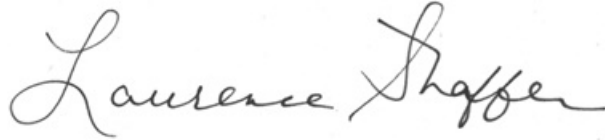
- The Board held the required public hearings for the CDBG Program, and reviewed the following documents: FY 2014-15 Consolidated Annual Performance Evaluation Report and the 2016-2020 Consolidated Plan (including the Annual Action Plan) over several meetings ending on April 7, 2016.
- The Board also reviewed human/public service funding applications and recommended funding levels for FY 2016-17 to City Council. In addition, the Board will review and update the evaluation criteria and application form for Human/Public service funding and the revised documents will be used in the FY 2017-18 funding round.
- The Board, in conjunction with city staff, is working on a Draft Non-discrimination Ordinance review that will include a public hearing on May 26, 2016.
- The Board received an update from the Fair Housing Center of Southwest Michigan in April 2016 that included information on trainings and activities within Portage.
- The Board received an overview from the Kalamazoo Transit Authority and the Kalamazoo County Transit Authority (KCTA) on bus services and changes in Portage.
- Board member Maye has continued to report to the Board regarding the Kalamazoo Transit Authority Local Advisory Committee (LAC) activities, and other transit issues on a monthly basis.
- Red Ribbon Week promotion was also accomplished in October 2015 which included a proclamation in acknowledgement of the substance and tobacco use prevention event.
- During the April 7, 2015 meeting, the Board discussed and recommended the goals for FY 2016-17.

I look forward to discussing the activities of the Human Services Board at an upcoming Council meeting.

Attachment: 2015-2016 Human Services Board Goals and Objectives

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Planning Commission Appointment

SUPPORTING PERSONNEL:

ACTION RECOMMENDED: That City Council appoint Paul Welch to an additional one-year term to the Planning Commission, effective June 1, 2016 through May 31, 2017.

The current chairperson of the City of Portage Planning Commission, Mr. Paul Welch, is approaching the end of his third consecutive three-year term as a member of the commission, which expires on May 31, 2016. In addition, the current vice chairperson of the Planning Commission, David Felicijan, has resigned his appointment, effective immediately. Mr. Felicijan has served on the Planning Commission since January 2012.

The City Council Policy for Appointments to Citizen Advisory Boards allows for service on a board or commission for "ten consecutive years or three consecutive terms, whichever is greater." In order to prevent a void in leadership on the Planning Commission, I recommend that the City Council appoint Paul Welch to an additional one-year term to the Planning Commission, effective June 1, 2016 through May 31, 2017, temporarily filling the vacancy left by the resignation of Mr. Felicijan and maintaining a full nine-member commission. Mr. Welch is willing to serve an additional one year in this capacity.

FUNDING: N/A

Attachments: 1. Communication from Paul Welch dated May 23, 2016 regarding continued service on the Planning Commission.

TO: Portage City Council

FROM: Peter J. Strazdas, Mayor

SUBJECT: Planning Commission Appointment

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FUNDING: N/A

Attachments: 1. May 23, 2016 communication from Paul Welch regarding continued service on the Planning Commission.

From: [Christopher Forth](#)
To: [Mary Beth Block](#)
Subject: FW: Tonight
Date: Monday, May 23, 2016 11:16:32 AM

-----Original Message-----

From: Welch, Paul [<mailto:paul.welch@stryker.com>]
Sent: Monday, May 23, 2016 11:15 AM
To: Christopher Forth <forthc@portagemi.gov>
Subject: RE: Tonight

Chris

I would be willing to continue on the planning commission for another year in light of Dave's resignation.
Paul.

-----Original Message-----

From: Dave Felicijan [<mailto:dave.felicijan@gmail.com>]
Sent: Thursday, May 19, 2016 3:18 PM
To: Welch, Paul <paul.welch@stryker.com>; Chris Forth <forthc@portagemi.gov>
Subject: Tonight

Guys,

I will not make it tonight. Also, as much as it pains me I will be sending a letter of resignation from the planning commission. My new job is wonderful but limits my ability to commit to this important position. I truly love the city of portage and hope that I'm able to rejoin at sometime later in life.

Dave Felicijan

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Amendment to the Code of Ordinances

SUPPORTING PERSONNEL: Richard White, Director of Public Safety - Police / Fire Chief
John Podgorski, Senior Deputy Fire Chief

ACTION RECOMMENDED: That City Council approve the proposed amendments to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection.

Proposed amendments to the City of Portage Code of Ordinances, Chapter 34, Fire Prevention and Protection, are recommended as noted below. A January 6, 2016 report from the Fire Marshal is attached with additional background on the proposed amendments. These amendments received first reading at the regular City Council meeting of May 10, 2016.

1. The 2012 International Fire Code (IFC) currently requires fire protection contractors, who install fire suppression and alarm systems, fire extinguishers and other fire-related systems for commercial entities, to submit inspection, testing and maintenance records to the local fire code official upon request. The process used to collect these records is inefficient and consumes a significant amount of staff time. The attached proposed ordinance amendment allows for a central depository for these records, which would increase efficiency and greatly reduce staff time involved. The proposed amendment also removes the “upon request” condition of the code, making fire protection contractor submittals mandatory.
2. Fire alarm systems are an important life safety component in the built environment. A proposed amendment would require new fire alarm systems in commercial occupancies to be monitored by a central station and be installed by a contractor listed by a recognized listing agency. Replacing fire alarm panels, significant modification to a fire alarm system, or a system that is significantly non-compliant would also trigger this requirement. Both of these requirements for fire alarm systems ensure the system is maintained and functions appropriately at all times.

In order to assess the impact that this requested change would have on our community, the Portage Department of Public Safety held an informational meeting on February 17, 2016 to discuss the proposed amendments. Invitations were mailed to over 30 fire alarm service providers and installers, with seven attending. The fire marshals from the City of Kalamazoo and townships of Kalamazoo, Oshtemo, Comstock and Texas also attended. In addition, two representatives from the Underwriters Laboratory (UL) were present and gave a brief presentation on the Fire Code requirements in question. Based on the feedback received, it was the consensus of most who attended that the proposed ordinance changes would be beneficial and should be considered for adoption.

Therefore, it is recommended that City Council approve the amendments to the City of Portage Code of Ordinances of Chapter 34, Fire Prevention and Protection, to reflect changes in the 2012 edition of the International Fire Code.

FUNDING: N/A

Attachments:

1. Ordinance Amendments
2. January 6, 2016 Communication from the Fire Marshal
3. February 16, 2016 Summary of Fire Alarm Service Provider Meeting

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING SECTION 34-62 OF CHAPTER 34
AMENDMENTS TO INTERNATIONAL FIRE CODE**

THE CITY OF PORTAGE ORDAINS:

That Section 34-62 of Chapter 34 which sets forth amendments to the International Fire Code as adopted by 34-61 of Chapter 34, shall be amended to add the following:

Section 901.6.2 Records, shall be amended as follows:

Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official using a system as specified by the Fire Code official.

907.6.5 Monitoring, shall be amended as follows:

Fire alarm systems required by this chapter or by the International Building Code shall be monitored by a listed central station as defined in NFPA 72. A Certificate or Placard shall be issued by a recognized listing organization that has listed the prime contractor for all newly installed fire alarm systems in commercial occupancies in accordance with NFPA 72. This regulation shall apply to all fire alarm systems that are newly installed in commercial occupancies for which permits are required by the City of Portage Department of Community Development on or after June 1, 2016. Any existing fire alarm system in a commercial occupancy wherein the fire alarm control panel and/or alarm system components are to be replaced shall be considered newly installed for the purposes of this section. Also, where there is reasonable cause due to noncompliance or faulty conditions, the fire code official may require an existing fire alarm system meet the same requirements as a newly installed system. Central station service in full compliance with the 2010 Edition of NFPA 72, Chapter 26, shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

Dated: _____

Peter J. Strazdas, Mayor

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

CERTIFICATION

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

James R. Hudson, City Clerk

PREPARED BY:
Charles R. Bear (P34107)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:

Date: 5-5-16

CRB

City Attorney

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

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

NOTICE IS HEREBY GIVEN that an Ordinance to amend Section 34-62 of Chapter 34, Fire Code, was adopted by the City Council at a regular meeting held on the _____ day of _____, 20____, and will become effective _____, 20____.

NOTICE IS FURTHER GIVEN that the amendment reads as follows:

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Dated: _____

Peter J. Strazdas, Mayor

PREPARED BY:
Charles R. Bear (P34107)
Randall L. Brown & Associates, PLC
1662 East Centre Avenue
Portage, MI 49002

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Dated: _____

Peter J. Strazdas, Mayor

PREPARED BY:
Charles R. Bear (P34107)
Randall L. Brown & Associates, PLC
1662 East Centre Avenue
Portage, MI 49002

TO: Richard White, Director of Public Safety**DATE:** January 6, 2016**FROM:** Derek Henson, Fire Marshal**SUBJECT:** Amendment to the Code of Ordinances

Between January 1, 2015 and November 1, 2015 the Fire Division has responded to 311 false fire alarms. Reasons for these calls are malfunctioning devices, ranging from smoke alarms to water flow switches. Ordinance 26-35 currently allows for fees to be levied for repeated false fire alarms, in accordance with the City of Portage fee structure. The goal is not to levy fees on business owners, however, the goal is to increase compliance and ensure fire suppression and alarm systems are fully functioning at all times. The Public Safety Fire Prevention Division is requesting the addition of the following amendments to Ordinance 34-62, Amendments to International Fire Code.

Section 901.6.2

This section outlines the requirements for service companies to supply copies of service records to the fire code official upon request. These records cover inspection, testing, and maintenance of fire sprinkler systems, kitchen hood systems, fire alarm systems, and clean agent alternative fire suppression systems. These systems are imperative to the fire and life safety of a building.

Currently this section reads as follows:

901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official upon request.

The Fire Prevention Division is requesting this section be amended as follows:

901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official **using the Inspection Reports Online or IROL system (located at inspectionreportsonline.net)**.

The purpose of this amendment is twofold. First, it requires a single depository for required reports and secondly it maintains and grows intergovernmental cooperation. Currently reports are received as .pdf, .xml, or .doc files and still in some cases are received as a paper copy. Reports are then scanned, converted to .pdf files and hyperlinked into the departments records management software for the correct occupancy. This process is cumbersome and time consuming. Second, as the current code section states that the fire code official has to request these documents, the level of compliance from service providers is insufficient. Previous requests for these documents have been through email and certified letter to the service providers. This requires an enormous amount of staff time and energy. Requiring this submission through ordinance eliminates the fire code official

request requirement and makes submission automatic. This will result in a high compliance rate and significantly reduce staff time. A meeting will be scheduled between the Fire Marshal, IROL, and service providers once the ordinance is amended to assist with setup and answer any questions.

In order to maintain and grow intergovernmental cooperation, the City of Kalamazoo, and Townships of Kalamazoo, Oshtemo, Comstock, and Texas are all working to enact similar requirements using the same reporting system (IROL). This simplifies the requirements for service providers. With the proposed amendment, a service provider no longer needs to know six different reporting methods, and instead uses a singular method throughout Portage/Kalamazoo area.

The cost for this amendment is expected to be \$10 per inspection report. This cost is paid by the service provider to Inspection Reports Online.

Section 907.6.5

This section covers the monitoring requirement for required fire alarms. Required fire alarms must transmit alarm signals to a third party company who in turn calls Portage Dispatch to report the fire alarm.

Currently this section reads as follows:

907.6.5 Monitoring. Fire alarm systems required by this chapter or by the International Building Code shall be monitored by an approved supervising station in accordance with NFPA 72.

The Fire Prevention Division is requesting this section be amended as follows (please note, the exceptions for this section will not be modified):

907.6.5 Monitoring. All fire alarm and detection systems shall be monitored by a listed central station as defined in NFPA 72. A Certificate or Placard shall be issued by a recognized listing organization that has listed the prime contractor for all newly installed fire alarm systems in commercial occupancies in accordance with NFPA 72. This regulation shall apply to all fire alarm systems that are newly installed in commercial occupancies for which permits are required by the City of Portage Department of Community Development on or after March 1, 2016. Any existing fire alarm system in a commercial occupancy wherein the fire alarm control panel and/or alarm system components are to be replaced shall be considered newly installed for the purposes of this section. Also, where there is reasonable cause due to non-compliance or faulty conditions, the fire code official may require an existing fire alarm system meet the same requirement as a newly installed system. Central station service in full compliance with the 2010 Edition of NFPA 72, Chapter 26, shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

The purpose of this amendment is to ensure the highest level of safety in occupancies protected by fire detection and alarm systems. Fire alarms serve to notify occupants of a fire in the building and that a need to evacuate exists. Like smoke alarms in houses, early notification of an emergency is vital in protecting the people in a building. The earlier a person is aware of an issue, the more time they have to safely evacuate the premises. These important life saving devices must

work properly. This amendment guarantees new fire alarms will be maintained at the highest possible level.

There are specific requirements that a central station service provider is required to meet under this proposed amendment. The central station, upon receipt of a fire alarm, shall immediately (within 90 seconds, by code definition) retransmit the alarm to the appropriate fire dispatch center. This ensures the lowest possible notification time for the Fire Division. The central station shall also dispatch a runner or technician to the premises if equipment is required to be manually reset. This person shall be capable of resetting the system to a normal operating condition. Having an alarm in a normally operating condition decreases any life safety risk present in an occupancy by providing early notification of an issue. The central station must also contact the premises or its representative to notify them of the fire alarm. For supervisory alarms, typically a closed valve on a sprinkler system, the central station must call the premises and dispatch a runner if the system cannot be reset by someone onsite. In the event of a trouble signal, typically a malfunctioning smoke detector, the central station must call the premises and service must be initiated within four hours, if needed.

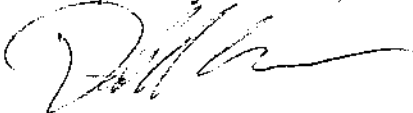
There are other benefits to the Fire Prevention Division through this program. A document indicating compliance shall be posted near the main alarm panel. This provides for a quick reference for the inspector to ensure the system is in compliance. The central station is also required to notify the fire code official when a fire alarm system will be out of service for longer than eight hours. Through the International Fire Code, a fire watch can be required for these instances. A fire watch provides a lesser degree of fire protection than a fire alarm, however ensures some protection is available until the fire alarm is fully operational again.

This amendment would serve to reduce the amount of false alarms the Fire Division currently responds to. Requiring central station service sets strict guidelines for repair schedules. A trouble signal that is not able to be cleared within four hours is required to have service scheduled. Devices that are causing trouble signals to be sent will lead to fire alarms as the device continues to deteriorate further out of its normal operating range.

For a local service company to become Underwriters Laboratory (UL) listed, the initial cost is \$3,720 plus travel and living for the inspector during the inspection. Initial inspections for service companies typically take up to one and a half days to complete. Up to one day is spent inspecting installation jobs the company has done while the other half of a day is ensuring the company's documentation is adequate. The annual fee then is \$3,300 to retain the listing. There are currently 22 UL listed fire alarm companies across the State of Michigan. There is also an approximately \$100 cost for a certificate to be issued by a contractor for a fire alarm system. This one time cost would most likely be transferred to the business owner. A benefit to business owners is a possible insurance discount. The Reilly Company in the Kansas City area gives an automatic 10% credit towards a policy for a certified fire alarm system.

In order to maintain intergovernmental cooperation, the City of Kalamazoo, and Townships of Kalamazoo, Oshtemo, Comstock, and Texas are all working to enact similar requirements for central station service. This simplifies requirements for fire alarm service providers throughout the Portage/Kalamazoo area.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'D. Miller', written over a horizontal line.

CITY OF PORTAGE

COMMUNICATION

TO: Richard J. White, Public Safety Director – Police/Fire Chief **DATE:** February 18, 2016

FROM: Derek Henson, Fire Marshal *DH*

SUBJECT: Fire Alarm Service Provider Meeting

A meeting was held on February 17, 2016 with fire alarm service providers that perform work in the greater Kalamazoo area to discuss proposed ordinances to require central station service for new fire alarm systems. Over 30 fire alarm service providers and installers were invited to the meeting, with seven in attendance. Also in attendance were other area Fire Marshals representing the townships of Comstock, Kalamazoo, Oshtemo, and Texas, cities of Kalamazoo and Portage, and two representatives from Underwriters Laboratory (UL).

A brief overview of the reason for the proposed ordinance was given by Fire Marshal Henson from Portage. He explained to the service providers that fire alarm systems were not being fixed when component failures were experienced. He also explained the need to reduce false alarms from these systems.

Next, Mr. Presnak from UL gave a slideshow presentation on the code based requirements of central station service. These requirements come directly from the adopted version of NFPA 72, the National Fire Alarm and Signaling Code. He discussed requirements for service providers becoming listed by a recognized listing agency, of which there are currently three; UL, Intertek ETL, and Factory Mutual. Of these three, UL is the largest listing agency for fire alarm service providers. For an agency to become listed, there is an application process, paperwork review, onsite review, and review of fire alarm systems installed by the agency seeking listing. Mr. Presnak answered questions from those in attendance regarding becoming listed, group rates for listing, and certifying fire alarm systems.

A discussion was opened between the area Fire Marshals and the service providers. The consensus was that this was a beneficial program. The service providers expressed similar concerns regarding the state of fire alarm systems and that their customers were hesitant to fix the systems. The service providers felt this requirement would provide support from the Fire Marshals in making these systems code compliant. The service providers were relieved to learn that a wide area of jurisdictions were considering adopting this requirement. The larger area will help spread the cost across a greater area and provide consistency for both alarm installers and end users.

Finally, questions were answered about certifying existing systems. A discussion was held on when a requirement to certificate an existing system would be made and how that would take place. An existing system would need a certificate if major components were replaced, such as

the fire alarm panel, or if the system was reworked for any reason. This system would then be certificated to the edition of NFPA 72 that was in place at the time the system was installed. The alarm providers and Fire Marshals agreed that adding a certificating requirement for existing systems will eliminate problem systems and force compliance.

DH:dh

Attachments: Letters of Support
Attendance Roster
Fire Marshal Agreement
UL Presentation
Vendors



Department of Public Safety

February 19, 2016

Larry Johnson
Rodney French
Macks Fire Protection
8364 West B Ave.
Otsego, MI 49078

RE: Support for Central Station Service Requirement

First, I wanted to express my appreciation for attending the recent meeting to discuss a central station service requirement in the Cities of Kalamazoo and Portage, and Townships of Comstock, Kalamazoo, Oshtemo, and Texas.

In order to move forward with the implementation of this code amendment, support from the fire alarm service providers is key. I am asking you to sign this letter and return it to me via email to indicate your support of this initiative.

Your cooperation in this matter is greatly appreciated. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Derek Henson
Fire Marshal
hensond@portagemi.gov

Please Sign Here

Portage Fire Division

7830 Shaver Road ♦ Portage, Michigan 49024 ♦ (269) 329-4487 ♦ Fax (269) 329-4489
www.portagemi.gov



Department of Public Safety

February 19, 2016

John Lewandowski
Approved Protection Systems
2513 N. Burdick St.
Kalamazoo, MI 49007

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Derek Henson
Fire Marshal
hensond@portagemi.gov

President, Approved Protection Systems

Please Sign Here

Portage Fire Division

7830 Shaver Road ♦ Portage, Michigan 49024 ♦ (269) 329-4487 ♦ Fax (269) 329-4489
www.portagemi.gov



Department of Public Safety

February 19, 2016

Operations Manager
Tyco SimplexGrinnell
2970 Walkent Dr NW
Grand Rapids, MI 49544

RE: Support for Central Station Service Requirement

The Cities of Kalamazoo and Portage, and Townships of Comstock, Kalamazoo, Oshtemo, and Texas are all exploring the adoption of an ordinance requiring central station service and listed service providers. Any new system in these jurisdictions would be required to be installed by a service provider listed by UL, FM, or Intertek ETL.

In order to move forward with the implementation of this code amendment, support from the fire alarm service providers is key. I am asking you to sign this letter and return it to me via email to indicate your support of this initiative.

