

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Red Ribbon Week 2021

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. Board & Commission Interviews of October 5, 2021.
 - b. Regular Meeting Minutes of October 5, 2021.
 - c. Pre-Council Meeting of October 18, 2021.
2. Approval of the Accounts Payable Register of October 19, 2021 as presented.
3. Approve Michigan Office Environments (MOE) for procurement and installation services for the Portage Community Senior Center interior building furniture under multiple cooperative purchasing group agreements in the total amount of \$310,511.30 and authorize the City Manager to execute all documents related to this action on behalf of the city.
4. Approve a one-year contract in the amount of \$70,178 per year, with the option of four one-year renewals, with All City Management Services, Inc. to provide school crossing guard services and authorize the Acting City Manager to execute all documents related to the contract on behalf of the city.
5. Approve the:
 1. 2022 schedule of regular City Council meetings, and
 2. 2022 schedule of Pre-Council meetings.
6. Minutes of Boards & Commissions:
 - a. Planning Commission of July 22, 2021.
 - b. Human Services Board of September 9, 2021.
 - c. Zoning Board of Appeals of September 13, 2021.
 - d. Planning Commission of September 16, 2021.
7. Materials Transmitted of October 5, 2021.
8. Calendar of Meetings:
 - Environmental Board, October 20, 2021 at 7:00 p.m., City Hall Room #1.
 - Planning Commission, October 21, 2021 at 7:00 p.m., Council Chambers.
 - Kalamazoo County Public Arts Council, October 26, 2021 at 11:30 a.m., Virtual.
 - Senior Citizen Advisory Board, October 27, 2021 at 2:30 p.m., Portage Senior Center.
 - Historic District Commission, November 3, 2021 at 8:15 a.m., City Hall Room #1.
 - Park Board, November 3, 2021 at 6:30 p.m., Stuart Manor.
 - *NOTE: All above meetings are subject to cancellation or inclusion/transition of a "virtual" aspect due*

to the on-going health crisis. Please monitor the City of Portage website at www.portagemi.gov for additional information. Major meetings may be viewed live on Charter channel 995 and AT&T channel 99.

- B. Petitions and Statements of Citizens:
- C. Communications:
- D. Public Hearings:
- E. Regular Business Agenda:
- F. Unfinished Business:
 - 1. Adopt the amendment to Section 50-193, Offenses Involving Underage Persons, (Chapter 50 Offenses and Miscellaneous Provisions) of the Code of Ordinances.
- G. Council Committee Reports:
- H. New Business:
- I. Statements of Citizens:
- J. Statements of City Council and City Manager.

Adjournment.

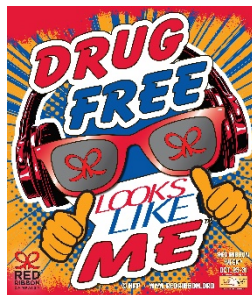


CITY OF PORTAGE PROCLAMATION

2021 National Red Ribbon Week – “Drug Free Looks Like Me”

- WHEREAS,** Alcohol and other drug abuse in this nation has reached epidemic stages; and
- WHEREAS,** It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and
- WHEREAS,** The National Family Partnership together with and Portage Public Schools are sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and
- WHEREAS,** The National Red Ribbon Campaign will be celebrated in every community in America during “Red Ribbon Week”, October 23-31; and
- WHEREAS,** Business, government, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign; and
- WHEREAS,** The City of Portage further commits its resources to ensure the success of the Red Ribbon Campaign;
- NOW, THEREFORE, BE IT RESOLVED THAT I,** Patricia M. Randall, Mayor of the City of Portage, do hereby proclaim the week of October 23-31, 2021, as **RED RIBBON WEEK**, and encourage Portage citizens to participate in drug prevention education activities, showing our commitment to a drug-free community.