Your cooperation in this matter is greatly appreciated. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Derek Henson
Fire Marshal
hensond@portagemi.gov

Please Sign Here

KEN TOCKSTEIN. TYCO SIMPLEX GRINNELL

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Meeting Attendance Roster

Date 2-17-16

Topic Central Station Service

Location Station 1 Training Room

Name

Agency

<u>Derek Henson</u>	<u>PFD</u>
<u>Tom Presnak</u>	<u>UL</u>
<u>James Graff</u>	<u>UL</u>
<u>KEVIN DEBUTH</u>	<u>RESURSSIDE INTEGRATED</u>
<u>Clay Harwood</u>	<u>ECHO FIRE</u>
<u>Dave Torres</u>	<u>Echo Fire & Security</u>
<u>DAVID FENING</u>	<u>DAVE'S SECURITY</u>
<u>Jim Williams</u>	<u>Kalamazoo DPS # Texas Top</u>
<u>Tom Wiley</u>	<u>Ashtemo</u>
<u>MIKE KESSLER</u>	<u>Camstock</u>
<u>Bin Andersson</u>	<u>Approved Fire</u>
<u>Kevin Zeller</u>	<u>Approved Fire</u>
<u>Brent Austin</u>	<u>Approved Fire</u>
<u>Chad Miller</u>	<u>Echo Fire & Security</u>
<u>John Lemkowski</u>	<u>Approved Protection Systems</u>
<u>Brian E. McCall</u>	<u>EPS</u>
<u>BR E. McCall</u>	
<u>LARRY Johnson</u>	<u>MACYS FIRE Protection</u>
<u>Stephan Salziger</u>	<u>EPS</u>

Name

Agency

Glenn Furst

EPS Security Operations Manager

Rodney French

Macks Fire Protection

KEN KELLEY

FIRE PROS, INC

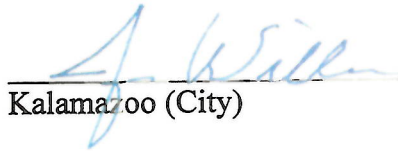
February 19, 2016

RE: Central Station Service and Third Party Reporting

It is hereby agreed upon that the area Fire Marshals will pursue ordinance amendments pertaining to requiring central station service for fire alarms, requiring listed fire alarm service providers, and requiring third party reporting of all inspection, testing, and maintenance of fire protection systems through a method approved by the local authority having jurisdiction.



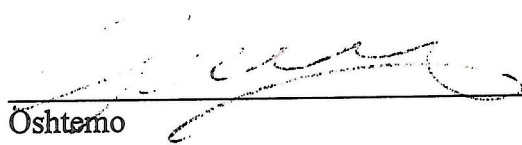
Comstock



Kalamazoo (City)



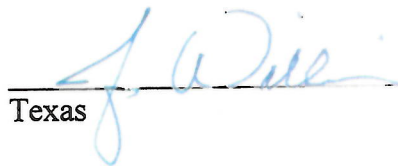
Kalamazoo (Township)



Oshtemo



Portage



Texas

Portage Fire Division

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What is UL's Alarm Certificate Services?

An assessment and auditing program designed to provide confidence that alarm systems meet nationally recognized codes and standards.

- Installation
- Maintenance
- Inspection/testing
- Monitoring
- Runner Service – where required



How does the program work?

Initial Assessment

Property-specific
Compliance
Signal monitoring
Retransmission
Runner service
Record keeping
Summary of findings and
Corrective Action Plan

Follow-up Audits

- Selected sampling
- Conducted annually
- Processes and procedures
- Summary of findings and Corrective Action Plan

In order to be eligible to issue a Certificate, an alarm contractor must utilize only UL listed alarm equipment that is installed and maintained per applicable codes and standards



NFPA 72®



Why should I care about Certificate Services?

Reliability

- Product/ system
- Installation
- Maintenance/ testing
- Inspection

Verification of Compliance

- NEC
- NFPA
- UL
- State/ local codes

Reduced Cost

- Fewer false alarms
- Ease of assessment
- Lower premiums

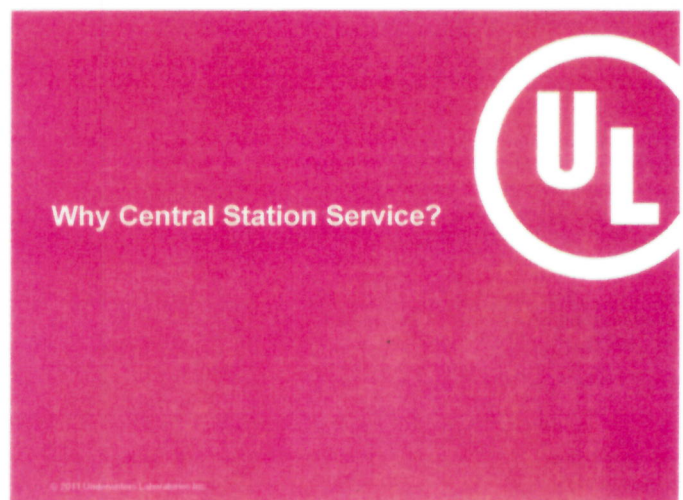
Fewer Issues with AHJs

- Recognized level of compliance

Market Differentiator

- Alarm service company
- Building owner
- Level Playing Field

Building owners, AHJs, insurers and risk managers can all realize benefits.



Types of Fire Alarm Systems

- **Local**- No off-premise signal transmission
 - **Auxiliary**- Public Emergency Alarm Reporting Systems
 - **Supervising Station** - Off-premise transmission of signals
 - **Remote Station** - Signals report to 911 center or location approved by the AHJ. *No code based facility requirements (except NFPA1221)*
 - **Proprietary Station** - Property owner monitoring their own facilities with their own staff at an NFPA 72 compliant facility. *Facility requirements follow NFPA 72*
 - **Central Station Service** - Signals supervised in a Listed facility with a prime contractor responsible for *Facility requirements follow UL 827*
- Central Station Service requires these items are required to be under contract: Installation, Signal monitoring, Retransmission of signals and associated record-keeping, Testing, Maintenance, Runner service*
Documentation of compliance (UL Protected Property Certificate)



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Comparing Central Station Service to Remote Station

Central Station Service

- Elements under contract
- Runner Service
- Facility complies with UL 827
- Defined Signal disposition
- Defined repair timeframes
- AHJ notification
- Document indicating compliance- required

Remote Station

- ITM Affidavit
- Facility Approval from AHJ
- Fire Alarm-Dispatch FD
- Supervisory and trouble signals-notify owner
- Document indicating compliance- optional



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NFPA Central Station Service Requirements

NFPA 72 2010 26.3.3 Contract Requirements

1. Listed Central Station providing all elements of Central Station Service
2. Listed Central Station providing as minimum, monitoring, record keeping and retransmission with own facilities and personnel, shall be permitted to subcontract installation, testing, maintenance, and runner service.
3. A listed local service company provides installation, testing, maintenance, and runner service with own facilities and personnel and contracts monitoring, record keeping and retransmission to listed central station.
4. A listed central station that provides installation, testing, maintenance and runner service with own personnel may contract monitoring, record keeping and reporting to another listed central station.



Elements of Central Station Service

NFPA 72 2013 26.3.2 Service scope

1. Installation
2. Alarm, guard, supervisory, trouble signal monitoring
3. Retransmission
4. Record Keeping and reporting
5. Testing & Maintenance
6. Runner Service.



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Central Station Service Signal Disposition

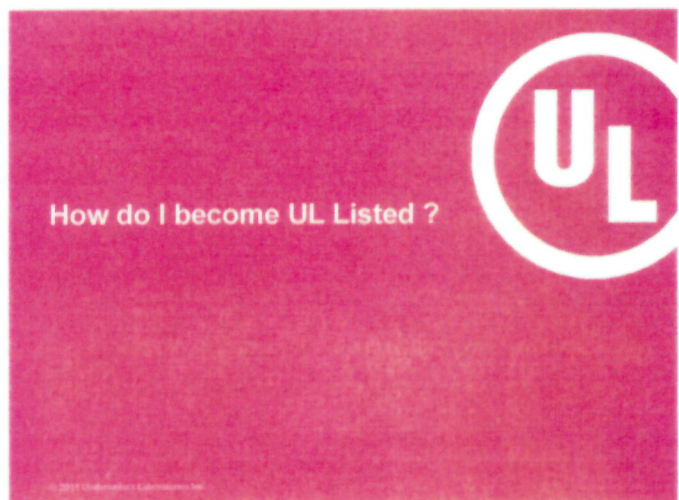
NFPA 72 2010 26.3.7

- Alarm Signals- 90sec to dispatch FD, runner dispatch and arrival within 2 hrs where system cannot be reset by someone on site.
- Supervisory Signals- 4 minutes to call the premise, runner arrival within 2 hrs when system cannot be reset by someone on site.
- Trouble Signals- 4 minutes to call premise, initiate service within 4 hrs.
- Notify AHJ where system or any part of system will be out of service greater than 8 hours.

Note: Tupelo Fire Department will require 1 hour response for Alarm and Supervisory Signals



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Initial Evaluation

- Apply at ul.com
- 2-4 systems which comply with NFPA 72
- Receive and approve quote
- Submit Listing Fees(Preliminary deposit)
- Submit Datasheets(samples)
- Assigned to UL Staff for scheduling
- Audit day
- UL report
- UL Processes listing



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UL Fire Alarm Contractor Listings

UUJS- Local, Auxiliary, Remote Station and Proprietary systems.

UUFX- Central Station Service-

- Full Service- provides all elements of Central Station Service with their own staff
- Monitoring Only (cannot issue certificates)
- Local Service Provider- Provides install, ITM and runner service & documentation with own staff; monitoring is subcontracted to UL Listed Central Station

UUKA- Proprietary Fire Monitoring



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UL Fire Alarm Contractor Listing Costs

UUFX- Central Station Service-

Full Service

Initial Evaluation = \$500.00 + travel & living

Annual Fee = \$3,995.00 + no additional T&L's

Monitoring Only (cannot issue certificates)

Initial Evaluation = \$400.00 + travel & living

Annual Fee = \$3,095.00 + no additional T&L's

Local Service Company

Initial Evaluation = \$375.00 + travel & living

Annual Fee = \$3,995.00 + no additional T&L's

Certificate Fees for Fire Alarms are \$97.00 per system per year



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UL Fire Alarm Contractor Listing Costs

UUJS- Local, Auxiliary, Remote Station and Proprietary systems

Initial Evaluation = \$2950.00 + travel & living

Annual Fee = \$2250.00 + no additional T&L's

UUKA- Proprietary Fire Monitoring

Initial Evaluation = \$2,995.00 + travel & living

Annual Fee = \$1,750.00 + no additional T&L's

Certificate Fees for Fire Alarms are \$97.00 per system per year



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Service Territories- Certificate Issuance

Service Territory - A geographic territory in which the service may be provided. Code or standard based response declarations must still be met.



UL Audit Focus

The UL audit confirms that an Alarm Service Company (ASC) has processes & controls in place that assure Code compliance for properties covered by an active UL Certificate. After the initial evaluation, each listed company is visited once per year to confirm ongoing compliance for certificated systems

- UL's preferred method of operation – Allow ASC to demonstrate compliance
 - Each listed alarm company is audited on an annual basis to confirm ongoing compliance, and proper usage of the UL Mark.
- Using the applicable edition of NFPA 72 (declared on the certificate)
 - UL staff will audit the ASC in three areas:
 - System Documentation
 - Signal Processing
 - Field review of selected systems



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Audit Focus- Central Station Service Signal Disposition

- Alarm Signals- 90sec to dispatch FD, runner dispatch and arrival within 2 hrs where system cannot be reset by someone on site.
- Supervisory Signals- 4 minutes to call the premise, runner arrival within 2 hrs when system cannot be reset by someone on site.
- Trouble Signals- 4 minutes to call premise, initiate service within 4 hrs.
- Notify AHJ where system or any part of system will be out of service greater than 8 hours.

UL Staff verifies compliance with these requirements by running fire service tests with AHJ cooperation.



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Audit Focus-System Documentation

- Record Drawings
- Battery Calculations
- Initial Acceptance Tests
- Reacceptance Tests
- Record of Completion
- Periodic Test Records-frequency based on the applicable NFPA edition or state or local AHJ requirements
- Sensitivity Testing
- Contracts
- Service Records
- Owners Manuals
- Codes and standards



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Field Audit of System

- Installed systems audited to:
 - Declarations on the certificate
 - Applicable NFPA 72 requirements
 - Any local AHJ requirements
- System placed on test with the supervising station:
 - UL will ask ASC rep to selectively test devices such as:
 - Control panel function
 - Communicator operation
 - Secondary power capacity and operation
 - Operation of waterflow
 - Automatic detection devices
 - Pull stations
 - Supervisory devices
 - Notification appliances
- The system record drawings will be reviewed for accuracy as the audit is conducted.



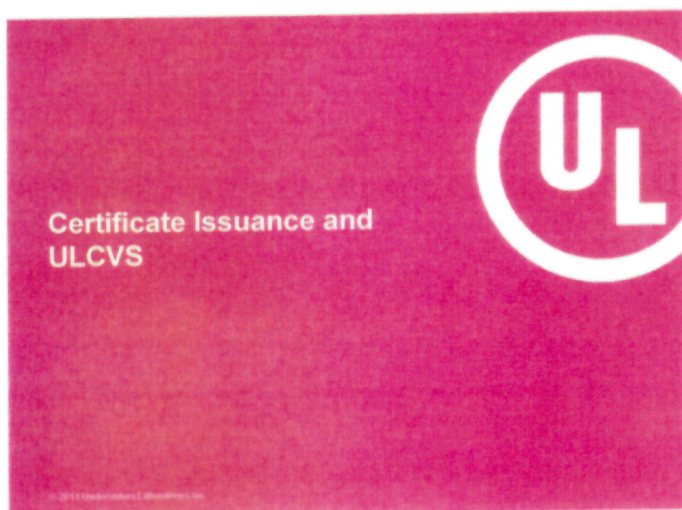
21

Annual Audit

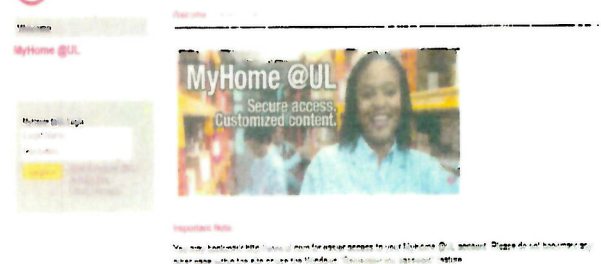
- Audit Schedule
- UL Staff Contact
- Selected Audit of Certificates Issued
- Fire Service Tests



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Myhome Login = my.home.ul.com or ul.com



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ULCVS AHJ Pages



MyHome @UL

MyHome @UL

Quick Links

Request for Quote (RFQ)

Request for Proposal (RFP)

Request for Information (RFI)

Request for Quote (RFQ)

MY FAVORITES

MyHome @UL

MyHome @UL



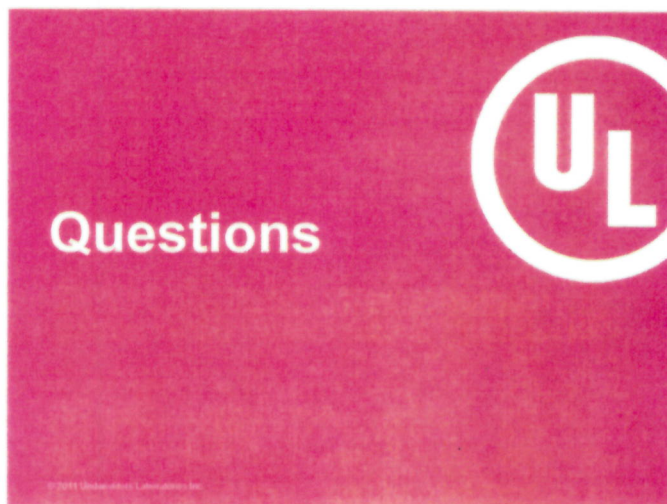
MyHome @UL

The tools to
manage your
compliance
process.

- UL is announcing updates to its Building Services (BS) program. [Click here](#) for more information.
- Remember you MUST log into MyHome at least once per year to keep your account active.



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Name	Address	Address 2	City	Stat	ZIP
ADT	5116 S. Sprinkle Road		Portage	MI	49002
Esper Electric	7775 N. 6th St		Kalamazoo	MI	49009
Moore Electric	7528 Ravine Rd.		Kalamazoo	MI	49009
Securalarm	112 54th St SW		Grand Rapids	MI	49548
Approved Fire Protection	2513 N. Burdick		Kalamazoo	MI	49007
Boynton Fire Safety	1031 Northcrest Rd.		Lansing	MI	48906
Comtronics	1 Comtronics Place		Jackson	MI	49203
Dave's Security	8135 Coxs Drive		Portage	MI	49002
E. P. S.	4785 Campus Dr.		Kalamazoo	MI	49008
EBC Security	193 W. Lakewood Blvd		Holland	MI	49424
Fire Pros	2710 Northridge Drive		Grand Rapids	MI	49544
Guardian	410 Business Center Drive		Lansing	MI	48917
Knight Watch	5070 Wynn Road		Kalamazoo	MI	49048
Midstate Alarm	5975 Crossroads Commerce Parkway, S.W.		Wyoming	MI	49519
Riverside Integrated syst	2225 Oak Industrial Drive NE		Grand Rapids	MI	49505
Simplex	3600 McGill St	Ste 300	South Bend	IN	46628
Tyco	2970 Walkent Drive NW		Grand Rapids	MI	49544
Vanguard	2101 Martindale Ave. SW		Grand Rapids	MI	49509
Circuit Electric	3443 Gembrit Circle		Kalamazoo	MI	49001
CT Electric	2535 Saidla Rd.		Kalamazoo	MI	49001
Edison Electric	31158 56th Ave		Paw Paw	MI	49079
Hi-Tech Electric	839 Lenox		Portage	MI	49024
Pylman Power	1132 Electric Ave.		Wayland	MI	49348
Tec Systems	5072 S. 29th St.		Kalamazoo	MI	49048
Buist Electric	3201 Lake St.		Kalamazoo	MI	49048
Macks Fire Protection	8364 West B Ave		Otsego	MI	49078
Echo Fire and Security	2390 Shadowlane Dr NE		Grand Rapids	MI	49505
Confessco Fire and Security	3801 Alvan Rd.		Kalamazoo	MI	49001
Flame Tamer Fire Protection	58611 Peters Dr.		Paw Paw	MI	49079
Fields Fire Protection	3901 3 Mile Rd. NW		Grand Rapids	MI	49534

Portage Senior Citizens Advisory Board

MINUTES MASTER

MONTH: March

ATTENDANCE: Ruth Ann Meyer, Kathy Mishler, Gloria Padilla-Carlson, Ann Perkins, Mary Lou Petrulio, Trudy Riker, Jean Wenz, Sharon White, Bill Wieringa

Absent Excused: Art Roberts, Monifa Jumanne, Ali Arif

Guest: None

Staff: Kim Phillips, PSC Manager

Call to order time: 2:30PM

Corrections to previous minutes: Jean Wenz was excused absence in February, approved

Management (Kim):

The AARP tax appointments began, and the PSC is fully booked and referring to other sites.

Valentines lunch was provided by MediLodge and had 62 participants with good reviews.

During April & May, weekly lunches will be held between 11:30 – 12:30 every Thursday at \$5 per person.

Meet and Eat - held with 40 participants who enjoyed the event. Goal for the event is to hold them quarterly; will replace the New Member Orientation. Ruth Ann Meyer commented that interested parties who were not members attended. This is a good way for people to become familiar with the PSC so they want to join. Ann Perkins asked if anyone communicates to new members when they join – Kim answered that new members get a tour of the facility, an intro to the kiosk and explanation of programs with a current newsletter.

Aging Mastery Program - The PSC will be the hub but sessions would be held at different sites and serve as a gateways to available services and information. This program is incentive based, with homework assignments and prizes. The license cost of the program will be fully underwritten. Bill Wieringa ask if facilitators will be trained and provide ongoing training? Kim said yes. Bill also suggested marketing to financial advisors in the area. Another suggestion made was to market to adult children of aging parents.