BE IT FURTHER RESOLVED that the City Council of the City of Portage encourages all citizens to echo the theme of the 2021 campaign: **Send a Message – “Drug Free Looks Like Me.”**



Signed this 19th day of October, 2021

Patricia M. Randall, Mayor

**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
FOR BOARDS AND COMMISSIONS APPLICANTS
OCTOBER 5, 2021**

Mayor Patricia Randall called the Board and Commission Interview session to order at 05:15 PM. The meeting was held in a partially virtual format as permitted by PA 228, in accordance with the December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall and Councilmembers Chris Burns, Vic Ledbetter (virtual), Claudette Reid (virtual), and Terry Urban (virtual) were present. All virtual members participated from Portage, Michigan with the exception of Councilmember Ledbetter in Texas Township, Michigan. Mayor Pro Tem Jim Pearson and Councilmember Lori Knapp were absent with excuse. Also in attendance were Acting City Manager Adam Herringa (virtual), Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

SENIOR CITIZENS ADVISORY BOARD INTERVIEWS: From 5:15 p.m. to 5:35 p.m., City Council interviewed Sarah Colgan, Linda Ciampi, Jean Balazs, and Trudy Riker for the Senior Citizens Advisory Board. At the request of Mayor Randall, Clerk Eklov provided an overview of the Senior Citizen Advisory Board and highlighted the new Senior Center construction project. Clerk Eklov also noted that current member Bill Wierenga was interested in a re-appointment but was unable to attend due to a prior conflict. Councilmember Urban noted Ms. Riker's re-appointment would ultimately exceed the ten-year service limit.

ENVIRONMENTAL BOARD INTERVIEWS: From 5:35 p.m. to 5:50 p.m., City Council interviewed Jerry Kroehn, Thomas Shaffer, John Dillworth, Nicole Reid, Justin Gish, and Chad Oberdoerster for the Environmental Board. Current Board Member Jerry Kroehn summarized the role of the Environmental Board at the Mayor's request. Applicant Charles Mosser stated he was withdrawing his application to the Environmental Board in light of the other boards that interested him. Mr. Gish noted he would resign his current position on the Board of Review if appointed to the Environmental Board. Mayor Randall then asked Mr. Dillworth to rank his preference for serving on the Environmental Board, noting he had originally applied to the Human Services Board and EDC/TIFA/BRA. Councilmember Urban noted the EDC/TIFA/BRA meets infrequently.

HISTORIC DISTRICT COMMISSION INTERVIEWS: From 5:50 p.m. to 6:00 p.m., City Council interviewed Nick Meyle, Katie vanLonkhuyzen, Charles Mosser, and Jean Balazs for the Historic District Commission. At the request of Mayor Randall, City Clerk Eklov provided a summary of the Commission and noted that re-appointment of current members Suzanne Nemeth and Ms. vanLonkhuyzen would ultimately see both exceed the ten-year service limit. Clerk Eklov also highlighted that the Code of Ordinances requires that the Commission also include an architect and a historic homeowner. Ms. vanLonkhuyzen noted that she currently fulfills the historic homeowner requirement. Mayor Randall asked Mr. Mosser's preference between the Historic District Commission and the Park Board since he had applied for both. He responded that the Park Board was his first choice.

HUMAN SERVICES BOARD INTERVIEWS: From 6:00 p.m. to 6:08 p.m., City Council interviewed Erin Tornello, John Dillworth, Linda Ciampi, and Jihan Young for the Human Services Board. At the Mayor's request, City Clerk Eklov provided an overview of the Board's focus. Councilmember Burns highlighted the Board's unique role in providing funding and grant award recommendations to the City Council and asked whether any of the applicants expected to have a conflict of interest. The applicants responded they would not.

PARK BOARD INTERVIEWS: From 6:08 p.m. to 6:14 p.m., City Council interviewed Daniel Jassim, Timothy Young, Chelsea Huber, and Charles Mosser for the Park Board. Mayor Randall asked

current member Mr. Young about his favorite Board event. Ms. Huber noted her prior service on the Environmental Board.

EDC/TIFA AND BRA INTERVIEWS: From 6:14 p.m. to 6:16 p.m., City Council discussed the Economic Development Corporation/Tax Increment Finance Authority and Brownfield Redevelopment Authority. City Clerk Eklov noted current member Keith Lewandowski was interested in reappointment but was unable to attend due to illness and prior interviewee, John Dillworth, chose not to remain for this particular interview but remained interested in an appointment.

ZONING BOARD OF APPEALS INTERVIEWS: From 6:16 p.m. to 6:20 p.m., City Council interviewed Winifred Kurtz for the Zoning Board of Appeals. At the request of the Mayor, Clerk Eklov summarized the Board's duties. Applicant Madison Bronkan withdrew her application from the Zoning Board of Appeals consideration, noting her interest in the Planning Commission. Councilmember Burns asked the City Clerk to explain the Board vacancies noted as alternate positions. Ms. Kurtz maintained her interest in serving on the Board.