Travel Program (Art & Trudy):

Recent trips: 19 happy travelers went to FLA through Ed & Ted's. All the feedback for this trip has been positive.

Upcoming trips:

- April – Biloxi & New Orleans with huge wait list
- Upcoming trip to Netherlands, only 4 signed up due to International nature of trip
- April 18 is the Spring Trip Preview

Friends of PSC Board Update:

Friends meeting – annual purse sale was talked about, most of the meeting time was spent on the annual Golf Scramble. The Spring Appeal should go out at the end of April. Good meeting overall.

Legislative Update (Ruth Ann):

Ruth Ann plans to attend an open forum in Vicksburg, at the Rise & Shine. A speaker is also coming to the Center on May 5th. Ruth Ann shared a flyer regarding a millage request: *What is the Millage Request?* Kalamazoo County Transportation Authority is announcing that there will be a Transit Millage vote on May 3. Metro County Connect – Ruth Ann asked board members what they knew about this. Kim volunteered to scan the information on Ruth Ann's brochure and make that site available to members as well as post it on Facebook.

Old Business:

Kim will send out suggested language regarding a fragrance policy.

New Business:

Ann Perkins would like to see a day added to the walking at the Portage Central's athletic facility. Kim will have that conversation with PCH staff.

Programming: Ruth Ann suggested the PSC include the Fire Department on occasional informational presentations. What to look for when buying a smoke alarm etc.

ACTIVITIES REMINDER:

St Patrick's Day lunch is sold out, with a menu of corned beef cabbage.

Garden Talks by Schram's – Tuesday evenings as scheduled.

Casino Trip coming up with 2 busses.

Sundays - Farmers Market starts **May 1, 12-4:00 PM**, May through October.

Advisory Board Comments:

None

Citizen comment: None

*****Please note that April meeting will be held in Conference Room 2 in City Hall*****

Time Adjourned: 3:30PM

Next meeting: Wednesday, April 20, 2016 at 2:30PM. If you are unable to attend, please call or e-mail the chairperson.

Portage Senior Citizens Advisory Board

MINUTES

April 19, 2016

ATTENDANCE: Monifa A. Jumanne, Ruth Ann Meyer, Kathy Mishler, Gloria Padilla-Carlson, Ann Perkins, Trudy Riker, Art Roberts, Sharon White, Bill Wieringa, Ali Arif

Absent Excused: Mary Lou Petrulio and Jean Wenz

Guest: none

Staff: Kim Phillips, PSC Manager

Call to order time: 2:36 PM

Corrections to previous minutes: none

Motion to approve the minutes by Ruth Ann Meyer, seconded by Ann Perkins.

Management (Kim):

Month of April was very busy, highlights include St Patrick's Day lunch sponsored by MediLodge, with 40 attendees.

Two busloads went to the casino in March, a popular excursion offered once each quarter.

The first New Member *Meet and Eat* took place with 41 participants. This revised version of New Member Orientation allows for more interaction and engagement. New Member Orientations as they had been presented are being phased out in favor of a more social version with a focus on establishing new members as active participants. Several new members attended the trip preview.

The rest rooms have been remodeled and are now fresh and bright. The funds were donated by the Friends of the PSC compliments of a \$6,000 donation that Kim was directed to spend down. Yet to come are automatic flushers and stainless countertops in the kitchen. The front doors have been painted.

More fully using MSC Database, all staff members are committed to using less paper and doing all possible transactions electronically. MSC was used for the Trip Preview and it went very well, saving staff and volunteers much labor and stress.

Representative Brent Iden came in and spent time with seniors in the lobby.

Programs Development and Research

Kim Phillips: the plan is to get Sonya up to speed and bringing some new programming on site which targets the Boomer generation. Sonya has been in Travel Boot Camp, and has not had much time to dedicate to programming as yet.

Travel Program (Art & Trudy):

Upcoming trips:

Art Roberts: Pick up a copy of the new travel book before you leave and check out the new trips. There were 148 participants for the preview and lots of excitement about the new travel opportunity roll out. Tanzania, and a Southern Caribbean Cruise at an incredible price both seem to be big draws.

Trudy Riker: The preview theme was Explore Your Wild Side, with staff participating in costume. There were more sign ups at the time of the preview than ever before (taking sign-ups electronically during the preview.)

Kim Phillips: The PSC had a substantial waiting list for the Travel Preview this spring, and as people left, those in the lobby went in, open house style. There is also an Ireland/Scotland tour drawing interest.

Friends of PSC Board Update:

Trudy Riker: Quite a bit of discussion took place regarding existing funds and investments and how to best position the dollars. There were some ideas/suggestions about a rotating table for left-over purses sale, but there are other options for the left over purses. Marketing discussion took place as well, with a focus on the website and the golf scramble being held at the Gull Lake Country Club on May 16. Visit FriendsPSC.org to obtain sign up forms for the scramble. The Spring Appeal (no date confirmed) was discussed. A \$3,000 donation from Alice Noecker's Trust was discussed, and the prevailing thought by the board was to use some of the money for a memorial plaque and/or a donor reception.

Ann Perkins: Could the Advisory Board assist in any way? Trudy encouraged members of the Advisory Board to volunteer on these projects because the Friends Board consists of individuals who are working full time in professional capacities and have families.

Legislative Update (Ruth Ann):

Ruth Ann Meyer: Remind people to register to vote. For the November election, you must register by October 11. Fred Upton should be thanked regarding the supporting the renewal of the Older American's act. House passed the Older American's Act reauthorization which supports Area Agency on Aging and agencies that assist older Americans.

State Representative, Margaret O'Brien, put a senate bill #352 Michigan Care Act trying to ensure that Americans have common sense solutions to provide better care for loved ones as they transition from hospital to facilities or back home.

Ruth Ann will provide more information regarding these bills, what they mean, and who should be thanked for supporting them at next month's meeting.

The biggest thing Ruth Ann wanted to leave with the group was Older Michiganian's Day on May 11. Transportation is by bus, and departs from Kalamazoo County Health on Miller Road 8:30 AM and return approximately 5:00. There were a few seats available.

Old Business:

Ann Perkins requested a wrap up on the Purse Sale.

Kim: Over 200 attendees bought purses, bags and accessories with the Friends netting approximately \$2,500. This was slightly less than last year, however it was expected because last year the event was a novelty and this year the competition was stiff from other community events. Thanks go out to all those who helped with the project, including Gloria Padilla-Carlson who spent many hours assisting with preparation. One of the May Farmer's Markets will feature an impromptu purse sale of the left-overs.

New Business:

Kim Phillips: Distributed MSC generated reports of overall participation numbers to the board showing fiscal year comparisons. The report showed a marked increase in travel numbers. Looking at the numbers across the bottom of the report it shows the trend of an increase in unduplicated participations, which means more individuals are using the Center less frequently. For instance, ten people are coming once, instead of one person coming ten times. This proves out what is known of the Boomer generation, which is looking for meaningful interaction rather than daily/weekly card games. New programming will be focused on targeting the next generation's needs. The report also shows a 15% increase in traffic from last fiscal year to this. Staff is programming for three generations, and needs to be aware of the needs of each.

Kim also noted that non-member participation is on a sharp increase due to evening meals, entertainment, travel and after hours offerings.

Orienting new members to the MSC kiosk is happening on a regular basis. The screen changes from time to time as it is updated, and these updates can be the source of some confusion. The touch screen itself is sensitive, and people have been observed stabbing it with key fobs and acrylic nails, but overall are becoming more comfortable with the process.

Gloria asked if there had been any more discussion regarding refiguring the reception desk. Kim answered yes, if the current budget gets approved, an architect will come in to evaluate how we are using the existing space and what improvements could be made.

Kim Phillips: The Teen Tech Tuesday program has been successful. The kids do great with the seniors, and the seniors are eating up the information on an individual, one-on-one interactive experience. This program takes place every Tuesday from 3:30 – 4:30 PM.

Advisory Board Goals: An update on the Advisory Board goals were requested by the City Clerk's office, and it was suggested that the goal regarding re-accreditation be updated with supporting the Aging Mastery Program discussed at previous meetings. Ruth Ann moved to accept goal five change and Ann Perkins seconded. Monifa Jumanne questioned the language of the goals and asked if the board wrote them. Chair, Bill Wieringa confirmed this and added they are carried forward from year to year. Monifa called attention to the difference between a goal and an objective, and requested that the board consider changing the language to include a measurable outcome. The suggestion does not change the goal, but word it differently. Monifa will provide the board with a suggestion and submit it to board members for review via email. There was concern that changes would not be made in time to meet the deadline set by the City Clerk. Bill tabled the acceptance of the updated goals and will visit the City Clerk's Office to obtain an accurate deadline for submission.

ACTIVITIES REMINDER:

Kim: Lunches by MediLodge at \$5 per person, sometimes with entertainment. Grocery Bingo is next week, Oil & Vinegar Tasting on May 2nd by Pantry on Tap, May 5 at 9:00 AM there will be a public hearing for the Area Agency on Aging in regards to future funding.

Farmers' Market starts May 1st and runs every Sunday from May to October, Noon to 4:00 PM. This is run by People's Food Co-op.

The third Tuesday in May is another evening meal, with chicken cordon bleu by the culinary team at Heritage, complete with a Jazz Quartet from Portage Northern as entertainment.

Monifa Jumanne asked if there were vegetarian selections available, which Kim will ask Chef about.

Advisory Board Comments:

Art Roberts: Rocco will be at the PSC (K-9 Officer) during Coffee With the Cops, May 19th, 1:30 PM. Also the Central Ohio State Choir performance was excellent. Monifa Jumanne expressed thanks to those Advisory Board members who attended the concert.

Citizen comments: None

Time Adjourned: 3:40 PM

Next meeting: Wednesday, May 18, 2016

2:30 PM, Portage Senior Center

YAC Meeting Minutes: April 11th, 2016

- I. Call to Order
 - a. Meeting called to order at 6:35 pm
- II. Introductions and Attendance
 - a. Name, grade, and where you went for spring break
- III. Motion to Approve the Minutes of Last Meeting
 - a. Motion approved
- IV. Youth Liaison Reports
 - a. Human Resources Board: Non-discrimination ordinance
 - b. Ali spoke on behalf of the Senior Citizens Board: talked about St. Patrick's Day event, discussed the volunteering at the event, and annual trips
- V. Green-a-Thon Earth Day Festival
 - a. Saturday, April 23
 - b. Chocolatea and Indian Cuisine
 - c. Review of the details of the event on the agenda
 - d. Review list of vendors
 - e. Portager, Encore Magazine, FYI Magazine, and Fliers will be used for advertising
 - f. Adam's Outdoor Advertising will be advertising on two billboards
 - g. Activities: Chalk, fishing game, hula hoops, animals (ex. Goats), bubble station
- VI. Sticker Shock
 - a. April 16, 2016 9-1 p.m.
 - b. Passing out of permission slips
- VII. YAC Recruitment
 - a. Talk to friends about joining
- VIII. Review of Sujay Award (most active member)
 - a. Nominations: Vishnu. Grace, Sophie, Simran, Ali
- IX. Mr. Crispy and National Children's Mental Health Awareness Day
- X. Movie Night Choice: Jurassic World or Captain America
- XI. Benches for Bus Stops Proposal: Pending

**BOARD OF EDUCATION
REGULAR BUSINESS MEETING MINUTES**

April 18, 2016

The regular business meeting of the Board of Education of the Portage Public Schools held on Monday, April 18, 2016, was called to order at 6:30 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 35 people; all in attendance recited the Pledge of Allegiance.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp and Joanne Willson

Board Members Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Mr. Droppers, that the Board of Education approve the agenda as revised, adding one action item: the Northern High School Band field trip request to Canada.

Motion carried unanimously.

REPORTS

Kalamazoo Regional Educational Service Agency Special Education Parent Advisory Committee Awards. Dr. Jeanine Mattson-Gearhart, Director of Special Education, provided an introduction and presented the *Excellence in Special Education Awards* for 2016. Dr. Mattson-Gearhart acknowledged the following nominees: Mrs. Nancy Bunkley, Central and North Middle School Speech Therapist; Mr. Jeff Hamilton, Central Middle School Assistant Principal; Mrs. Ginnie Doerfler, West Middle School Resource Room Teacher; Ms. Effie McCarren, Lake Center Elementary Teacher; and Ms. Michele Morrison, 12th Street Elementary School Teacher; and delivered framed certificates to the following winners: Ms. Tera Brow, Central High School Teacher and Ms. Kristin Everts, Northern High School Teacher. Trustees thanked the award winners and nominees for their outstanding student support.

Bond Implementation Update. Mr. Ron Herron, Assistant Superintendent of Operations, provided an update on recent meetings with the Owners Representatives and Architects on sequencing, bid aspects and budget aspects to track and monitor funding. He reported on the user group meetings that were held and how they helped verify information collected. Mr. Herron discussed the Community Forum planned for Tuesday, April 19 at 6:30 p.m. at West Middle School to share information with the community. Mr. Herron responded to a Trustee regarding the dissemination of Bond information.

Superintendent's Report. Superintendent Bielang announced, in preparation for prom and graduations, that Central High School is planning a mock accident scene on April 21, from 1-3 p.m. in the McCamley Field parking lot. Noting the District is currently in the midst of M-STEP testing, the Superintendent thanked all the teachers and administrators for running operations as smoothly as possible. Superintendent Bielang encouraged Trustees to attend the Kalamazoo County School Officers Association meeting scheduled for May 11. The Superintendent shared news of the

Moorsbridge Elementary School Heritage Festival planned for April 22, 2016 at 7 p.m. to celebrate diversity. Superintendent Bielang congratulated Mrs. Karla Colestock, Director of Finance, and her staff for qualifying for the *Certificate of Achievement for Excellence in Financial Reporting* from the Government Finance Officers Association. Mrs. Colestock and her staff also received the *2015 Certificate of Excellence in Financial Reporting Award* from the Association of School Business Officials International, for the 12th straight year in a row. Superintendent Bielang thanked Mrs. Colestock and her staff for their continued commitment to the fiscal integrity of the District.

Financial Report. Mrs. Karla Colestock, Director of Finance, shared the financial report for the nine month period ending March 31, 2016.

2016/2017 Budget Planning. Mrs. Colestock shared a 2016/17 General Fund Budget development report pertaining to an update on the State Aid Budget; the significant uncertainties; and the next steps in the budget development process.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board.

Ms. Martha Keeler, 6427 Marlow Street, a teacher and parent, wished both the Portage Education Association and Administration successful contract negotiations.

President Van Antwerp opened the meeting to comments from Trustees.

Mrs. Willson shared a legislative update on discussions to discontinue M-STEP. She thanked all staff for their efforts during M-STEP testing.

Mr. Snyder noted plans to call an Owner's Linkage Committee meeting this year.

President Van Antwerp confirmed the 2016 graduation assignments for all Trustees and requested the members of the Policy Committee set their next meeting date at the conclusion of the Board meeting.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: The minutes of the March 28, 2016, Regular Business Meeting; Recommendation for Network Infrastructure Upgrades (Recommended purchase of network infrastructure upgrades from NETech [Caledonia, Michigan] in an amount not to exceed \$699,887.42, proceeds coming from the 2015 Bond Construction Fund #1); Recommendation for Storage Area Network (SAN) Upgrades (Recommended purchase of the hardware and software required to update the District's Storage Area Network from Red Level Networks [Novi, Michigan] in an amount not to exceed \$240,340.01, proceeds coming from the 2015 Bond Construction Fund #1); and Recommendation for Phone Services Contract (Recommendation to authorize the administration to enter into a five year contract with CTS Telecom, Inc. [Galesburg, Michigan] for phone services for the District. The estimated five year value of this contract is \$110,000 and these costs will be paid from the General Fund).

There being no objections, motion carried unanimously.

ACTION ITEMS

Motion offered by Mr. Rathburn, seconded by Mr. Droppers, that the Board of Education approve the Central High School Orchestra trip to Toronto, Canada, from June 20-23, 2016, as presented.

Mr. Larry Killips, Assistant Superintendent of Instruction and Assessment, provided background information.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Mrs. Novaria, that the Board of Education accept the recommendation from the Human Growth and Development Advisory Committee, to replace the puberty video in the 5th grade Human Growth and Development Unit and to add a puberty video to the 6th grade Human Growth and Development Unit, as presented.

Mr. Michael Huber, Director of Curriculum, shared details on the changes recommended by the Advisory Committee. Mr. Snyder thanked the committee for their work on these important items.

Motion carried unanimously.

Motion offered by Mrs. Novaria, seconded by Mr. Snyder, that the Board of Education approve the renewal of Chartwells Food Service Management contract for the 2016/17 school year and authorized the Director of Finance to execute the contract renewal agreement, as presented.

Mrs. Colestock provided background information on this contract. Trustees recognized and offered thanks to Ms. Susan Livingston, Food Group Manager, and her staff for all their good work.

Motion carried unanimously.

Motion offered by Dr. Shelton-Harris, seconded by Mr. Rathburn, that the Board of Education approve the Staff Appreciation Week Proclamation, as presented.

President Van Antwerp read the Proclamation.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the travel expenses for Mr. Mark Bielang, Mr. Ron Herron, and Mrs. Karla Colestock to travel to St. Louis, Missouri in May, 2016, in an amount not to exceed \$2,500, and coming from the 2016 bond costs of issuance funds, as presented.

Superintendent Bielang provided background information on this recommendation.

Motion carried unanimously.

Motion offered by Mr. Rathburn, seconded by Dr. Shelton-Harris, that the Board of Education approve the Northern High School Band trip to Toronto, Canada, from June 16-19, 2016, as presented.

Mr. Killips shared details on the Northern High School trip request.

Motion carried unanimously.

Mrs. Colestock informed the audience that information will be shared on Tuesday night, after the community presentation on the Bond projects, pertaining to how community members can purchase a Bond. She anticipates the preliminary official statement to be available by April 27, 2016, and an early sale for individuals will occur on May 3, before the Institutional sale on May 4. The closing will occur on May 25, 2016. Please watch the District web site for further details.

There being no further business to come before the Board, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary



STAFF APPRECIATION WEEK PROCLAMATION

Whereas, a strong effective free public education for all children is critical to our democracy at the national, state and local level; and

Whereas, a strong public school system makes for a strong community; and

Whereas, the vision of Portage Public Schools is to *be an exceptional, continuously improving learning culture, committed to all*; and

Whereas, the commitment Portage Public Schools teachers and staff show to students by inspiring them to succeed academically, artistically, socially and athletically is essential to making the vision a reality;

Now, Therefore, I, Mr. Van Antwerp, President of the Board of Education, do hereby proclaim May 2-6, 2016, as **Staff Appreciation Week** in the Portage School District, and encourage all citizens to congratulate the teachers and staff for the work they do every day to develop students today and mold successful citizens who will have a positive influence on our community tomorrow.

Signed this 18th day of April 2016

Mr. Randy Van Antwerp, President
Portage Public Schools
Board of Education

**BOARD OF EDUCATION
COMMITTEE OF THE WHOLE WORK SESSION MINUTES**

May 2, 2016

The work session of the Board of Education of the Portage Public Schools held on Monday, May 2, 2016, was called to order at 6:30 p.m. by President Van Antwerp in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 10 people; all in attendance recited the Pledge of Allegiance.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn (arrived at 6:59 p.m.), Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp and Joanne Willson

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the agenda as printed.

Motion carried unanimously.

REPORTS

Superintendent's Report. Superintendent Bielang shared highlights of the International Baccalaureate Diploma Ceremony that recognized 91 student candidates and 180 significant educators. He reminded Trustees that the District is in the midst of M-STEP testing and thanked the Curriculum, Instruction and Assessment Department and staff for their efforts to make this a smooth process. Superintendent Bielang congratulated Northern and Central High Schools for both being named in the top 50 high schools in the state for 2016 by U.S. News and World Report.

Bond Update. Mr. Ron Herron, Assistant Superintendent of Operations, reported on the completion of the second round of Advisory Committee meetings. The next steps will include the Architect and Construction Manager holding a "page turning" event to validate the feedback received. Work continues on other planning initiatives, contingency discussions and the law firm's review of the contracts prior to returning for Board approval. Superintendent Bielang discussed watching the Committee feedback process evolve, the input provided to the Architects as well as the processing with the Construction Manager and Owners Representative advocating for the District while integrating plans and budgets.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no citizens come forward, President Van Antwerp opened the floor for Trustee comments.

Mrs. Willson shared highlights from attending the International Baccalaureate Diploma Candidate Awards Ceremony in which 91 student candidates and 180 significant educators of distinction were recognized.

Mrs. Novaria congratulated the Forensics Teams from Central High and Northern High for their 4th and 3rd place finishes in the State Competition.

President Van Antwerp reminded Trustees of lunch dates scheduled with Superintendent Bielang. He also noted Board Retreat dates have been narrowed down and will be scheduled soon.

President Van Antwerp noted there were no Board Committee Reports.

DISCUSSION ITEMS

2016/2017 Kalamazoo Regional Educational Service Agency Budget. Mrs. Karla Colestock, Director of Finance, provided an overview of the 2016/2017 Kalamazoo Regional Educational Service Agency Budget. Mrs. Colestock responded to numerous Trustee questions regarding: Special Education funding; regional millage; and deficit spending.

New Governance Policy - 3.12, Superintendent Evaluation. President Van Antwerp led the discussion regarding the recommendation to adopt a new Governance Policy – 3.12, Superintendent Evaluation to replace the current Policy.

Michigan Council for the Arts and Cultural Affairs Grant. Superintendent Bielang provided background information on the recommendation to approve the submission of the \$30,000 Grant to Michigan Council for the Arts and Cultural Affairs (MCACA) to support the Aesthetic Education Program between October 1, 2016 and June 15, 2017.

Purchase Recommendation Woodland Elementary School Public Announcement, Clock and Bell Systems. Mr. Dan Vomastek, Director of Information and Technology Systems, shared details pertaining to the recommendation to approve the purchase of replacement public address, clock, and bell systems for Woodland Elementary School from Michigan-Kal-Electric, Inc. (Kalamazoo, MI) in an amount not to exceed \$45,239.00, proceeds coming from the 2015 Bond Construction Fund #1.

Technology Consultant Contract. Mr. Vomastek provided historical background on the District's utilization of a Technology Consultant during the 2008 Bond Projects. He informed Trustees that further analysis of the bids received is being completed and details will be shared with the Board when available. Mr. Vomastek responded to Trustee questions pertaining to fees and what buildings would be involved.

ACTION ITEMS

Motion offered by Mrs. Novaria, seconded by Mr. Droppers, that the Board of Education approve Monitoring Report – Policy Sub End 1.3, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared highlights of the Monitoring Report and responded to Trustee questions regarding an update on Early Middle College and a need to articulate long-term expectations.

Motion carried unanimously.

Motion offered by Mrs. Willson, seconded by Mr. Droppers, that the Board of Education approve Monitoring Report – Policy 2.9, Emergency Superintendent Succession, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared highlights of the Monitoring Report.

Motion carried unanimously.

Motion offered by Mr. Rathburn, seconded by Mrs. Novaria, that the Board of Education approve Monitoring Report – Policy 2.11, Long Term Asset Planning, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared highlights of the Monitoring Report and responded to Trustee questions about planning for Community High School and Curious Kids as well as addressing equity in the Policy.

Motion carried unanimously.

There being no further business to come before the Board, the meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager

SUBJECT:

SUPPORTING PERSONNEL:

ACTION RECOMMENDED:

FUNDING:

Attachments: 1. Portage Planning Commission of May 5, 2016.

PLANNING COMMISSION

May 5, 2016

The City of Portage Planning Commission meeting of May 5, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 25 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the roll: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (not present), Dargitz (yes), Bosch (yeas), Somers (yes) and Schimmel (yes). A motion was offered by Commissioner Dargitz, seconded by Commissioner Schimmel, to approve the roll excusing Commissioner Richmond. The motion was unanimously approved 7-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the April 21, 2016 meeting minutes contained in the agenda packet. A motion was then made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road. Mr. Forth summarized the staff report dated April 29, 2016 regarding the request by Glas Associates to construct the fourth and final phase of the Whispering Meadows single-family residential subdivision. Mr. Forth stated Whispering Meadows No. 4 proposes 15 single family residential lots on approximately 12.78 acres. Mr. Forth indicated the existing 2-story farmhouse and detached garage building located on the property would be relocated to the northwestern portion of the site (0.4 acre parcel) and would be exempted from the plat. In conjunction with the preliminary plat, Mr. Forth stated the applicant was requesting variances from the Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Section 42-804). Mr. Forth summarized the analysis section of the staff report and indicated staff is recommending approval of the preliminary plat, including the requested variances, subject to the three conditions outlined in the April 29, 2016 Department of Community Development report.

Mr. Charlie Glas of Glas Associates (applicant/developer) was present to support the proposed plat. Mr. Glas explained the rationale for the requested variances and thanked staff for their assistance during the review process. Chairman Welch opened the public hearing. There being no public comment, a motion was made by Commissioner Somers, supported by Commissioner Bosch, to close the public hearing. The motion was unanimously approved 7-0.

After a brief discussion, a motion was made by Commissioner Patterson, supported by Commissioner Bosch, to recommend to City Council approval of the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, subject to the three conditions outlined in the Department of Community report dated April 29, 2016 including the requested variances and with a finding that the criteria outlined in Section 42-713 of the Subdivision and Land Division Regulations for issuance of the variances had been satisfied. The motion was unanimously approved 7-0.

2. Preliminary Report; Rezoning Application #15/16-5, 715 West Osterhout Avenue. Mr. Forth summarized the preliminary staff report dated April 29, 2016 regarding a request from Landmark Development Properties LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. Mr. Forth discussed the two-step PD process involving the rezoning/tentative plan review and then the subsequent final/site plan review. Mr. Forth stated the PD rezoning would facilitate construction of 102 single-family detached and attached residential condominium dwellings on approximate 39 acres. Mr. Forth summarized various elements of the proposed tentative plan including access, private street design/layout, sidewalks and walking trails, wetlands and open space preservation, phasing and overall density of the development. Mr. Forth then reviewed the preliminary analysis section of the report including the Comprehensive Plan/Future Land Use Plan designations and the suitability of the existing zoning and impacts of the proposed PD zoning.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) was present to support the rezoning application and explain the planned development project. Mr. Flanagan introduced Mr. Aaron Hovestadt (principal of Landmark Development Properties) and thanked staff for their assistance during the review process. Mr. Flanagan presented a color rendering of the proposed development project and discussed the plans to install a fire sprinkler system within each dwelling unit. Mr. Flanagan discussed the target market of the development (55 years and older, "empty nesters") and reviewed various aspects of the project including access, internal private street network, sidewalks and walking trails, size and square footage of the homes, building materials and energy efficiency features, building setbacks, phasing and development densities, wetlands assessment, storm water management, open space areas and plans to preserve mature trees and natural areas across the property.

The public hearing was opened by Chairman Welch. Two citizens spoke regarding the proposed rezoning: 1) Mr. Elmon Oliver, 951 West Osterhout Avenue and 2) Mr. Mike Davidovich. Mr. Oliver stated he had no objections to the development project and Mr. Davidovich had questions regarding construction traffic. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Schimmel, to adjourn the public hearing for Rezoning Application #15/16-5, 715 West Osterhout Avenue, to the May 19, 2016 meeting. The motion was unanimously approved 7-0.

3. Special Land Use Permit: KEPS Technologies (Verizon antenna collocation), 6301 South Westnedge Avenue. Mr. West summarized the staff report dated April 29, 2016 regarding a request from KEPS Technologies to install three (3) 10-foot tall telecommunication antennas on top of the roof of the existing Verizon Wireless building located at 6301 South Westnedge Avenue. Mr. West stated that Section 42-135.G.I.c of the Wireless Telecommunications Facilities and Towers Ordinance permits placement or collocation of antennas on existing conforming towers, buildings and similar structures. Mr. West indicated the antennas would be slate grey or brush silver in color so as to blend into the existing structure and surroundings and would extend approximately 10-feet above the top of the roof. Mr. West stated the application fulfills the requirements for issuance of a special land use permit and was recommended for approval. Mr. West also referred the Commission to an April 29, 2016 letter from KIN Properties contained in the final agenda packet opposing the antenna collocation.

Ms. Kacey Polisky of ACD.net (applicant representative) was present to support the application and to discuss the need for the additional antennas. Ms. Polisky stated the three antennas, along with other antenna locations planned across the area, were necessary to improve in-building coverage and to reduce the over saturation that was occurring in the Verizon Wireless network. The public hearing was then opened by Chairman Welch. One citizen spoke regard to the proposed special land use permit: Mr. Brandon Ovenhander

(representing Aldi Food Stores, 6291 South Westnedge Avenue). Mr. Ovenhandler spoke in opposition to the proposed antennas citing visual and aesthetic concerns. A motion was made by Commissioner Bosch, seconded by Commissioner Somers, to close the public hearing. The motion was unanimously approved 7-0.

After a brief discussion regarding the height of the antennas, the parapet around the building perimeter and the height of other structures in the area such as parking lot light poles, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the Special Land Use Permit for KEPS Technologies (Verizon antenna colocation), 6301 South Westnedge Avenue. The motion was unanimously approved 7-0.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

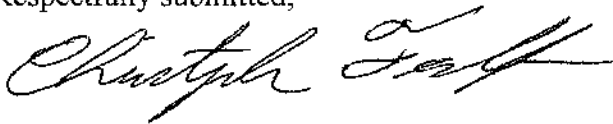
OLD BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher T. Forth". The signature is fluid and cursive, with a large, stylized "C" and "F".

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

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: 2016 - 2017 Local Streets Reconstruction Project - Bid Tabulation

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation & Utilities

ACTION RECOMMENDED: That City Council award a construction contract for the 2016-2017 Local Streets Reconstruction Program to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed \$935,588.80, subject to the adoption of the Fiscal Year 2016-2017 Budget and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The proposed 2016-2017 Capital Improvement Program budget provides funding for the Local Streets Reconstruction Program, which includes the reconstruction of approximately 20 local streets consisting of over four miles. The project entails “complete street” enhancements, connections of existing sidewalk, widening of sub-standard narrow streets, removal and restoration of existing parking areas in non-conformance with city ordinances, storm drainage improvements, Americans with Disabilities Act (ADA) sidewalk ramps, concrete curb radii at non-curb intersections and asphalt resurfacing.

On December 15, 2015, City Council awarded a contract in the amount of \$197,140 to Abonmarche Consultants for the design and construction engineering portion of the project. Project design has been completed and on March 24, 2016 bids for the construction work were received from two contractors, with the low bid submitted by Michigan Paving & Materials Company of Kalamazoo, Michigan in the amount of \$935,588.80. Michigan Paving & Materials has successfully completed many similar projects for the city. If awarded, project construction will begin in July 2016 and be completed in the fall 2016.

Street conditions are rated using a rating system known as Pavement Surface Evaluation and Rating (PASER). The standard breakdown for the PASER ratings with a general description is as follows:

Rating	Description
9-10	Excellent (new pavement)
8	Very Good (little to no maintenance required)
6-7	Good (sound structural condition with crack seal maintenance)
4-5	Fair (candidates for pavement overlay)
3	Poor (needs patching and repair to remove failed areas prior to an overlay)
2	Very Poor (severe deterioration, needs reconstruction with total base repair)

1	Failed (requires total reconstruction)
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On a scale of 1-10, the 20 local streets included in this project have a PASER rating ranging from 2-4, which means they are in poor/fair condition. The reconstruction of these local streets will include spot base repair as needed and provide additional strength with a new asphalt overlay. This project meets standard asset management strategies for these ratings and will return these streets to a 9-10 rating when complete.

Therefore, it is recommended that City Council award a construction contract to Michigan Paving & Materials Company of Kalamazoo, Michigan for the 2016 Local Streets Reconstruction Program in the amount not to exceed \$935,588.80, subject to the adoption of the Fiscal Year 2016-2017 Budget, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are budgeted in the proposed 2016–2017 Capital Improvement Program Local Street Reconstruction fund.

Attachments:

1. Bid Tabulation
2. Local Streets Reconstruction Program Phase II - List of Streets

Bid Tabulation
Local Streets Resurfacing Project Phase II

Bidder

Bid

Michigan Paving & Materials Company
2300 Glendenning Rd.
Kalamazoo, MI 49001

\$935,588.80

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

\$1,014,178.83

2016 Local Street Reconstruction Program – Phase II
(Alphabetical Order*)

Barberry Avenue, South Westnedge Avenue to Dead End
Birchton Avenue, Starbrook Street to Rockford Street
Bittersweet Street, Marigold Avenue to Larkspur Avenue
Carlsbrook Lane, Tamfield Avenue to Dead End
Colchester Avenue, Starbrook Street to Rockford Street
East Melody Avenue, South Westnedge Avenue to Barberry Avenue
Green Forest Drive, Woodland Drive to Winter Forest Drive
Kaylin Court, Kelve Avenue to Dead End
Kelve Avenue, Marfield Street to Leslee Street
Larkspur Avenue, South Westnedge Avenue to Dead End
Leslee Street, Woodland Drive to Sherry Drive
Marfield Street, Woodland Drive to Romence Road
Marigold Avenue, South Westnedge Avenue Tumbleweed Street
Redstock Avenue, Starbrook Street to Rockford Street
Sherry Drive, Marfield Street to Leslee Street
Snowberry Court, Marfield Street to Dead End
Starbrook Street, Schuring Road to Dead End
Tamfield Street, Starbrook Street to Rockford Street
Tumbleweed Street, Barberry Avenue to Larkspur Avenue
Woodland Drive, Starbrook Street to Winter Forest Drive

*Alphabetical order only and does not reflect order to be completed.

TO: Honorable Mayor and City Council

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Temporary/Seasonal Employment Services Contract - Bid Tabulation

SUPPORTING PERSONNEL: Shannon Hertz, Deputy Director of Human Resources

ACTION RECOMMENDED: That City Council award a contract to AccessPoint of Portage, Michigan, to provide temporary and seasonal employment services through fiscal year 2016-2017, in an estimated amount of \$230,165 with the option of three one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The City of Portage uses the services of an employment firm to provide temporary and seasonal laborers and CDL drivers for the Public Services Department. The current contract with OnStaff of Portage, Michigan, will expire on June 30, 2016. A Request for Proposal (RFP), based on the anticipated number of temporary and seasonal employees and the number of hours to be utilized during fiscal year 2016-2017 was prepared and sent to 14 employment service firms and was also advertised in the "Kalamazoo Gazette" and on the city's website. Two local firms, OnStaff and AccessPoint, responded to the RFP. Two other firms called to thank us for our consideration; however, they stated that due to company policy they would be unable to provide CDL licensed employees. The one-year proposal submitted by AccessPoint, in the amount of \$230,165 was the low cost proposal. The tabulation of proposals is attached for the information of Council.

AccessPoint (formerly known as Advanced Employment) has provided temporary, professional and technical services to the area since 1986. Positive references include the Kalamazoo County Road Commission and the Cass County Road Commission.

It is recommended that City Council award a contract to to AccessPoint, of Portage, Michigan, to provide temporary and seasonal employment services through fiscal year 2016-2017, in an estimated amount of \$230,165 with the option of three one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funding has been programmed in the fiscal year 2016-2017 budget for temporary employment services within the Parks, Streets, Leaf Pickup/Spring Cleanup and Fleet & Facilities budgets.

Attachments: 1. Tabulation of Proposals

TABULATION OF PROPOSALS
 TEMPORARY/SEASONAL EMPLOYMENT SERVICES
 CONTRACT PERIOD: JULY 1, 2016 THROUGH JUNE 30, 2017

		AccessPoint 5413 S. Westnedge, Ste B Portage, MI 49002		On Staff USA 5207 Portage Rd. Portage, MI 49002	
<u>Position</u>	<u>Est. Hours</u>	<u>Billing Rate</u>	<u>Total</u>	<u>Billing Rate</u>	<u>Total</u>
<u>Base Rate</u>					
Laborer (employee receives \$10.00/hour)	13,500	\$13.35	\$180,225.00	\$13.75	\$185,625.00
CDL-Class B Laborer (employee receives \$17.38/hour)	2,200	\$22.70	<u>\$49,940.00</u>	\$23.09	<u>\$50,798.00</u>
Total			\$230,165.00		\$236,423.00
 <u>Overtime Rate</u>					
Laborer (employee receives \$15.00/hour)		\$19.43		\$19.75	
CDL-Class B Laborer (employee receives \$26.07/hour)		\$33.37		\$32.33	
 <u>Other Rates</u>					
Additional Hourly Rate if Firm Recruits Employee		\$0.50		\$0.84	
Percentage Mark-Up for Other Positions		31-34%		46%	

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 1, 2016

FROM: John Baumann, Deputy City Assessor



SUBJECT: April 2016 Department Operations Report

The following information summarizes the operations of the City Assessor's Office during April 2016:

- **State Tax Commission Form L-4025:** As required by statute, 2016 forms L-4025 for the City of Portage were completed by the City Assessor's Office and submitted to the Kalamazoo County Equalization Department. This form is the final total of taxable value with Principle Resident Exemptions (PRE – Formerly called Homestead Exemption) by school district. Timely completion and submittal of these forms, therefore, are critical for the adoption of budgets by area taxing entities. Assessed and Taxable Values were final as of April 1st. Principal Residence Exemption status becomes final as of June 1st.
- **Tool & Die Recovery – Renaissance Zone Exemptions**

Public Act 376 of 1996 requires the State of Michigan to reimburse local school districts, ISD's, community colleges and public libraries for property tax revenue lost as a result of property tax exemptions granted to qualified property in a renaissance zone. The City of Portage has three such tool and die related industrial properties that have been granted exemptions by City Council in past years. The 2016 form 3369 requesting reimbursement from the Treasury Department has been filed by the City Assessor's Office.
- **Office Department Book:** Our office has been preparing the 2016 Department Book. This 55 page document consists of numerous reports and summaries which are taken from the Board of Review certified assessment roll, such as tax rate history, residential unit breakdown, apartment building summaries and many other reports that are useful to other departments and the administration.
- **Customer Service:** The staff of the City Assessor's Office provided a high level of customer service during the month of April. Significant taxpayer assistance centered on the principal residence exemption issues due to the June 1st filing deadline for the exemption.

Please contact me if you have any questions concerning the information presented above.

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 20, 2016

FROM: James R. Hudson, City Clerk

SUBJECT: April Monthly Report

PUBLIC INFORMATION AND CITIZEN ASSISTANCE

Completed preparations for Board and Commission Member interviews.

Attended the recent Respecting Differences Presentation.

Coordinated and executed the Annual Greenathon at Celery Flats and attended a meeting of the Portage Public School District Advisory Council.

Coordinated the Freedom of Information Act (FOIA) process, the liquor license procedures, processed Solicitor Permits, and insured all requirements were met. Prepared related communications and sent them to citizens, City Departments and the City Attorney.

Responded to request(s) from Police Department for copies of Police Reports required during an investigation (reports are on microfilm). Performed research for city departments on a variety of topics.

Updated the "Portage City Clerk" segment of the City of Portage website. Provided Notary Public Service to citizens upon request.

Prepared transmittals for documents, resolutions, FOIA responses and recorded documents for City Departments and the City Attorney. Provided help to citizens for over-the-counter requests, including: voter information, guidance to appropriate departments and miscellaneous assistance.

CEMETERIES

Processed six (6) grave openings/closings, including the preparation of invoices and Burial Rights Certificates and entry on the BS&A Cemetery Software module. Researched availability of lots for citizens in conjunction with the Parks Department and assisted with burials.

PUBLICATIONS

Published public and legal notices in the *Kalamazoo Gazette* as necessary for meetings and public hearings.

AGENDA PREPARATION AND FOLLOW-UP

Prepared the Summary and Minutes of the two Regular City Council Meetings, and the Minutes for one Budget Session for distribution to City Council, and uploaded them on the website.

Prepared City Council electronic and paper meeting agenda packets for the April Regular City Council Meetings, Special Committee of the Whole Meetings and Budget Work Sessions. Worked with BoardSync and implemented the video aspect of the agenda management program.

Added approved minutes of all Council meetings to the Document Collection in Clerk's Index as well as Clerk folder on Sharecop for internal research and filed all contracts for the year.

Attended the tree planting ceremony with City Council. Provided follow-up communications, adopted Resolutions and approved Ordinances on items passed by City Council at the April City Council Meetings.