PLANNING COMMISSION INTERVIEWS: From 6:20 p.m. to 6:35 p.m., City Council interviewed Winifred Kurtz, Madison Bronkan, and Spencer O'Dell for the Planning Commission. At the request of the Mayor, current Planning Commissioner Rick Freiman summarized the commission's responsibilities. Ms. Kurtz noted she preferred to serve on the Zoning Board of Appeals as opposed to the Planning Commission. Councilmember Reid inquired whether Mr. O'Dell's employer, AR Engineering, would create a conflict of interest in serving on the commission. Mr. O'Dell responded that he expected instances in which he would need to recuse himself. Councilmember Urban asked Ms. Bronkan to reconsider an appointment to the Zoning Board of Appeals. She confirmed her interest remained with the Planning Commission.

PUBLIC COMMENT: None.

BOARD AND COMMISSION APPOINTMENT DISCUSSION: City Council then deliberated as to which applicants should be appointed to the various boards and commissions.

ADJOURNMENT. Mayor Randall adjourned the meeting at 06:53 PM.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM OCTOBER 5, 2021

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM. The regular meeting was held in a partial virtual format as permitted by PA 228, in accordance with the December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall and Councilmembers Chris Burns, Lori Knapp (virtual - Cognashene, Georgian Bay, Canada), Vic Ledbetter (virtual - Texas Township), Claudette Reid (virtual - Portage), and Terry Urban (virtual - Portage) were present. Mayor Pro Tem Jim Pearson was absent with excuse. Also in attendance were Acting City Manager Adam Herringa, City Attorney Catherine Kaufman, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on supporting working families to ensure children are safe and productive after the school day ends. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Kalamazoo Youth Development Network Coordinator Jenna VanSpronsen read the Proclamation for Keeping the Lights On After School on behalf of the Kalamazoo Youth Development Network. Following the proclamation, Ms. VanSpronsen explained the goals of the Kalamazoo Youth Development Network. Councilmember Burns highlighted the partnership between the Central County Transit Authority and the Kalamazoo Youth Development Network.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Reid removed Item A.5, Department of Public Works performing the Spring Cleanup Program. Motion by Burns, seconded by Reid, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 6 to 0.

City Council Meeting Minutes: Motion by Burns, seconded by Reid, to approve the Meeting Minutes Regular Meeting of September 21, 2021, and Pre-Council Meeting of October 4, 2021. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Burns, seconded by Reid, to approve the Accounts Payable Register of October 5, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

Shaver Road Reconstruction Project - Tabulation of Proposals: Motion by Burns, seconded by Reid, to award a contract to perform engineering services for the reconstruction of Shaver Road from the south city limits to Vanderbilt Avenue to Abonmarche Consultants, Incorporated of Portage, Michigan in the amount not to exceed \$318,235 and authorize the Acting City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Portage Road Reconstruction Project - Bid Tabulation Motion by Burns, seconded by Reid, to award a contract to perform engineering services for the reconstruction of Portage Road from East Centre Avenue to Romence Road Parkway to Abonmarche Consultants, Incorporated, of Portage, Michigan, in the amount not to exceed \$285,349 and authorize the Acting City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Vehicle Purchase - Cooperative Purchase Motion by Burns, seconded by Reid, to authorize the purchase of five vehicles through the State of Michigan MiDEAL extended purchasing program at a total cost of \$153,356 and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Property Acquisition - 9112 South Westnedge Avenue Motion by Burns, seconded by Reid, to approve the purchase of property identified as 9112 South Westnedge Avenue in the amount of \$100,000 and authorize the Acting City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

MIP Ordinance Amendment Motion by Burns, seconded by Reid, to accept for first reading an amendment to Section 50-193, Offenses Involving Underage Persons, (Chapter 50 Offenses and Miscellaneous Provisions) of the Code of Ordinances and consider final adoption on October 19, 2021. Upon a roll call vote, motion carried 6 to 0.

Final Condominium Subdivision for Claremount Woods: Motion by Burns, seconded by Reid, to approve the Final Condominium Subdivision for Claremount Woods, 5691 Claremount Street, subject to completion of sidewalks and street trees by October 2023. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards and Commissions: Motion by Burns, seconded by Reid, to receive the Human Services Board Meeting of June 3, 2021; Human Services Board Meeting of July 22, 2021; Planning Commission of May 6, 2021; Planning Commission of May 20, 2021; Planning Commission of June 17, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

Materials Transmitted: Motion by Burns, seconded by Reid, to receive Materials Transmitted of September 21, 2021. Upon a roll call vote, motion carried 6 to 0.

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

PETITIONS AND STATEMENTS OF CITIZENS:

Justin Hassler (4317 Foxfire Trail) expressed concerns about mail theft in light of a recent issue at his apartment complex. He asked the City Council to take action towards combating mail thefts and offered a variety of suggestions. Mayor Randall asked whether Mr. Hassler had reported the thefts to the police. He responded that he had and the Portage Police Division had informed him that his apartment complex would need to be contacted. Mayor Randall asked Acting City Manager Herringa to review the matter and assist Mr. Hassler. Councilmember Reid expressed her support of this action, noting her own experience with mail theft, and asked for the City Administration to report back.

Saroj Mohanty (5789 Bay Meadow Trail) stated he was appealing his property tax late fee to the City Council. Mayor Randall asked Acting City Manager Herringa to provide background on the matter, including any dates and payments made. It was noted that Mr. Mohanty paid fourteen days after the city grace period, which was recently instated in January 2021. Councilmember Burns expressed his opposition to waiving the late fee due to concerns about setting a precedent. Mayor Randall asked the City Clerk whether Mr. Mohanty's appeal was an item of business on the agenda in light of the Materials Transmitted report provided about the matter. Clerk Eklov responded it was not but could be added as New Business if desired. Councilmember Urban stated he opposed a waiver, noting the various payment methods and scheduling options. Councilmember Knapp concurred with Councilmembers Burns and Urban. Mayor Randall highlighted the recent policy change for tax payment deadlines and expressed opposition to a waiver in light of the new grace period offered. Mr. Mohanty requested a partial reduction of his late fee. Mayor Randall noted that only a portion of the fee relates to the City of Portage with the remainder due to the other taxing jurisdictions.

Caroline Peshek (6745 Shoreham) encouraged the City Council to pass a housing equity

ordinance similar to the City of Kalamazoo. She noted that she had made similar statements on prior occasions to the City Council. Ms. Peshak also asked that the city staff maintain a list of rental properties within the city, both for tax purposes, as well as interested renters. She cited data proving a correlation between poor housing and birth/infant development issues. Councilmember Burns expressed an interest in pursuing Ms. Peshak's recommendation, highlighting the city's existing Non-Discrimination Ordinance. He recommended that the City Council Housing and Neighborhoods Committee meet with representatives from the City of Kalamazoo to review Kalamazoo's ordinance and its development. Mayor Randall stated that a potential housing equity ordinance would be a good topic for the City Council's pending retreat in December.

PUBLIC HEARINGS:

IDD No. 90 for 6501 Portage Road - District Expansion: Mayor Randall opened the public hearing. Acting City Manager Herringa provided a summary of the Stryker Corporation / Kenco Logistics operation currently at 6501 Portage Road and described the proposed expansion project. Mr. Herringa noted that Stryker representatives Matt Williams and Nicole Thiel were present to answer any questions. As there were no questions or comments, motion by Burns, seconded by Reid, to close the public hearing on the proposed industrial facilities exemption certificate at 6501 Portage Road. Upon a roll call vote, motion carried 6 to 0.

Councilmember Reid stated she was happy to work with Stryker but encouraged the State of Michigan to review the requirements of PA 198 concerning manufacturing. She stated PA 198 needed to be updated to assist local jurisdictions with economic development. Motion by Reid, seconded by Burns, to adopt Resolution No. 4 on the proposed industrial facilities exemption certificate at 6501 Portage Road. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Board and Commission Appointments Mayor Randall requested the City Clerk to read the proposed appointments into the record. City Clerk Eklov stated as follows:

Reappoint John Lobo, Trudy Riker, and William Wieringa with terms ending October 1, 2024, as well as appoint Jean Balazs to an unfulfilled term ending October 1, 2023, and Linda Ciampi as alternate with terms ending October 1, 2023, to the Senior Citizen's Advisory Board. Reappoint Jerry Kroehn and Thomas Shaffer with terms ending October 1, 2024, and Nicole Reid to an unfulfilled term ending October 1, 2022, as well as Justin Gish and Chad Oberdoerster with terms ending October 1, 2023, to the Environmental Board. Reappoint Nick Meyle, Suzanne Nemeth, and Katie vanLonkhuyzen with terms ending December 31, 2024, to the Historic District Commission. Appoint Jihan Young, Erin Tornello, and John Dillworth to terms ending October 1, 2024, to the Human Services Board. Reappoint Daniel Jassim, Timothy Young, Dawn Smith with terms ending October 1, 2024, and appoint Charles Mosser to an unfulfilled term ending October 1, 2022, to the Park Board. Reappoint Keith Lewandowski to a partial term ending December 31, 2023, to the Economic Development Corporation/Tax Increment Finance Authority and Brownfield Redevelopment Authority. Appoint Winifred Kurtz to an alternate with term ending February 28, 2023, to the Zoning Board of Appeals. Appoint Spencer O'Dell to an unfulfilled term ending May 31, 2022, to the Planning Commission.

Motion by Burns, seconded by Reid, to appoint individuals to the Senior Citizen's Advisory Board, Environmental Board, Historic District Commission, Human Services Board, Park Board, EDC/TIFA & BRA, Zoning Board of Appeals, and Planning Commission as noted by the City Clerk. Upon a roll call vote, motion carried 6 to 0.

Spring Cleanup Program Change and Hiring Request: Councilmember Reid explained her opposition to the proposal, providing a history of the program with Waste Management and recent staffing issues. She stated that she recalled prior discussions in which the City Administration had concerns about workers' compensation issues and decided to contract the program. Councilmember Reid expressed concerns regarding the hiring of four positions with only 30 percent of the staff time devoted to the Spring Cleanup Program. She stated that adding staff should be addressed as part of the annual development of the city budget. Councilmember Reid further stated the current proposal was not viable and lacked information, but she would consider alternative options that utilized current staff and added only one or two new positions.

Deputy City Manager Herringa elaborated on the development of the current proposal and highlighted the savings expected. He further noted other city programs that are currently suffering as a result of contracted worker shortages.

Public Works Department Director Rod Russell explained the department's struggle to find contracted workers for certain city programs such as leaf collection and snow plowing, which has forced city staff to complete those services and leave routine tasks such as street maintenance to suffer. He further elaborated on the various duties and tasks the Public Works Department oversees that require attention, especially as the city continues to grow and develop. Finance Director Lauren VanderVeen explained the figures noted in the project savings chart provided, highlighting a net savings of \$2,711 by performing the program in-house.

Councilmember Burns asked Director Russell whether the city already had the equipment to fulfill this proposal. Director Russell confirmed the Public Works Department owned the loaders, but would need to continue to rent the packers or garbage trucks for the collection portion as had been done in prior years. Councilmember Burns then asked about the city's relationship with the dump sites and whether a contract was needed. Director Russell responded that the City Administration expected to advertise a request for bids to find the best "tipping fee." Councilmember Burns then asked Director VanderVeen about the possibility of re-allocating millage funds. Director VanderVeen responded that staff preferred to see how the first year of the city performing the program transpired. Councilmember Burns asked Director Russell about the timing of this proposal, noting the Spring Cleanup Program begins in April and asked whether it could wait for the development of additional information for Councilmember Reid. Director Russell explained his preference to launch the proposal now in light of the upcoming Fall Leaf Collection Program, followed by the winter snow plowing season.

Councilmember Urban asked Director Russell whether he had encountered prior issues with the ability to fill contract positions with the required CDL certifications and losing time training new workers each year. Director Russell confirmed experiencing such issues and relayed his hopes that the city's hiring and benefits package would attract quality candidates. Councilmember Urban then stated that the role of the City Council is to trust the City Administration to recommend the best option to maintain quality services and programs in a timely manner. He expressed a desire for the Council to decide now on the proposal and highlighted that the proposed positions would also supplement other city programs.

Councilmember Reid expressed her appreciation for the additional information staff provided but stressed such information should be part of the initial proposal to the Council. She stated that she understood the importance of the program but wants to be the best steward of the city's budget and does not expect the city to be able to find the desired applicants. Mayor Randall expressed support for the City Administration's proposal, citing the popularity of the program, and thanked staff for stepping in to complete the program when needed.

Motion by Burns, seconded by Knapp, to support the Department of Public Works performing

the Spring Cleanup Program, beginning with the 2022 program, and approve the hiring of four new full-time Maintenance Technician I positions. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: None.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Burns thanked the staff for their efforts in researching and developing the recommendation to bring the Spring Cleanup Program in-house.

Councilmember Knapp had no comment.