ELECTION PREPARATION AND FOLLOW-UP

Provided training for new Election Officials and Election Chairs and reviewed the polling locations and signage for the May 3, 2016 Special Election.

Coordinated notices, checked ballot proofs, assembled election official kits, programmed and tested e-Poll Book, M-100 and AutoMark voting devices, prepared precinct supply needs and ballot bags, conducted the Private and Public Accuracy Tests, conducted election training for Election Officials, and held two Election Commission Meetings for the May 3, 2016 Special Election.

Continued processing additions, changes, deletions from the QVF In-Box, and continued process of manually recording QVF changes/updates (addresses, DOB, ID numbers, etc.) on in-house Master Voter Cards and filing, and continued the process of printing Master Cards and ID Cards for all new registrations and changes, as indicated.

RECORDS

Updated the City of Portage Code of Ordinances. Coordinated the FOIA research requests, retrieved documents for various departments and assisted with the search and printing of various microfilmed documents.

Administered the microfilming, scanning and destruction of documents contract for the city and reviewed recently scanned and microfilmed documents for completeness and accuracy. Continued implementation of the Michigan State approved citywide revised Document Retention Schedules.

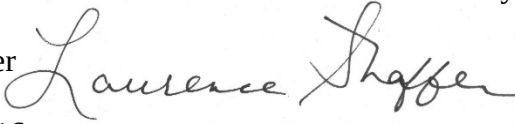
CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: May 2, 2016

FROM: Laurence Shaffer, City Manager



SUBJECT: Monthly Report – April 2016

The following summarizes some of the activities in which staff of the Office of the City Manager were involved during the month of April 2016.

1. City Council:

- Coordinated and/or prepared agenda and other materials for the following meetings:
 - City Council Regular Meetings on April 12 and 26.
 - Pre-Council meetings on April 11 and 25.
 - Budget Review Session #1 on April 19.
 - Committee of the Whole meeting on April 26.

2. Represented the City of Portage in the following activities, among others:

- Met with a resident affected by the Admiral Avenue rezoning on April 5.
- Met with Mayor Pro Tem Ansari on April 2, 21 and 23.
- Met with a resident regarding neighborhood noise concerns on April 5.
- Met with Charlie Glas of Glas Associates on April 6.
- Met with Councilmember Pearson regarding Celery Flats on April 7.
- Attended the Human Services Board meeting on April 7 with regard to the Non-Discrimination Ordinance proposal.
- Met with Blain Lam of Lam and Associates regarding matters of mutual concern on April 8.
- Met with Councilmember Ford on April 8.
- Met with Dr. Monifa Jumanne on April 1 and 8 regarding city activities.
- Met with Noel Corwin of Gorilla Gourmet to discuss food trucks on April 11.
- Met with Bob Randall on April 12.
- Attended the annual contract review meeting for Suez Environmental on April 12.
- Met with Joe Gesmundo on April 13.

- Attended the 2016 Respecting Differences symposium on April 13.
- Attended the Kalamazoo County Consolidated Dispatch Authority meeting on April 14.
- Attended the Southwest Michigan Manager's Meeting on April 19.
- Attended the Southwest Michigan First – First and Foremost event on April 22.
- Met with residents affected by the Admiral Avenue re-zoning on April 22.
- Attended the Annual YAC Green-A-Thon and Garden Lane Water Treatment Facility Open House on April 23.
- Met with Jim Ritsema of the City of Kalamazoo and John Faul of Kalamazoo County for a regular update meeting on April 28.
- Met with Councilmember Ford on April 29.

3. Projects - Completed and Ongoing:

- Continued management and planning for finalizing the 2016-17 FY Budget, as well as initial presentations before City Council.
- Began PPOA/PPCOA pre-negotiation meetings and contract negotiations.
- Met with the UAW leadership team.
- Provided leadership with organization of the 2016 Respecting Differences event. Co-sponsors include: Western Michigan University, Kalamazoo College, Kalamazoo County, City of Kalamazoo and Kalamazoo Community Mental Health.
- Continued implementation of SeeClickFix, the replacement program for the city's ReportIt system.
- Continued oversight of planning, design and construction for various city projects and developments. Toured several locations with current construction projects, including Ramona Park and MLK Drive.
- Consulted with city staff regarding Information Technology projects as well as current Community Development, Finance, Transportation & Utility and Assessing matters.
- Continued training and assistance for the new electronic agenda software with staff and City Council.
- Hosted a new employee orientation on April 28.
- Prepared for the Historic District Commission monthly meeting on April 6.

4. Public Information and Citizen Assistance:

- Coordinated production of the May *Portager* newsletter.
- Continued oversight of the PortageAlert system and notifications for those who registered through the portal for updates. Addressed citizen inquiries following an April 26th alert.
- Coordinated responses to citizen concerns/requests regarding a variety of matters, including the Quarterly Brush Pickup, tall grass and weeds, Spring Cleanup Program information, etc.
- Updated and approved changes to the city website and city publications.

- Provided informational packets on Portage to citizens, realtors and businesses, as requested.
- Continued to collect and monitor Citizen Comment Card responses and submissions to the Online Customer Service Survey.

TO: Laurence Shaffer, City Manager**DATE:** May 13, 2016**FROM:** Vicki Georgeau, ^hDirector of Community Development**SUBJECT:** Monthly Customer Service Report for April 2016

Staff performed research, conducted reviews, and developed recommendations and information necessary for the efficient and effective delivery of community planning and development services, construction permitting and neighborhood programs. All areas involved considerable commitment of staff resources necessary to ensure appropriate customer service, the protection of the public health, safety and welfare and the provision of community development programs. These services were provided together with processing and responding to citizen information requests performed on a continuous basis.

PLANNING, DEVELOPMENT AND NEIGHBORHOOD SERVICESPlanning Commission

April 7, 2016 meeting:

1. Approved a Specific (Site) Plan for Wal-Mart, supercenter expansion and fueling station, at 8350 Shaver Road.
2. Reviewed the Portage Road Diet Study.
3. Recommended draft FY 2016-2017 Goals and Objectives.

April 21, 2016 meeting:

1. Discussed a proposal to develop a Community Impact Projects Grant Fund.
2. Recommended FY 2016-2017 Goals and Objectives.

Zoning Board of Appeals

April 11, 2016 meeting:

1. Postponed action on a variance request to retain a partially constructed 58-foot by 19-foot (1,102 sq. ft.) two story accessory building in the rear (south) yard that is 19.5 feet in height where a maximum 14-foot height is permitted.
2. Approved a variance to retain an approximate 8,400 square foot building addition along the west side of the existing Bickford Cottage facility to within 10-feet of the west property line (side yard) where a 30-foot setback is required at 4707 West Milham Avenue.
3. Approved a Temporary Use Permit to operate a mobile food truck at 7540 South Westnedge Avenue from April 12 – June 5, 2016 and July 7 – October 12, 2016 for Ol' Moose BBQ.
4. Approved a Temporary Use Permit to allow outdoor wood product and accessory building sales from April 29 – October 29, 2016 and April 29 – October 29, 2017 for Meyer Wood Products, at 7518 South Westnedge Avenue.
5. Denied a variance to construct a 12-foot by 14-foot three season porch 28 feet from the south (rear) property line where a minimum 40-foot setback is required at 4580 Caribou Street.

6. Approved variances to reconstruct a historic accessory building at 3221 West Milham Avenue that is a) up to 1,200 square feet in area, which will accommodate a 24-foot by 50-foot building, and b) up to 18 feet in height where a maximum 14-foot building height is permitted, conditioned upon completing deconstruction of the barn within 120 days.
7. Approved a Temporary Use Permit to operate an outdoor barbecue grill at 5331 South Sprinkle Road from April 25 – October 25, 2016 for Jimmie's BBQ.
8. Approved a variance to construct a vestibule for Comerica Bank 25 feet from the west (front) property line where a minimum 30-foot setback is required at 7941 South Westledge Avenue.
9. Denied: a) a favorable interpretation that a medical marihuana patient-caregiver exchange is permitted at 8314 Portage Road; and b) a use variance to operate a medical marihuana patient-caregiver exchange at 8314 Portage Road.
10. Denied: a) a favorable interpretation that a medical marihuana patient-caregiver exchange is permitted at 5090/5092 Sprinkle Road; and b) an appeal of the administrative decision to not permit a medical marihuana patient-caregiver exchange at 5090/5092 Sprinkle Road; and c) a use variance to operate a medical marihuana patient-caregiver exchange at 5090/5092 Sprinkle Road; and d) a Temporary Use Permit to operate a medical marihuana patient-caregiver exchange at 5090/5092 Sprinkle Road.

Human Services Board

April 7, 2016 meeting:

1. The Board held a public hearing on the 2016-2020 Consolidated Plan and FY 2016-17 Annual Action Plan for the CDBG Program.
2. The Board review the draft Non-Discrimination Ordinance.

OTHER BOARD ACTIVITIES

- Local Development Finance Authority - The Authority did not meet in April 2016.
- Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority - The Authority did not meet in April 2016.
- Downtown Development Authority - The Authority did not meet in April 2016.

Citizen Information Requests:

During the month of April 2016, a total of 188 cases/violations were inspected or identified in response to citizen service requests or staff field observations: 40 debris/refuse, 38 parking; 29 property maintenance; 24 building maintenance; 20 inoperable vehicles; 18 tall grass/weeds; 10 signs; 5 zoning; 2 safety, sanitation and health; 1 housing maintenance and 1 sidewalk obstruction.

BUILDING AND HOUSING SERVICES

Construction Board of Appeals: The Board did not meet in April 2016.

Issued permits and conducted required building, electrical, plumbing and mechanical inspections to ensure compliance with local codes/ordinances. The following list shows major permits:

Type of Permit/Application	Number of Permits	Project Valuations
Single-family Houses Detached	4	\$1,012,758
Residential Additions, Interior Remodels, Garages, Sheds, etc.	44	\$336,640
Commercial Additions, Interior Remodels, etc.	4	\$1,977,431

Type of Permit/Application	Number of Permits	Project Valuations
Permits Not on Report (i.e., demolition, electrical, plumbing, mechanical, driveway, sign, water use/sewer use, etc.).	129	N/A
Totals	181	\$3,326,829

CDBG Housing Assistance Programs

CDBG PROGRAMS				
Activity	Housing Rehabilitation	Water / Sewer	Emergency Repair	Down Payment Assistance
New Applications	0	0	1	1
Applications Approved	0	0	0	1
Loan Closings	4	0	N/A	1
Monthly Projects Completed	1	0	0	0
Projects Underway	6	0	0	0
FY YTD Projects Completed	6	0	0	1

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 12, 2016

FROM: William Furry, Director of Finance

wkf

SUBJECT: Monthly Report-April 2016

ACCOUNTING & PAYROLL

- Issued 273 accounts payable checks totaling \$700,829.88 and 106 vendor payments by ACH totaling \$509,307.04 for a total expenditure of \$1,210,136.92.
- Prepared quarter-end financial reports for Community Development Block Grant (CDBG) for approval by Community Development department. Federal reports were also prepared and filed, and drawdown of funds completed.
- Processed 2 payrolls, creating 479 checks and deposit advices for 235 employees, with a total monthly payroll expenditure of \$940,523.80.
- Calculated and submitted first quarter unemployment insurance contribution.
- Began final phase of ADP Enhanced Time rollout to city employees. Dual entry of paper time cards and electronic system for 4 weeks prior to switch over to electronic system only scheduled for May.
- Held additional ADP Manager training session with Police Department Command Officers to resolve issues and answer their questions.
- Attended City Council Budget Work Sessions.
- Met with representatives from PNC Bank about opening a “supplemental” bank account to provide easily accessible night deposit options for Ramona Park and Millennium Park Ice Rink, and to provide bank branch access to City staff for cashing of petty cash checks and making cash deposits, services no longer provided to the City by the primary bank, Chase.

TREASURY

- April 6, 2016 marked one year since the start of credit/debit card and electronic check payment acceptance at the Treasury window. Stats for the first year of taking credit cards through Point & Pay -
 - Total credit/debit cards - 5,063 transactions for \$1,302,194.53 paid to the City with \$32,728.80 of convenience fee paid to Point & Pay;
 - Total electronic checks - 334 transactions for \$261,337.56 paid to the City with \$1,023.00 of convenience fee paid
 - Credit/debit card payments over the counter only – 1,069 transactions for \$276,519.35 paid to the City with \$7,556.32 of convenience fee paid.
- Treasury staff continued monthly meetings with Transportation & Utilities and SUEZ Staff to resolve issues.
- Treasury staff attended scheduled HMP training sessions.

- Treasury Supervisor attended quarterly Kalamazoo County Treasurer's meeting.
- Treasury Supervisor participated with Community Development and Finance staff members in conference call with BS&A regarding Deferred and Low Interest Loan module setup.
- Reviewed delinquent business personal tax accounts for possible litigation. After sending out notices the first part of April, the April 2016 delinquent personal property tax collections totaled \$9,050.99.
- Prepared and issued the following utility billing statements:
 - 5,573 regular quarterly bills (cycles 1 and 4)
 - 5 off-cycle and 135 final bills (all cycles)
- Prepared and issued the following utility billing delinquency notices:
 - 637 delinquent notices (cycle 3)
 - 381 shut-off notices (cycle 3)
 - 38 delinquent final notices (all cycles) for customers with inactive accounts.
- Shut off the water service for 47 customers due to non-payment on April 27, 2016.
- Processed 283 requests to initiate or terminate water and sewer service.
- Staff handled 1,103 phone calls during April 2016. Since July 1, 2015, 11,328 phone calls have been processed, averaging 53 per business day.
- During April 2016 staff worked with 104 customers at the Treasury counter to whom receipts were not issued. On average, staff works with 6 such customers each day.
- Printed 44 miscellaneous receivable statements.

FINANCE & BUDGET

- Reviewed proposed budget book proof received from the printer. Worked with the Assistant to the City Manager to make final changes.
- Prepared and delivered proposed budget book and budget line item detail packages for April 12, 2016 distribution to City Council.
- Generated and compiled Council Work Session documents (proposed budget book pages, BS&A summary and detailed reports) for department heads.
- Met with Budget Team and Department Heads to prepare for one Council Work Session for the city 2016-2017 budget.
- Participated in Council Budget Review Session held on April 19th for the proposed FY 2016-2017 budget.
- Prepared the annual METRO revenue report and emailed it to the State of Michigan.
- Cashed in maturing investments, analyzed cash position and reinvested excess funds with Raymond James and Morgan Stanley.
- Prepared monthly investment scorecard, input investment activity and balances into SymPro software and generated monthly SymPro reports for the investment committee.
- Worked with BS&A on finance questions and issues.

BENEFITS & COMPENSATION

- Continued to monitor, research, and implement requirements of the Affordable Care Act (ACA).
- Continued to track city share of health insurance premium limits as provided for by PA-152.
- Calculated health insurance taxes and fees required under the ACA.
- Calculated and approved monthly payments for employee fringe benefit plans (medical, vision, dental, life and long-term disability insurance, flexible spending accounts, pension contributions, etc.).
- Conducted meeting with Kushner & Company regarding FSA plan administration.
- Continued to administer Defined Benefit Plan, including locating and coordinating benefit payments for terminated vested participants.
- Completed establishment of ICMA-RC Guided Pathways® Managed Accounts Services for 401(a) Plans and 457 Plan.
- Completed establishment of Roth IRA to complement current 457 Plan and communicated to employees.
- Administered contractual wage adjustments per applicable labor agreements.
- Administered contractual bonus payments per applicable labor agreements.
- Responded to various employment verifications for employees.

WORKERS' COMPENSATION

- Continued with aggressive case management on a number of work related injury claims. Special attention continues to be directed toward high reserve cases. Focus also directed toward lost-time cases with emphasis placed on returning employees to restricted duty assignments.
- Continued to assist supervisory personnel with employees in restricted duty assignments.
- Provided direction to third party administrator in regard to workers' compensation claims.
- Updated the OSHA 300 Log.

05/11/2016

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 04/30/2016

TOTAL EXPENDITURES BY FUND		2015-16	2015-16	2015-16	Percent
FUND	DESCRIPTION	ORIGINAL BUDGET	AMENDED BUDGET	ACTIVITY THRU 04/30/16	Used
101	General Fund	25,234,419	28,871,379	22,198,835	77%
202	Major Street Fund	3,298,988	3,467,176	2,718,584	78%
203	Local Streets Fund	1,195,742	1,690,116	1,355,094	80%
223	Curbside Recycling Fund	684,225	690,025	523,053	76%
226	Leaf Pickup / Spring Cleanup Fund	717,806	741,771	468,434	63%
230	CDBG Program Income Fund	135,000	135,000	93,217	69%
252	West Lake Weed Mgt	40,000	46,027	3,000	7%
296	Community Development Block Grant	221,442	221,442	174,833	79%
298	Cable Television Fund	882,083	913,440	548,981	60%
400	CIP General	12,224,000	16,716,475	7,935,956	47%
490	Sewer CIP	1,190,000	2,771,329	1,020,193	37%
491	Water CIP	590,000	3,824,220	795,804	21%
590	Sewer Fund	7,844,078	8,079,894	5,029,496	62%
591	Water Fund	5,123,687	5,399,187	4,370,384	81%

Debt service and Internal service funds not shown

TO: Laurence Shaffer, City Manager

DATE: May 16, 2016

FROM: Shannon Hertz, Deputy Director Human Resources 

SUBJECT: Human Resources Department Monthly Report – April 2016

RECRUITING

The following positions were filled in April:

- Deputy Director Human Resources
- Summer Engineering Interns (2)
- Park Ranger (PT)
- Sr. Park Ranger (PT)

The following positions have candidates identified:

- Dispatch/Radio Operators (4 in backgrounds)
- Police Reserve Officers (7 in backgrounds)
- Police Officer (PT)
- Summer Engineering Intern (1)
- Ramona Park Supervisors (3)
- Seasonal Recreation Attendants (2)
- Lifeguards/Senior Lifeguards (6)
- Senior Center Building Coordinator (PT) (2)
- Firefighter Intern (1)

The following positions are open and/or recruitment efforts are ongoing:

- Director of Human Resources
- Lifeguards/Senior Lifeguards (2)
- On-Call Firefighters
- Police Officers (3)

Employment applications, assessments and recruitment activities:

43	Applications processed and screened
18	In person and phone interviews conducted
0	Testing and other assessments conducted

SAFETY, TRAINING AND DEVELOPMENT

April activities to promote the education, development, training and safety of employees included the following:

- Randomly tested 3 participants for drug testing program.
- Conducted On-boarding for 4 new employees.
- Coordinated city-wide orientation for 4 new employees.
- Coordinated 2016 Respecting Differences presentation “Bridging the Generational Divide” By Scott Zimmer with 55 employees in attendance.

HEALTH MANAGEMENT PROGRAM

- Continued to administer Health Management Program (HMP) for Department Head, Non-Union, PPCOA, PPOA and UAW employee groups.
- Conducted HMP Training Session #1 – Functional Medicine presented by Borgess CorpFit.
- Held HMP Special Event #5.

BENEFITS

- Provided benefit consultation to employees terminating, retiring and beginning employment.
- Assisted employees and retirees with various benefit matters, including claim resolution and dependent eligibility.
- Processed benefit changes as necessary, including calculation and submission of payroll deductions including changes made during open enrollment.
- Issued retiree health insurance invoices to 8 retirees and 2 unions.
- Monitored Flexible Spending Account (FSA) reimbursements processed by Kushner & Company for 25 participants for the 2016-2017 plan year.
- Performed administrative requirements to meet legal compliance in regard to the Family Medical Leave Act (FMLA). Processed 19 notifications for employees.
- Performed administrative requirements to meet legal compliance in regards to the Consolidated Omnibus Budget Reconciliation Act (COBRA) for 1 COBRA participant.
- Documented and monitored sick leave usage.

ELECTIONS

- Coordinated placement of 95 employees for May’s Special Election
- Coordinated New Worker Training for 10 new Election Workers and on-boarded them
- Coordinated training for 45 returning Election Workers
- Gathered and coordinated feedback from 20 Chairs and 18 Assistant Chairs regarding March Election along with other various poll workers

TO: Laurence Shaffer, City Manager**DATE:** April 15, 2016**FROM:** Kendall Klingelsmith, CPRP, Director of Parks, Recreation and Senior Citizen Services

KL

SUBJECT: Monthly Operations Report for March 2016**PARKS & RECREATION:****PARK RESERVATIONS**

Stuart Manor

3

Schrier Park

2

Total: 5

SENIOR CITIZEN SERVICES:**ATTENDANCE AND ACTIVITIES**

Total participations for the month of March were 2,372.

MEMBERSHIP

Total active memberships for the month of March were 1,280. There were 15 new members who signed up in March, and 94 membership renewals.

VOLUNTEERISM

Total numbers of PSC volunteer hours for March were 1,831 representing the contributions of 153 volunteers whose combined work is valued at over \$39,730.

MARCH PROGRAM HIGHLIGHTS

- The annual weekly “Garden Talks” series, offered in partnership with Schram’s Greenhouses started in March and will run into April.
- St. Patrick’s Day lunch was held on March 17, with the food provided by the culinary team at MediLodge of Portage with 40 attendees.
- Casino excursions continue to be popular with the PSC membership. On March 22, two busses with a total of 90 people traveled to Four Winds Casino in New Buffalo.
- The first-ever “New Member Meet & Eat” was held on March 10, with 41 attending.

TRAVEL PROGRAM

- Total Participation for travel was 43. March trips were Thirsty Village Tour and Local Treasures.

FUNDRAISING

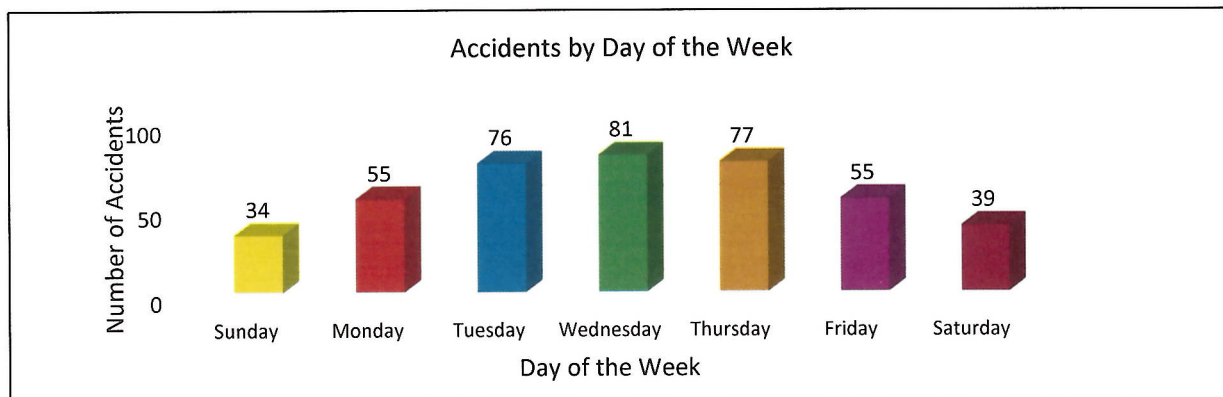
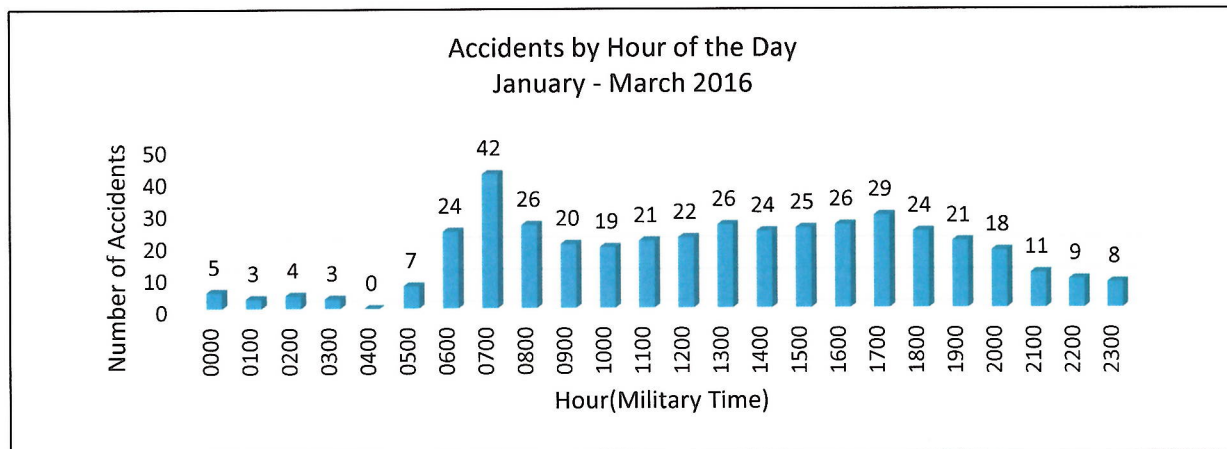
Income for the month of March was \$2,720 and includes transportation donations, memberships, fundraising and rentals.

OTHER SENIOR CENTER HIGHLIGHTS

- Thanks to the generous support of the Friends of the Portage Senior Center, updates were made to both PSC restrooms. This included stripping of old wallpaper, new coat of paint, and cleaning & resealing the tile floors.
- PSC staff has made an effort to more fully utilize the MySeniorCenter database and go as “paperless” as possible at the Reception Desk. This streamlines the process used to register customers for programs and events. It also allows for more timely and accurate reporting.

TO: Laurence Shaffer, City Manager**DATE:** May 23, 2016**FROM:** Richard J. White, Public Safety Director – Police/Fire Chief *RW***SUBJECT:** Monthly Report for April 2016

To effectively allocate resources, the Department of Public Safety-Police Division conducts traffic analyses quarterly. The purpose of the analyses is to determine where selective enforcement is needed to increase the safety of drivers, pedestrians, and bicyclists. Officers are deployed to areas identified as having high incidents of traffic crashes or traffic problem areas. During the months of January – March 2016, 417 traffic crashes were reported, with the most common intersections for traffic crashes being S. Westnedge Avenue at Romence Road and S. Westnedge Avenue at the I-94 interchange. The most common causation for traffic crashes was Failure to Stop within an Assured Clear Distance, Speed Too Fast for Conditions, and Failure to Yield Right-of-Way. Also included in the analysis is the hour of the day when most accidents occur (see graph below).



POLICE DIVISION STATISTICAL SUMMARY

Police Incidents Dispatched:	1,670
Fire Incidents Dispatched:	407
Gun Registrations:	140
Warrants Obtained:	101
Expressway Incidents Handled:	92
9-1-1 Calls Received	2,307

ARRESTS

Total Adult Arrests: 315

Major Charges:

Aggravated/Felonious Assault-Family
Identity Theft
Resisting Officer
Operating While Intoxicated Causing Serious Injury

Total Juvenile Arrests: 19

Major Charges:

Burglary-Forced Entry of Residence
Assault & Battery
Resisting Officer
Carrying a Concealed Weapon

MARCH CRIME STATISTICS

Violent Crimes:	75
Non-Violent Crimes:	322

Reported Crimes - March 2016 Compared to March 2015:

Part I Crimes:	-11.1%
Part II Crimes:	-20.1%

Year-to-Date Comparison:

Part I & II Crimes Total YTD: -13.5%

TRAINING

Topics: Social Networking Investigations
Elder Abuse Conference
Surveillance Training
Night Vision Operators

VOLUNTEER HOURS

April:	106
YTD:	399

EMPLOYEES INJURED

April:	1
YTD:	7

FIRE DIVISION STATISTICAL SUMMARY

Calls for Service		Count
Fire		10
Overpressure Rupture		9
Rescue & Emergency Medical Service Incident		209
Hazardous Condition (No Fire)		9
Service Call		46
Good Intent		92
False Alarm and False Call		31
Special Incident Type		1
Total Calls		407
Total Property Loss		\$29,550.00

Inspections		Count
Annual Attempt & Inspection		272
Reinspection Attempt & Inspection		24
Key Box		3
Fire Protection Inspection/Plan Review		4
Plan Review		10
Campfire Permit and Inspection		15
Final or Move-in		2
FOIA		3
Other		17

Auto/Mutual Aid		Count
Mutual Aid Received - Comstock		1
Automatic Aid Received - KDPS		1
Mutual Aid Received - Texas Twp.		1
Automatic Aid Received - Oshtemo		2
Mutual Aid Given - Oshtemo		1
Mutual Aid Received - South County		3
Mutual Aid Given - South County		1

Public Education	Adult	Child
Car Seats	27	4
Station Tour	5	10
Spring Clean-up Schools	33	532
		Installed
Smoke Detectors		0
Car Seats		24

Training		Count
Confined Space Awareness		8
SCBA - Air Management		19
Patient Packaging		10
Drivers Training - Range		27
Live Fire Training		36
EMS - Vital Signs and Pediatrics		36

APRIL SIGNIFICANT EVENTS

Three Portage residents reported possible contractor fraud. They had paid a construction company to have work completed on their residences; however, the work was never completed. The victims were unable to make contact with anybody at the construction company. One of the victims suffered a loss of \$8,500. Detectives determined that similar fraud was occurring throughout southwest Michigan. The Michigan State Police Fraud Team is continuing the investigation into the fraud crimes committed by the suspect company.

Fire units were dispatched for a subject who was overcome by anhydrous ammonia. Upon arrival, firefighters determined there was no additional hazard to the building, environment, or community. Two of the three workers at the facility were decontaminated by fire personnel prior to being transported by Life EMS to a hospital. Both patients were stable with minor respiratory distress when transported. The Michigan State Police was notified of the incident.

Portage Police and Fire units were dispatched to an injury accident on U.S. 131, south of Centre Street. A Ford pickup truck had left the roadway and rolled multiple times into a wooded area. The truck was still running as rescue units arrived, with the driver lying across the front seat. Firefighters used hydraulic tools to open the passenger side door and remove the patient. CPR was initiated. The driver and lone occupant of the vehicle, a 58-year-old Ravenna, Michigan man, was transported to a hospital, where he later died of his injuries. The cause of the accident remains under investigation.

A Portage bank notified the Portage Department of Public Safety of a subject fraudulently using another customer's identity to obtain money. The bank had previously been alerted by a Kalamazoo branch as to the subject attempting a similar fraud. Officers responded and apprehended the subject. The subject was later identified as being part of a larger network of fraud suspects from the Chicago area. This investigation is continuing.

The Portage Department of Public Safety received reports from residents at senior communities stating that someone had attempted to get their personal and banking information. Some of the victims would receive a phone call advising them that their credit card number was fraudulently being used. The caller would then tell them that a police officer would come to get their credit card, and eventually bring them a new one. Other victims reported that a female knocked on their door and identified herself as a representative of a bank. The suspect told the victim that her credit card had been fraudulently used and she was there to assist her in getting a new credit card number. Upon investigation, detectives subsequently identified the suspect and determined she had committed similar crimes in Kalamazoo. The suspect was arrested; seven charges against the suspect were authorized by the Kalamazoo County Prosecuting Attorney's Office.

South County Fire Authority requested Portage Fire assist with a house fire in Vicksburg. It was reported that the residents were still inside. Portage Fire responded immediately and assisted with suppression of the fire.



Portage Police and Fire units were dispatched to an injury accident on U.S. 131. A Subaru passenger car was traveling southbound on US 131, slowing down for construction, when it was struck from the rear by a Honda Civic. The crash forced both vehicles off the roadway, with the Subaru coming to rest in the median and the Honda continuing across both lanes of northbound US 131 and stopping on the shoulder of the roadway. The driver of the Subaru was uninjured; however, the driver of the Honda sustained serious

injuries when his leg had been pinned underneath the dashboard. Fire crews worked to remove the plastic and metal from around the patient's knee, which had been impaled in three conflicting locations. Extrication took approximately 25 minutes. The patient was removed from the vehicle on a backboard and was transported to a hospital for further medical attention.

Fire units responded to a Portage restaurant regarding an unresponsive female who had suffered cardiac arrest. Portage Fire assisted Life EMS with rescue efforts. The patient's pulse was regained, and she began breathing on her own. She was transported to the hospital and later released after receiving a pacemaker and internal defibrillator.

On April 26, 2016 at 8:15 a.m., and again at 10:17 a.m., the Portage Department of Public Safety received calls indicating that possible gunshots were heard in the area of Isabelle Street, Robinswood Street, and Angling Road. Several public schools began lock-up procedures until the areas were cleared. Officers were unable to locate the origin of the possible gunshots. However, construction and some power outages in the area may have been related.

SPECIAL ACTIVITIES



On April 21 and 22, 11th and 12th grade students at Portage Central High School participated in "pre-prom" alcohol awareness activities. The students wore "fatal vision goggles" while trying to complete an obstacle course, pass field sobriety testing, and drive the

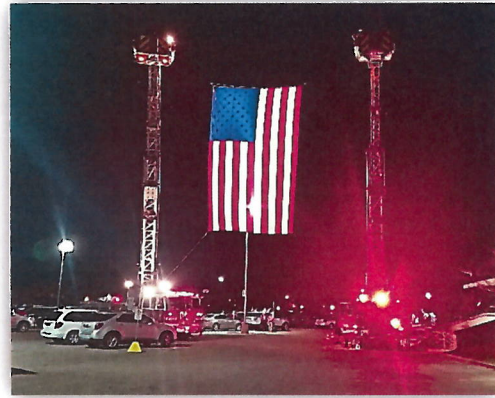
GEM car (Global Electric Motorcar) through a cone course.



A mock accident scenario was also presented. Many businesses assisted the Portage Department of Public Safety Police and Fire, including Life EMS, Langeland Funeral Home, McDonald's Towing, the Medical Examiner's Office, and Western Michigan University School of Medicine. During the mock accident, students saw firsthand what could happen if they make the choice to drink and drive.

The Portage Department of Public Safety Fire Division represented the City of Portage at the “Talons Out” ceremony on April 23. This event recognizes veterans who served our country in World War II and flies them to the war memorial in Washington DC. The veterans are then flown back to AZO and given a hero’s welcome at Wings Stadium.

RJW:JMH;jh



TO: Laurence Shaffer, City Manager

DATE: May 13, 2016

FROM: Rod Russell, Director of Public Services



SUBJECT: Monthly Operations Report for April 2016

STREET MAINTENANCE ACTIVITIES

- Removed 4.0 inches of snow from major and local streets
- Repaired mailboxes damaged from snow removal operations
- Provided mechanic support for the DPS Fleet Division
- Replaced damaged or faded street signs
- Performed interior & exterior modifications to the Ramona beach house
- Durapatched potholes located on the major & local street systems
- Hauled repaired picnic tables to the parks
- Picked up roadside debris at several locations
- Repaired lawn damage from snow removal and brush pickup operations
- Repaired lawns from spring stump grinding locations
- Removed curb markers for winter maintenance
- Removed 3,201 cubic yards of brush and 611 cubic yards of bagged leaves with the Quarterly Brush and Bagged Leaf Pickup Program
- Removed 951 cubic yards of household trash with the Spring Cleanup Program
- Requested irrigation services to be turned on for boulevard irrigation systems
- Requested and received quotes for guardrail repair at 3 locations
- Transported front plows to various schools for Portage Public Schools first “Paint the Plow” program
- Conducted mini-excavator and track steer equipment training
- Conducted spring/summer safety training for DPS crews on 4/1/16
- Removed and replaced a section of cracked concrete from the Oakland Drive Park tennis court
- Repaired a storm water drainage structure & broken curbing on S. Westnedge
- Hired a contractor to repair a red brick wall at Shaver & W. Centre
- Supported the Transportation & Utility Department with construction signage for M.L. King & Portage Road
- Supported the Fire Department with confined space training on the DPS north parking lot
- Supported the Autism walk at Celery Flats Historic Area on 4/16/16
- Supported the Green-A-Thon at Celery Flats Historic Area on 4/23/16
- Supported the Moorsbridge neighborhood garage sales on 4/23/16

Weekly Curbside Recycling Program - The following summarizes total weights of recyclable materials collected during the month of April 2016 as well as Fiscal Year-to-Date totals:

**WEEKLY CURBSIDE RECYCLING PROGRAM COLLECTION SUMMARY
 TOTAL WEIGHT OF RECYCLABLE MATERIALS COLLECTED**

Date	Fiber Collected (tons) (Paper/Cardboard)	Rigids Collected (tons) (Glass/Plastics)	Single Stream Recycling (tons)	Totals (tons)
April 2016	0	0	206.91	206.91
FY 2015-16	161.25	73.9		1,688.32

Note: There were 22 new requests for recycling services in the month of April.

HOUSEHOLD HAZARDOUS WASTE PROGRAM – The following tables shows the number of residents that disposed items at the Kalamazoo County Household Hazardous Waste Facility at 1301 Lamont Avenue.

**Household Hazardous Waste Participants
 From 2008 through March 2016**

PORTAGE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year End Total
2008	53	43	58	135	138	116	147	63	84	117	89	47	1090
2009	63	70	94	142	121	143	173	107	118	126	128	73	1358
2010	68	48	107	208	192	147	165	131	119	157	152	72	1566
2011	78	59	145	102	171	198	145	124	125	131	151	93	1522
2012	93	93	117	124	158	168	141	135	130	156	152	104	1571
2013	109	66	90	156	232	162	200	130	149	178	170	86	1728
2014	97	70	86	220	256	219	264	182	174	226	134	101	2029
2015	117	91	118	186	212	280	276	192	210	226	205	174	2287
2016	134	94	211									0	439
TOTAL	812	634	1026	1273	1480	1433	1511	1064	1109	1317	1181	750	13590

PARKS MAINTENANCE ACTIVITIES

- Supported 6 burials in the cemeteries
- Install head stone foundations in the cemeteries
- Removed 4.0 inches of snow from city parking lots and driveways
- Ensured entrances to city buildings were free of ice and snow
- Removed trash and debris from cemeteries, parks and car pool lots
- Repaired inoperable lights in the parks
- Repaired damage split rail fencing in the parks
- Prepared restroom facilities and drinking fountains for water turn on
- Prepared irrigation systems for water turn on

- Removed debris from the tennis courts
- Installed soccer, volleyball, and tennis nets
- Removed debris on the trail system
- Prepared the softball fields for league practices and 3 tournaments
- Prepared mowing routes by removing trash, limbs, and fixed turf lawn areas
- Prepared flower beds for spring planting
- Repaired damaged boards on park benches
- Cleaned park shelters
- Replaced signage at South Westledge Skate Park
- Prepared rental facilities for upcoming parties and a wedding
- Commenced seasonal mowing
- Installed parking lot concrete bumpers at Lexington Green Park
- Prepared an area at City Hall for the Tree City Celebration tree planting on 4/26/16
- Hired a contractor to clean all park restrooms prior to 5/1/16 opening
- Hired a contractor to power wash Millennium Park pond
- Hired a contractor to repair Millennium Park pond recirculating pump
- Hired a contractor to paint Millennium Park doors, benches and railings
- Supported the Autism walk at Celery Flats Historic Area on 4/16/16
- Supported the Green-A-Thon at Celery Flats Historic Area on 4/23/16

FLEET & FACILITIES DIVISION

The Fleet & Facilities Division generated 134 work orders for the month of April 2016. A total of \$10,658.98 was spent on billable labor hours while the parts costs were \$8,677.43. The outside contracted work was \$2,051.35.