Councilmember Reid noted October was National Disability Employment Awareness Month, highlighting quality employment candidates that identify as disabled. She also congratulated the Office of the City Clerk staff on their recent participation in the Michigan Office of the Auditor General audit of the Michigan Bureau of Elections.

Councilmember Ledbetter acknowledged October as Domestic Violence Awareness Month, as well as Human Trafficking Awareness Month, and thanked the YWCA for their work with the community. He then highlighted the recent outage of Facebook platform applications and stressed increased cyber security awareness. Councilmember Ledbetter closed by acknowledging October 11 as Indigenous Peoples Day.

Councilmember Urban stated that COVID-19 continues to be active in the nation, as well as Kalamazoo County, and highlighted Acting City Manager Herringa's bout with the disease. Mr. Urban urged eligible citizens to get their COVID-19 booster vaccines and a seasonal flu vaccine. Acting City Manager Herringa recognized his COVID-19 diagnosis and noted his virtual attendance as a result. He then acknowledged GIS Specialist Karl Klemm for his recent customer service efforts. Mr. Herringa closed by sharing a visual of the newly wrapped traffic controller box in front of Portage Central High School featuring the school's colors and mascot. He noted the measure as a great partnership between the city and the school district.

Mayor Randall thanked the various citizens who applied for the city's Boards and Commissions. She then highlighted the State of Michigan's recent allocation of \$1.4 million for the new Community Senior Center and thanked Portage's state representatives and senators for their efforts. Mayor Randall also thanked Mayor Pro Tem Pearson and Councilmember Knapp for their continued fundraising efforts with the Community Senior Center campaign.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:29 PM.

Erica L. Eklov, City Clerk

**PRE-COUNCIL MEETING
MINUTES FROM OCTOBER 18, 2021**

Mayor Patricia Randall called the meeting to order at 08:00 AM. The meeting was held in a partially virtual format as permitted by PA 228, in accordance with December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall (virtual – Portage, MI), Mayor Pro Tem Jim Pearson (virtual – Portage, MI) and Councilmembers Lori Knapp (virtual - Cognashene, Georgian Bay, Canada), Vic Ledbetter (virtual – Texas Township, MI) and Claudette Reid (virtual – Portage, MI) were present. Councilmembers Chris Burns and Terry Urban were absent with excuse. Also in attendance were Acting City Manager Adam Herringa, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

With regard to the Proclamation, Mayor Randall confirmed two Human Services Board members would be present to read the document.

With regard to the City Council Meeting Minutes, Councilmember Knapp asked for clarification regarding her vote in light of her absence from one of the listed meetings. Acting Deputy City Manager Herringa responded that she was able to vote.

With regard to Item A.3, Portage Community Senior Center Interior Furnishings, Councilmember Reid questioned the 22 percent discount from retail prices with Haworth under the MiDEAL contract and stated she expected closer to 50 percent. Councilmember Reid requested a list of each furnishing classification and the percentage discount. Acting City Manager Herringa explained how the proposal was crafted by the City Administration and confirmed staff would create a list. Councilmember Reid then inquired about the listed labor charge. Acting City Manager Herringa responded that the charge was for the furniture assembly.

With regard to Item A.4, School Crossing Guard Services Contract, Councilmember Reid asked about the current contract cost for reference. She then noted the yearly price increases for the proposed contract vary between 1.25 percent and 10.58 percent, and requested additional justification for the variances. Acting City Manager Herringa responded, stating the 2015 contract with All City Management was \$56,084 followed by the most recent contract amount of \$64,444. He stated the increases were historically a result of the need to secure quality personnel. Councilmember Reid expressed understanding with the need to fulfill staffing but noted the increases were erratic. Mr. Herringa confirmed he would further research and respond.

With regard to Item F.1, Minor in Possession Ordinance Update, Councilmember Reid inquired whether any of the proposed revisions were from the City Administration or all a result of updates to the Michigan Compiled Laws. Acting City Manager Herringa confirmed the entire revision was a result of the State of Michigan updates.

PETITIONS AND STATEMENTS OF CITIZENS: None.