April 2016	April 2015	
134	104	Work Orders
\$8,677.43	\$10,392.16	Parts Cost
\$10,658.98	\$15,130.14	Labor Cost
18	21	Preventative Maintenance (P.M.) Work Orders Completed
\$119.60	\$107.06	Average Cost per P.M
\$2,152.84	\$2,248.37	Total P.M. Cost
\$0.00	\$0.00	Contracted Repairs-Body & Painting
\$2,051.35	\$2,501.12	Contracted Repairs (Not Including Body & Paint)
\$1,356.90	\$2,511.42	Building Renovations

BUILDING MAINTENANCE

1. Custodial Operations
2. City Hall, Police, and Senior Center support services

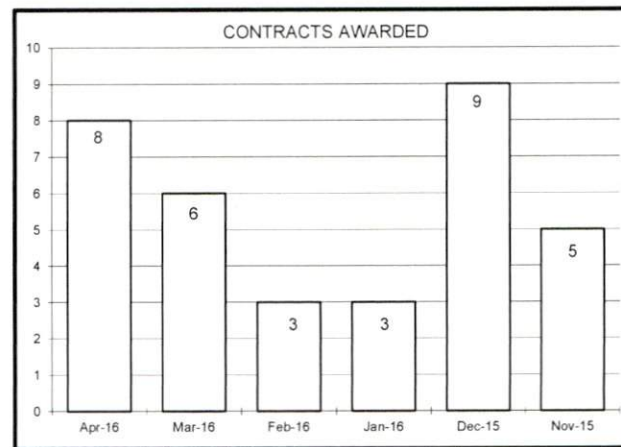
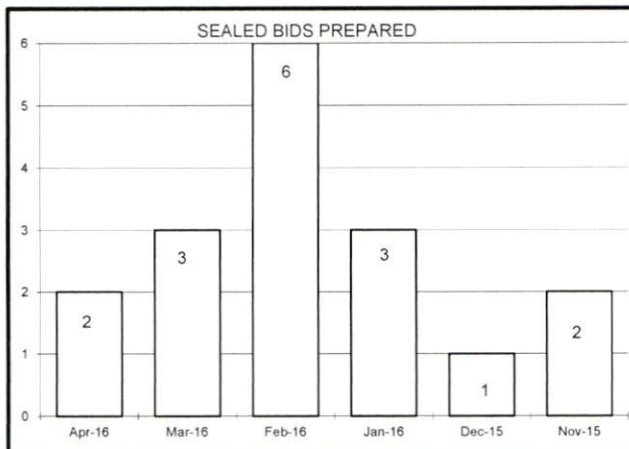
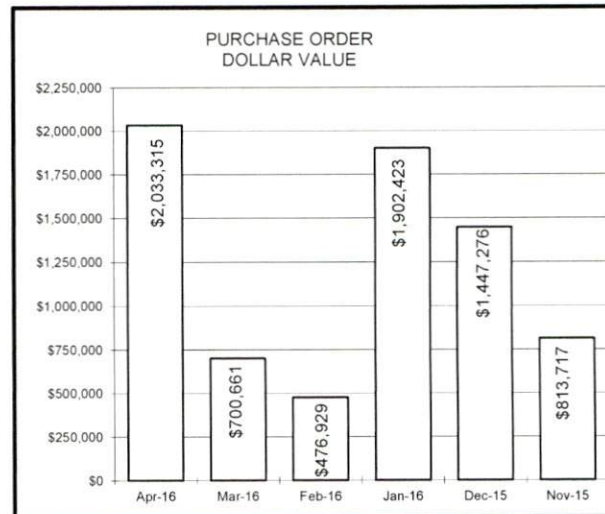
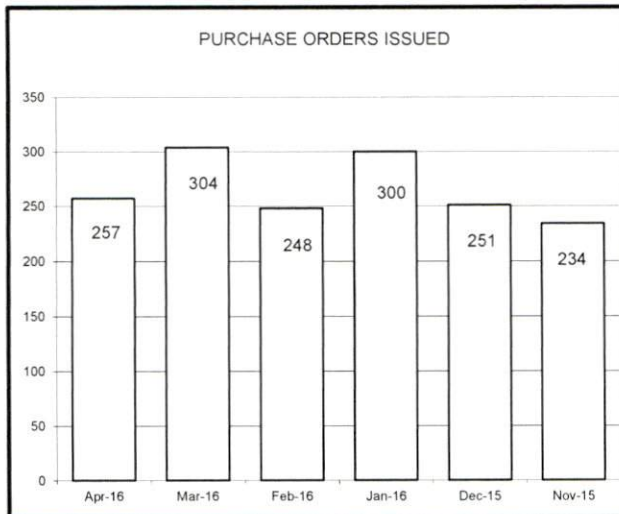
TO: Laurence Shaffer, City Manager

DATE: May 2, 2016

FROM: Rob Boulis, Deputy City Manager



SUBJECT: Purchasing Monthly Report - April 2016



SEALED BIDS OPENED / CONTRACTS AWARDED

2016 Local Streets Reconstruction
 South Shore Drive Sanitary Sewer Construction
 Scott Breathing Air System
 Police Division vehicle Maintenance
 Maintenance of Fire Emergency Apparatus
 Firefighter Physicals
 Traffic Signal Poles
 Independent Financial Audit
 Temporary/Seasonal Employees
 2016 Street Paving Phase II

SEALED BIDS PREPARED

Temporary/Seasonal Employees
 Food Truck Concessionaire

- Five new claims were filed with MMRMA, six claims were settled.
- Purchasing staff added 19 new vendors to the purchasing software vendor file.

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 11, 2016

FROM: Devin Mackinder, Director of Technology Services & Community Marketing



SUBJECT: Department Monthly Report – April, 2016

The following summarizes some of the public information and technology activities for the month of April.

Cable Access

Continued administration of the Cable Communications Franchise Agreement with Charter Communications, AT&T and the Cable Television Access Agreement with Public Media Network:

Significant Activities:

- Continued taping various special programs (HMP, PSI, Lunch & Learn, etc.)
- Continued working with Director Haasch on emergency broadcast protocols
- Several audio/video issues continue. Continue working with PMN to resolve

Internet/Intranet Web Site

Continued with daily updates to city Internet and Intranet web sites as well as preparing for future updates and upgrades and compiling monthly statistics.

Significant Activities:

- Researching municipal website development vendors for updating the city internet/intranet sites to make them more user/mobile friendly.

Telecommunications

- Continued working on the Fibertech ROW permit process
- Began reviewing the Network Utility Authority request

Contract Administration

- Began Symantec anti-virus renewal
- Began Solarwinds network performance renewal

Information Technology

Continued with several technology projects, supervising Technology Services Department staff and researching new technology opportunities that work toward city goals of providing efficient and cost-effective services.

Significant Activities:

- Continued working with the City of Kalamazoo and CTS Telecom to install a fiber run between the two City IT networks
- Continued PortageAlert mass notification system for emergency initiatives
- Completed installation of Wi-Fi at Celery Flats
- Continued updating the Firehouse application to .net
- Continued researching city website rebuild vendors
- Continued investigating options for upgrading the inadequate decades-old multi-mode fiber ring
- Continued implementation of the ADP time and attendance system
- Continued researching various new technologies
- Continued researching posting live snow plow location tracking on the city website
- Continued researching new citywide keyless entry and camera system project
- Continued new World system migration
- Continued implementing the new Streets work order system
- Continued conversation with Portage Public Schools to access school cameras and entry systems
- Continued migration of Suez inventory data into BS&A
- Continued working on a new GIS layer for fiber assets
- Continued installation of Jabber and IM phone system capabilities
- Completed update of city software applications listing
- Continued developing plan for backup storage replacement and expansion
- Continued replacement of several inoperable surveillance cameras

Marketing Activities

- Continued oversight and management of all city marketing activities
- Began Branding Review discussions

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 16, 2016

FROM: W. Christopher Barnes, Director of Transportation & Utilities 

SUBJECT: Transportation & Utilities Department Monthly Report for April 2016

The month of April 2016 was a busy month for both Transportation & Utilities staff and the Suez Environmental staff. The business name change from United Water to Suez Environmental was completed nationwide and in Portage. The name change has had no impact on the personnel or operations. Suez has named a new Project Manager, Robert Miller, and began his employment in January 2016. As to the Suez Environmental operations, emphasis during the month continued to be directed at ensuring the various activities related to the utility operation were being completed professionally and in a manner to ensure that service levels committed to under the Suez Environmental contract with the city are completed in a timely manner.

Major accomplishments involving the Suez operations during the month include:

1. Inspections continued on sewer lift stations and water wells. During April, 832 inspections were made by Suez personnel.
2. Suez personnel received 35 customer service calls during April.
3. Suez personnel responded to 36 after-hour panel alarms as indicated on the SCADA control panel monitoring the city's water and sanitary sewer facilities.
4. Approximately 139 million gallons of water were produced/pumped during April. Production averaged around 4.6 million gallons of water per day during the month. Six hundred ninety-eight water quality analyses were completed during the month.
5. Nine new meters were installed and one new service lead was required to be tapped during the month of April.
6. Miss Dig stakings were completed at 419 locations.
7. Two water main breaks occurred during the month of April at 825 Lakeview Drive and 4610 Westfield Avenue.
8. Suez personnel cleaned a total of 10,366 feet of sanitary sewer main and inspected and cleaned 92 manholes.

In the transportation and utility areas, the following activities in April were either completed or ongoing at month's end.

1. Review of new development plans from a transportation and utility standpoint continued during the month. Four development and building plan were reviewed.
2. The city and Suez Environmental are currently in the 5th year of a five-year contract renewal approved by City Council on December 6, 2011. The Utility Contract Administrator was very busy overseeing the Suez Environmental operations, addressing customer concerns, inspecting public and private utility construction and inspecting city-owned stormwater and utility facilities. Recent focus by Suez has been sanitary sewer cleaning and maintenance on the water utilities. Lead and copper testing at no cost to Portage utility customers has continued through the month with the Utility Contract Administrator managing the program. Approximately 50 samples have been analyzed. No samples contained lead levels above 1 parts per billion (ppb). The USPEA action level is 15.0 ppb. On April 23, 2016, an open house at the Garden Lane Water Treatment facility was hosted by city and Suez staff. The event was very well attended and considered successful by all involved.
3. The Traffic Engineering section was very active during the month of April investigating complaints/concerns regarding operation of traffic signals, performing traffic volume/accident analyses and reviewing new streetlight installations. Traffic counts for a traffic speed study for the Lake Center area of Portage Road and Centre Avenue were completed and submitted. The results indicate that posted speeds on Portage Road are enforceable and speed limits on Centre Avenue warrants changes. Much effort was expended on analysis and modifications for traffic operations city-wide and traffic analysis for the various traffic signal installations scheduled for 2016 and oversight of the Lovers Lane CMAQ project and South Westnedge Avenue / Romence Road Safety project.
4. Beginning in 1994, the city has administered a Stormwater Retention Basin and Stormwater Outfall Testing and Monitoring. Annual results showed declining groundwater table levels throughout the city along with stable storm water monitoring results. Report finalized and received in November 2013. Annual results indicate a 1 to 3 feet decrease in groundwater table since 2012, but generally a 6-inch increase due to recent rainfall. New “request for proposals” were solicited in February with proposals received on April 16, 2014. The low bid in the amount of \$22,756.04 for 2014 to 2018 was awarded to Nova Consultants on April 29, 2014. Sampling was completed in July and December. No new developments.
5. In association with the Community Development Department, staff prepared a “Request for Proposals” for consultant services to update the Storm Water Design Criteria Manual and the Sensitive Land Inventory Map. Proposals were received in January 2010 and reviewed by staff. City Council awarded a contract to Fishbeck, Thompson, Carr, and Huber in the amount of \$45,000 to complete the project. Sensitive Land Inventory is complete. Draft storm water manual submitted to staff by the consultant for staff review. Final approval is pending changes to the city stormwater discharge permit issued by the State of Michigan.
6. City traffic signal maintenance is performed under contract to a specialized electrical traffic signal contractor. City staff initiated a new bid package for traffic maintenance with bids

received July 23, 2015. Sole bid in the amount of \$176,300 submitted by Severance Electric. City Council approved on August 11, 2015. Severance Electric, Inc., began new contract on September 1, 2015. Recent work has focused on fiber optic signal interconnection maintenance, bulb replacement and controller upgrades.

Implementation of the Capital Improvement Construction Program was also an ongoing activity as the construction season was completed. Accomplishments during the month of February included the following:

1. In August 2015, the City Administration was awarded \$195,000 by the State of Michigan for the implementation of a Storm Water Basin Asset Plan. The plan will provide an assessment of the functionality and operation of the 73 city-maintained storm water basins. Engineer proposals were received on January 15, 2015. Nine proposals were received. After review, it was determined that three of the proposals best matched the needs of the city. Appointments were scheduled in March to interview the three firms and select the top proposal. On March 24, 2015 City Council awarded the contract to Hurley & Stewart, LLC, in the amount of \$209,000. Work is ongoing.
2. In September 2014, the city was awarded \$300,000 in Congestion Mitigation and Air Quality (CMAQ) federal funding for the upgrade and interconnection of traffic signals on Kilgore Road from Woodmont Drive to Lovers Lane and from Lovers Lane to East Centre Avenue. The project will incorporate coordinated signal timing and video detection into the city traffic operation scheduling. Engineering proposals were received on January 15, 2015. An award to Abonmarche Consultants in the amount of \$33,480 was approved by City Council on February 10, 2015. Design work is complete and the project has recently been obligated with FHWA funding. Bids opened by in December 2015. Low bid submitted by Severance electric in the amount of \$388,447. Construction began April 1, 2016 and is ongoing.
3. The 2015-16 Capital Improvement Program includes a project for the reconstruction of East Osterhout Avenue from South Westnedge Avenue to Portage Road. In addition to the road reconstruction on East Osterhout Avenue, improvements will also include localized storm drainage improvements, necessary curb and gutter or paved shoulder replacement/repair, and lawn restoration as appropriate. This project will be designed to include “complete street” enhancements including widened bike lanes as part of the “Natural Place to Move” initiative. The city received consultant proposals for the necessary engineering services from six consultants on August 11, 2015. On August 25, 2015, City Council awarded the contract to Abonmarche Consultants, Inc., in the amount of \$62,905. Engineering is complete. Bids were received on February 25, 2016. Local bid of \$833,533 was submitted by Michigan Paving & Materials and awarded by City Council on March 22, 2016. Construction began April 18, 2016 and is ongoing.
4. The 2015-16 Capital Improvement Program includes a project for the reconstruction of Portage Road from Romence Road Parkway to East Milham Avenue. This project is included in the 2016 Kalamazoo Area Transportation Improvement Program (TIP) and will be bid by the Michigan Department of Transportation. Improvements include widening from four to five lanes from Ramona Avenue to approximately 500 feet north,

necessary concrete gutter repair and storm drainage improvements as needed. The project also includes the design of a non-motorized trail along the east side of Portage Road from Romence Road Parkway to East Milham Avenue, utilizing trail easements granted to the city by the Air Zoo and Kenco Logistics Company. The city received consultant proposals for the necessary engineering services from five consultants on August 4, 2015. On August 25, 2015, City Council awarded the contract to Wightman & Associates, Inc., in the amount of \$67,300. Engineering is complete. Bidding by MDOT completed March 4, 2016. Construction began April 25, 2016 and is ongoing.

5. The 2015-16 Capital Improvement Program includes projects for the reconstruction of three Major Streets:

- Constitution Boulevard from Romence Road to Milham Avenue
- South Westnedge Avenue from Shaver Road to East Centre Avenue
- East Centre Avenue from Shaver Road to South Westnedge Avenue

In addition to pavement resurfacing, these projects also include Americans with Disability Act (ADA) upgrades, curb and gutter replacement as needed, the replacement of median landscaping with stamped concrete and installation of traffic signal fiber optic cable through an existing conduit located in the median of Constitution Boulevard and enhanced pedestrian crossings for all projects. The city received consultant proposals for the necessary engineering services from six consultants on August 20, 2015. Low bid in the amount of \$87,950 was submitted by Paradigm Design. City Council approved a contract to Paradigm Design on September 8, 2015. Engineering complete. Bids received in March and the low bid was submitted by Rieth Riley in the amount \$819,169.15. City Council awarded a contract on March 22, 2016. Construction to begin June 13, 2016 with replacement of railroad crossing on West Centre Avenue.

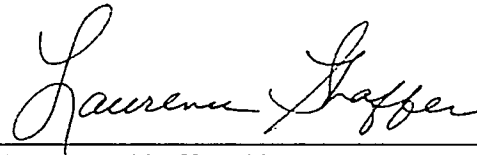
6. The 2015 -16 Capital Improvement Program includes a project for a Local Street Neighborhood Calming Program. A budget of \$10,000 was established for professional services and the remaining \$15,000 will be used for implementation of the program. The city received letter proposals from six consulting firms on August 11, 2015 and has chosen to award the project to OHM in the amount of \$10,000 based on experience and their proposed approach to developing a project plan that will best meet the City's needs. Development of the program is underway. Draft Program under review.
7. The 2015-16 Capital Improvement Program includes the design and construction of new traffic signals and associated street improvements on West Centre Avenue at the intersections of Old Centre Road and Cooley Drive. Included in the project are modifications to the existing driveways on West Centre Avenue within the influence of the Greenspire Retail Drive/Cooley Drive intersection to promote use of the new protected left-turn phase at the traffic signal and limit left turns out of driveways close to the intersection. The project will consist of the minor turn lane construction, along with sidewalk modifications to meet Americans with Disability Act (ADA) requirements. On August 11, City Council awarded an engineering contract to Abonmarche Consultants, Inc., in the amount of \$75,160. Engineering is complete. Bidding is scheduled for May.

8. The 2015-16 Capital Improvement Program includes the design and construction of new traffic signal equipment at South Westnedge Avenue and Kilgore road and design work for the intersection of Portage Road and Lakeview Road. Proposals were received on September 10, 2015, with the low proposal of Abonmarche Consultants awarded a contract in the amount of \$46,835 on September 22, 2015. Engineering underway. Bidding scheduled for May.
9. The 2015 - 2016 Capital Improvement Program was awarded on September 22, 2015 to include the traffic signal replacement at South Westnedge Avenue and Romence Road. As part of a federal safety program, \$261,000 of federal grant monies was secured for the project. On September 22, 2015, City Council awarded a contract to Abonmarche consultants in the amount of \$47,840 for engineering design and construction administration. Grade inspection completed for January 13, 2016 with MDOT and an August 2016 bid letting is anticipated.
10. The 2015 – 2016 Capital Improvement Program includes a project for installation of sanitary sewer and replacement of water main on South Shore Drive, South Westnedge Avenue to West End Drive. The sanitary sewer portion of the project is scheduled to be financed using property owner special assessments in addition to utility bonding. Special Assessment Resolution 1 was adopted by City Council on November 3, 2015. Special Assessment Hearing Resolution No. 2 was adopted by City Council on November 17, 2015 and an engineering contract to Midwest Civil Engineering in the amount of \$42,500 was approved. Special assessment Resolution No. 5 approved on February 9, 2016. Bids received in March. Low bid submitted by Balkema Excavating in the amount of \$481,463.06 was awarded on April 12, 2016. Construction to begin in May.
11. In July 2015, City Administration began discussion as to the requirements necessary to convey Martin Luther King, Jr., Drive (MLK) to the City of Portage as a public street. Stakeholders meeting was held on November 9, 2015 to discuss financing and construction costs. On December 15, 2015 a development agreement, special assessment Resolution No. 1 and land division of MLK were all approved by City Council. A contract agreement in the amount of \$19,500 was processed with Wightman & Associates for design engineering. Special assessment Resolution No. 2 and No. 3 were approved in January 2016. Resolution No. 4 is scheduled to be approved at the February 9, 2016, meeting. Resolution No. 5 scheduled for a public hearing on March 22, 2016. Bids received on February 25, 2016 with the low bid received from Hoffman Bros. in the amount of \$379,920. City Council approved Resolution No. 5 and the low bid on March 22, 2016. Construction began April 4, and is ongoing.
12. The 2015 – 2016 Capital Improvement Program includes a project for the reconstruction of local streets at various locations. The project consists of pavement repair, miscellaneous curb and sidewalk replacement and construction of sidewalk connections in accordance with the city's "complete street policy." Project consists of 37 local streets. The low bid of \$1,639,086.77 was awarded to Rieth Riley Construction Company on April 12, 2016. Construction to begin in May.

MATERIALS TRANSMITTED

Friday, May 6, 2016

1. Communication from the City Manager regarding Budget Review Session #2 – Questions and Answers.



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Budget Review Session #2 – Questions and Answers

The following questions were presented by the Council during the Budget Review Session #2 on Tuesday, May 3. The responses to each question are noted below.

Finance & Other Fund Activities

- *City Legal Contract Expenditures (Labor, Finance/Bond & General):*
Response: The city had \$307,300 of legal expenditures for fiscal year 2014-2015, and \$225,462 to date this year (2015-2016).
- *Possibility of providing a Fall Cleanup in the same manner as the current Spring Cleanup?*
Response: The Spring Cleanup Program vendor is willing to provide a second 2016 cleanup at the quoted 2017 pricing, with the addition of a slight increase for the fall 2017 cleanup. However, the city does not have adequate funds to provide for a second annual cleanup and would need to request an increase in the millage level.

Spring 2016	\$147,000
Fall 2016	\$147,735
Spring 2017	\$147,735
Fall 2017	\$148,474

Capital Improvement Program

- *Fire Division Capital Plan: Why is the city replacing these particular vehicles every three years?*
Response: Please see the attached report from Public Safety Director Richard White regarding the Fire Division explanation, as well as the vehicle fleet information provided in the attached e-mail from Public Services Director Rod Russell.

Attachments: 1. May 5, 2016 Communication from Public Safety Director White
 2. May 6, 2016 e-mail from Public Services Director Russell

CITY OF PORTAGE

COMMUNICATION

TO: Laurence Shaffer, City Manager

DATE: May 5, 2016

FROM: Richard J. White, Public Safety Director – Police/Fire Chief *RW*

SUBJECT: Fire Division CIP Staff/Operations Vehicle Replacement Schedule

The Fire Division has developed a replacement plan for staff and operations vehicles. Historical data supports the need to replace these vehicles in a specific period of time, allowing for optimum mechanical performance as well as provide a safe and reliable vehicle for fire division personnel.

The number of new vehicles has been reduced dramatically through repurposing of vehicles, allowing for an extended service life while maintaining performance objectives. Vehicles eliminated from the Capital Improvement Program include the administrative fire chiefs' vehicles and a utility-type vehicle, which was used to transfer equipment to and from emergency scenes. The small SUV medical vehicles are being repurposed as the administrative chiefs' vehicles, and the battalion chief vehicle is being repurposed as an incident commander vehicle for secondary/multiple emergency scene operations and as a utility vehicle. A three-year rotation assures that the emergency operational use of the initial vehicle is maintained in a safe manner, while at the same time, allowing a secondary, non-emergency use of the vehicles for the duration of their serviceable period of time. Further explanation of each vehicle primary and secondary use is provided below.

Battalion Chief Vehicle:

Fuel usage reports demonstrate that the battalion chief vehicle accrues approximately 1,000 miles a month. At the end of the three-year period, this vehicle will have responded to approximately 9,000 emergency responses. The 36,000 estimated miles in this time period are "hard" type miles where the vehicle performance must be one hundred percent. Along with the mileage, the vehicle is required to have the engine running throughout the incident, which, in many cases, can be in excess of several hours. Although the vehicle is idling at this point, it still creates wear and tear on the engine, alternator, cooling system, etc. Replacement of the battalion chief vehicle in three years allows it to be used as a secondary incident command vehicle for multiple-time incidents. The number of multiple incidents occurring at the same time has an annual increase of approximately three and a half percent. This vehicle can also serve as a utility-type vehicle, which transfers equipment used on emergency scenes to and from the appropriate fire station. It also allows the rotation of personnel on long-duration incidents, without the need to utilize large fire suppression apparatus.

Fire Marshal Vehicle:

Fire Division fuel reports indicate the fire marshal vehicle averages approximately 800 miles monthly, or 9,600 miles annually. The fire marshal uses this vehicle for daily work assignments, which involve traveling to businesses, construction sites, inspection locations, meetings, and incident locations, where his expertise is needed in fire origin and cause investigation. When the fire marshal is performing his daily duties and an emergency incident occurs that requires his response, he drives this vehicle in an emergency mode to these incident locations. The fire marshal position is also a “team leader” of the Kalamazoo County Fire Investigation Team, and, at any given day or time of day, the fire marshal may be required to respond to incident locations throughout the Kalamazoo region. It is recommended that this vehicle be kept on the three-year replacement rotation to assure that it meets the mechanical and safety requirements needed for reliable and immediate response to incident locations.

Training Officer Vehicle:

The Fire Division has not had a designated training officer in almost five years. However, based on historical data from when the training officer position was part of the regular full-time equivalent staffing, it is estimated the mileage and usage of the training officer vehicle will be at least equivalent to the fire marshal vehicle. The training officer would utilize this vehicle for daily work assignments requiring participation at various training sites and other meetings throughout the city and region. Operationally, the training officer serves as the incident safety officer on any multiple-station incidents, and responses to these incidents would typically be in an emergent mode to provide technical assistance to the incident commander. It is recommended that this vehicle maintain a three-year replacement rotation to ensure that the performance, reliability and safety of this vehicle can be readily expected.

RJW:JP:jh

c: John Podgorski, Senior Deputy Fire Chief

Rob Boulis

From: Rodney Russell
Sent: Friday, May 06, 2016 3:41 PM
To: Rob Boulis
Cc: Laurence Shaffer
Subject: Advantages to Three Year Turnaround on Fire Marshall and Training Officers Vehicles

Rob,

As requested I have provided you with some information that I feel supports the capital plan to replace the Fire Marshall and Training Officers vehicles at three year of use. When we purchased the FASTER Fleet Software two years ago, we intended to use this as a tool to provide an indicator as to when the best time or (Sweet Spot) would be to resell our equipment. Our goal is to look at receiving the highest possible resell value.

When considering the Fire Marshall and Training Officers vehicles a three year replacement would be advantageous for the following reasons:

- The vehicles would still have the remaining original warranty available to the new buyer.
- They would only have around 30,000 miles.
- The maintenance cost would consist of routine oil changes and tire rotations which would be a financial advantage.
- After checking Kelly Blue Book on line, three year old Ford Expeditions (which is equivalent of what will be purchased)have a fair market value of \$28,00 to \$34,000. Considering that we can purchase these units for \$30,300 base cost through MI-Deal will significantly help offset the cost of vehicle replacement. Keep in mind that there is an additional cost of \$10,000 -\$15,000 to outfit these units. Some of the outfitted equipment could be repurposed on the replacement vehicles.

If we only got \$20,000 out of those units at three years it would still be to our advantage. This would mean that we were able to operate those vehicles for an annual cost of \$3,333. Less routine maintenance. Prior to moving forward with replacing these vehicles in three years as called for in the capital plan, we will use the FASTER Fleet Software, and other tools to determine the projected resell value.

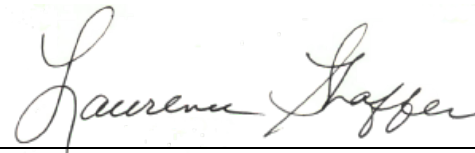
Rod Russell
Director of Public Services
City of Portage
7719 South Westnedge
Portage, MI 49002
269-329-4441 - phone



MATERIALS TRANSMITTED

Tuesday, May 10, 2016

1. Communication from the City Manager regarding the May 9, 2016 Pre-Council Questions and Responses.
2. Copies of the 2015 Annual Report from Suez Environmental – Information Only.



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: May 9, 2016 Pre-Council Questions and Responses

The following questions were posed by members of Council during the May 9, 2016 Pre-Council meeting. Responses to the questions are provided below.

1. Councilmember Pearson asked for a correction of Item F.3, Medical Marihuana, of the April 26, 2016 Minutes to read that the vote "Upon a roll call vote, motion to call the question failed 3 to 3. Yeas: Councilmembers Reid and Urban and Mayor Pro Tem Nasim Ansari. No: Councilmembers Ford, Pearson and Randall." He also asked that the comments at the end of the May 3, 2016 Budget Session read, "Councilmember Pearson indicated that he mentioned Branding of Portage all together to the Portage Public Schools Superintendent Mark Bielang and Library Director Christy Klein. Both indicated it is a good idea for City/School/Library Committee discussion."

Response: City Clerk Hudson will make the noted corrections to the minutes for review at the May 10, 2016 meeting.

2. Councilmember Randall asked what the limit is for membership on the Youth Advisory Council (YAC).

Response: City Clerk Hudson indicated during the Pre-Council meeting that the limit is 30, but Council has exceeded that number by a vote, and the optimum number is 26 for discussion and collaboration purposes, but usually 20 or so show up for the meeting, so it has not been an issue, and the Mayor recalled that the last time this came up, Council basically said whoever is here, whoever wants to participate, staff will adjust the number by Council vote.

3. Councilmember Reid asked if the proposed Budget is online?

Response: Yes – both on the Home page, as well as on the Finance Department page.

4. Councilmember Reid asked whether it would be necessary to have a millage increase to cover the cost of expanding the Spring Clean-up with a Fall Clean-up, making it two Clean-ups per year, and asked for a bid let and some competition to shave costs.

- a. Councilmember Randall asked if the \$40,000 savings from the Recycling Millage could be applied to the cost.

- b. Mayor Pro Tem Ansari asked whether the tax rate would be reduced and wasn't Council talking about reducing the tax rate?

Response: Presently, the General Fund is projecting a \$400,000 surplus in excess of the 24 percent ceiling established as City Council policy. Certainly, the City Council could appropriate the funds from the General Fund to conduct the Fall Cleanup. Although the city could go out to bid for the Fall Cleanup, given that the city received but one bid for the existing pick up (Waste Management) and a proposal to hold the cost of the Fall Cleanup at the Spring Cleanup amount (\$147,375) then a degree of risk occurs that the proposed Fall Cleanup costs might actually be higher than the quote presently available.

At this time, an appropriation from the Recycling Fund for a fall pickup is not recommended in an effort to avoid intermingling the funds. The General Fund should fund the entire cost. It is best for the city to proceed utilizing a contract extension with Waste Management of \$147,375 for FY 2016-2017. For FY 2017-2018, I would recommend that the City Council increase the Leaf Pickup / Spring Cleanup Millage from 0.3455 mills to 0.400 mills, thereby generating an additional \$105,000 with the balance of the funds required to be assigned to the General Fund.

5. Regarding Item D.2, Medical Marihuana, Councilmember Reid asked that Section 2-231(b)(2) which states that the moratorium would not be applicable to "a building or structure (as defined by the zoning ordinance) other than a dwelling unit where no more than one qualifying patient is cultivating up to the maximum number of marihuana plants as permitted by the MMMA for personal use or possesses up to the maximum amount of marihuana permitted by the MMMA for personal use" be distinguished with the current Portage Ordinance reads a person cannot use an outbuilding under Section 42-129. Home occupations subsection C (5).

Response: Regarding the distinction regarding the difference between home based grow operations for marijuana under the Medical Marijuana Act and the allowance of a "building or structure" found under section 2-321 (b) (2) which states:

A building or structure (as defined by the zoning ordinance) other than a dwelling unit where no more than one qualifying patient is cultivating up to the maximum number of marihuana plants as permitted by the MMMA for personal use or possesses up to the maximum amount of marihuana permitted by the MMMA for personal use.

The home occupation ordinance regulates the grow operation of a caregiver under the MMMA only. A grow operation of an individual qualifying patient for his or her personal use under the MMMA is not regulated by the ordinance. As a result, a patient is not prohibited from growing marihuana in any building, as long as the building meets the security provisions of the MMMA. That would include the buildings' either zoned or used industrially or commercially.

6. Under Item F.2, Milham #1 Pump Replacement and Motor Rehabilitation, Councilmember Reid asked about the indication that Suez had gone through a bid process, then was referred to as a sole source provider, and how can that happen? She asked for more information on the process.

Response: The Purchasing Division verified with Director of Transportation & Utilities Christopher Barnes that there is only one business that is capable performing the work of this

magnitude. Staff discussed another business, Layne Northern, which previously repaired wells; however, Layne Northern has since gone out of business. On smaller pump/motor repairs the city is successful in obtaining multiple quotes. It is the large size of this pump and motor replacement which place it outside the realm of other well contractors. There was no bidding process conducted by Suez (as is required by its contract with the city) – the only contractor that could conduct the work was requested to prepare a quote for the repair.

7. Under Item F.3, Amendment to the Code of Ordinances, Chapter 34, Councilmember Pearson asked whether the inspection system online saves time and cost, and for whom?
 - a. What is the cost to implement an inspection online for the average business person and what is the cost to the City of Portage?
 - b. Councilmember Reid asked who is inputting the data into the system because there would be an additional cost beyond the \$10 fee; also, in reference to the groups listed on page 221, are these groups who are certified, or are they the groups who were invited to the meeting?
 - c. And, do we have local listed providers and who are they? Are all businesses notified or only businesses tied to the UL Process?

Response: Fire Division staff have relayed that it is difficult to gauge the cost that each business pays for their annual inspections, however the requirement to submit documentation of these inspections will result in no added cost. The inspections on the various fire safety systems are already being completed, however the documentation is not being submitted in an orderly, efficient manner.

Currently the Fire Division does not have personnel certified to perform the necessary inspections. Each fire protection system has a certification for personnel performing the inspection, testing, and maintenance. That, coupled with the extreme time requirement to perform these inspections (often 6-8 hours), makes offering these inspections as part of the city's engine company level inspections a near impossibility. As part of our engine company level inspections, we ensure that these inspections are completed in accordance with code requirements.

There is no added cost for the reporting requirements. The Fire Division plans to use Building Reports Online and their new Compliance Center, which offers a no cost option of submitting the required documentation.

There are currently several companies (listed below) that provide inspection services throughout the state. For the central station specific certification, these are the current agencies certified by UL. Please keep in mind that both Factory Mutual and Intertek also certify agencies to certificate fire alarm systems.

1. Alarm Services Network
2. Audio Central Alarm Inc.
3. Audio Sentry Corp.
4. Central Security Alarm, Inc.

5. Comtronics Inc.
 6. Engineered Protection System, Inc.
 7. Guardian Alarm Co
 8. Safety Systems Inc.
 9. Security Corp.
 10. Siemens Industry, Inc.
 11. Stanley Alarm Systems
 12. Tyco Integrated Security, LLC
 13. Vigilante Security
 14. Wyandotte Alarm Company
8. Under Item F.4, SAFARI Montage purchase, Councilmember Reid asked is there a way to be more transparent concerning the decision-making process or bid process, or a more comprehensive explanation of the selection process?

Response: Per Devin Mackinder, the initial step was to identify the desired capabilities. Once the capabilities were identified, online research was conducted to identify the types of systems that were available. The online research found literally hundreds of learning management systems with varying pricing models, capabilities, compatibilities and service models. The team selected a few of the more well-known platforms to research further that seemed to meet the capabilities. These included Skillner, Moodle, E-Logic, Canvas, Schoology and MediaCast. The team also researched the proprietary SAFARI Montage system which, because of its advanced and unique capabilities, is considered a digital learning platform – the next evolution of online training systems. SAFARI Montage is the only system that met all the city capabilities. The most important differences between the SAFARI Montage digital learning system and a traditional learning management system is that it is the only single-source platform that can provide all the capabilities of a traditional learning management system on one platform and also includes the live video broadcasting and conferencing. This means one vendor for licensing, support and training services as well. SAFARI Montage is also the only system built on a universal platform which makes it ideal for extending capabilities in the future. SAFARI Montage is also the only system that is both a publisher and subscriber, meaning that it can accept and extract data to whatever file type that is required. What also sets the SAFARI Montage system apart is the local presence of the company and the established relationship with the local dealer, Secant Technologies. Having local representation of both the manufacturer and the dealer/installer is an outstanding benefit that no other learning management system can provide.

Several product demonstrations of the SAFARI Montage system were conducted, as well as research on the future of learning management systems in order to determine the expected longevity of this type of technology as it pertains to supporting digital learning. What was uncovered is that SAFARI Montage system is ahead of the curve as compared to traditional learning management systems. Reference checks were also conducted which included the Chicago Public School System (SAFARI serves all 643 public school locations) and Chippewa Valley Schools here in Michigan. The Chicago Public School reference literally drove to the city for a face-to-face conversation about the product and how he was able to replace several learning management systems with SAFARI Montage and how well the system has performed for all 643 public school locations. Upon completion of the demos and reference checks, the

team began working on the proposal. Once the proposal was completed it was submitted to the Finance Department to ensure that the proposal met the city's purchasing policies for sole source procurement, cooperative purchasing and professional services. Since the SAFARI Montage system is proprietary and the pricing was obtained through two cooperative pricing programs – Regional Educational Media Center (REMC) and Pennsylvania Education Purchasing Program for Michigan (PEPPM) – plus the training and installation services provided through Secant are considered a professional service under \$20,000, Finance deemed this purchase as meeting several of the city purchasing requirements.

9. Councilmember Reid asked could Item G.1, Communication from PMN Executive Director Harry S. Haasch, be placed on Consent?

Response: Per the City Clerk, City Council can choose to add this item to the Consent Agenda at the May 10th meeting if desired.

10. Under Item L.1, Councilmember Reid asked why was Mike's Cleaning Service not able to fulfill the terms of the contract?

Response: The reasoning for the contract change was not included in the public documentation as it was deemed a personal / confidential matter on the part of the vendor. The owner of Mike's Cleaning Service contacted Purchasing Manager Judy Johnson to convey that he would be unable to fulfill the contract due to personal and health issues that had arisen since the contract award.

Attachments: Spring Cleanup Contract Detail

Spring Cleanup Contract

Approved by Council on 9/11/2012

Spring 2013 \$134,000

Spring 2014 \$138,000

Spring 2015 \$142,000

Extensions – Pre-approved by Council on 9/11/2012

Spring 2016 \$147,000 (\$5,000 increase due to adding private streets)

Spring 2017 \$147,375 Contract effective through 9/30/2017

One further extension is available

Spring 2018 ?

Waste Management was the only bidder on this contract. We can, with Council approval, amend the contract and add a fall pickup for both 2016 and 2017.

*only one
bid this
period.
gg.*

TABULATION OF PROPOSALS
SPRING CLEANUP PROGRAM

<u>Season</u>	Waste Management of Michigan, Inc. 48797 Alpha Drive, Ste. 100 Wixom, MI 48393
Spring 2013	\$134,000.00
Spring 2014	\$138,000.00
Spring 2015	<u>\$142,000.00</u>
Three-Year Total	\$414,000.00

**CITY OF PORTAGE
EXTENSION AGREEMENT
SPRING CLEAN-UP PROGRAM**

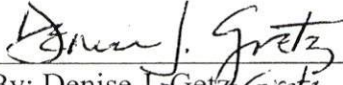
The agreement made the 19th day of September, 2012 between the City of Portage, a Michigan Municipal Corporation, hereinafter referred to as the "City," and Waste Management of Michigan, Inc., 48797 Alpha Drive, Suite 100, Wixom, Michigan 48393, hereinafter referred to as the "Contractor," is hereby extended in its entirety for a ~~three~~^{one} year period through September 30, 2017 by mutual consent of both parties, subject to availability of funds.

The City and the Contractor agree that consideration and all terms and conditions of the agreement shall be exactly as stated in the agreement dated September 19, 2012 and the attached proposal letter from the Contractor dated November 30, 2015.

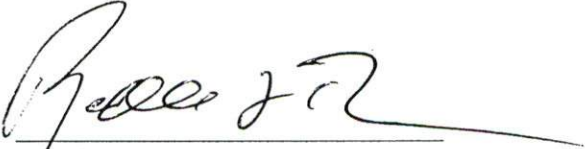
CITY OF PORTAGE

(4)  1/18/16
By: Laurence Shaffer Date
Its: City Manager

WASTE MANAGEMENT OF MICHIGAN, INC.

 1/8/16
By: Denise J. Gretz Date
Its: Vice President

Approved as to form:


Randall Brown
Portage City Attorney



WASTE MANAGEMENT

4547 Wayne Road

Battle Creek, MI 49015

November 30, 2015

Rod Russell, Director of Public Services
City of Portage
7719 South Westnedge Avenue
Portage, MI 49002

Dear Mr. Russell:

We would like to thank the City of Portage for its partnership with Waste Management to provide Spring Cleanup service to Portage residents. Please find a contract extension proposal for 2017 below for your review and consideration.

Proposed contract extension rate for Spring Cleanup 2017: \$147,735

If you have any questions or concerns about service or pricing for 2017, please do not hesitate to contact me. Thank you for the opportunity to continue to provide quality service for your community. As always, we appreciate your business and aspire to be of service to the City of Portage and its residents for many years to come!

Melinda Antell

Melinda Antell
Public Sector Solutions Representative
Phone: 317-339-5304
Email: mantell@wm.com

Cc: Ray Waurio, Deputy Director of Streets & Parks Maintenance