ADJOURNMENT: Following a summary of the meeting, Mayor Randall adjourned the meeting at 8:15 AM.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approval of the Accounts Payable Register of October 19, 2021 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks, auto-pay payments, electronic payments and credit card payments. The attached Accounts Payable Register covers the period September 26, 2021 through October 9, 2021 and notes \$852,420.56 in automated clearing house payments, \$480,977.05 in paper checks, \$93,509.24 in auto-pay payments, \$5,281,984.66 in electronic payments and \$7,264.03 in credit card payments (September) for a grand total of \$6,716,155.54.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of October 19, 2021

ACCOUNTS PAYABLE REGISTER
Check Dates From: 9/26/2021 to 10/09/2021

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Check Type: ACH Transactions

Check Date	Check	Vendor Name	Description	Amount
10/01/2021	15904(A)	ABONMARCHE CONSULTANTS, INC	TRAFFIC STUDY REVIEW	260.00
10/01/2021	15905(A)	ADVANTAGE ROOFING, INC.	CDBG ROOF REPLACEMENT & CHIMNEY REMOVAL	5,131.00
10/01/2021	15906(A)	AIRGAS USA LLC	WELDING SUPPLIES	140.72
10/01/2021	15907(A)	ALKHAMIS, ZACHARY ZIAD	DUFB REIMBURSEMENT	44.00
10/01/2021	15908(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	2,705.04
10/01/2021	15909(A)	ALL-TRONICS, INC.	YEARLY EQUIPMENT MAINTENANCE	78.00
10/01/2021	15910(A)	ALRO STEEL CORPORATION	REPAIR AND MAINTENANCE SUPPLIES	1,091.12
10/01/2021	15911(A)	AMAZON.COM SALES, INC.	MISC SUPPLIES	2,171.22
10/01/2021	15912(A)	AMERICAN HYDROGEOLOGY CORP.	S WESTNEDGE PARK - PFAS	6,574.47
10/01/2021	15913(A)	AMERICAN SAFETY & FIRST AID	SAFETY/FIRST AID SUPPLIES	77.06
10/01/2021	15914(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	2,410.00
10/01/2021	15915(A)	BAKER, STACEY	PEEP SCREENING BREAKFAST REIMB	92.14
10/01/2021	15916(A)	BEEBE, RONALD E.	2021 FALL UMPIRE PAYROLL	150.00
10/01/2021	15917(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROGRAM	56,151.04
10/01/2021	15918(A)	BOGARD, SCOTT T	CONTROLLED FORCE TRAINING REIMB	168.00
10/01/2021	15919(A)	BURLESON, KEVIN	ADVANCED EVIDENCE COLLECTION TR REIMB	280.00
10/01/2021	15920(A)	BYHOLT INC.	2NS SAND DELIVERY	406.62
10/01/2021	15921(A)	CARDINAL BUS, INC.	ART PRIZE TRANSPORTATION-SR CENTER TRIP	710.00
10/01/2021	15922(A)	CARLETON EQUIPMENT CO.	REPAIR AND MAINTENANCE	389.82
10/01/2021	15923(A)	CHARTER COMMUNICATIONS	CABLE TV	431.60
10/01/2021	15924(A)	CLARKE, GERALD	SNAP REIMBURSEMENT	47.00
10/01/2021	15925(A)	COMPLETE LANDSCAPING SOLUTIONS	CONTRACT MOWING	87.20
10/01/2021	15926(A)	CUTSHAW, JESSICA LYNN	CONTROLLED FORCE TRAINING REIMB	168.00
10/01/2021	15927(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING SERVICES	97.95
10/01/2021	15928(A)	DATAWORKS PLUS LLC	ANNUAL SOFTWARE/HARDWARE SUPPORT	1,159.00
10/01/2021	15929(A)	DEER CONTRACTING & LANDSCAPE	BLOCK WALL REPAIRS	1,280.00
10/01/2021	15930(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	19,793.10
10/01/2021	15931(A)	DOPP, LYNLEY	MAHN ANNUAL CONFERENCE REIMB	110.00
10/01/2021	15932(A)	EDWARDS, HENRY	2021 FALL UMPIRE PAYROLL	94.00
10/01/2021	15933(A)	ENGINEERED PROTECTION SYSTEMS, INC.	NEW EQUIPMENT INSTALLATION-CITY HALL	2,176.95
10/01/2021	15934(A)	ETNA SUPPLY, INC.	PARKS SUPPLIES	47.00
10/01/2021	15935(A)	EVERETT, CHIP	MCNEAL DRIVER'S TR REG & EQUIP REIMB	113.55

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10/01/2021	15936(A)	EXTREME POWER EQUIPMENT, INC.	BACKPACK BLOWERS REPAIR/MAINTENANCE	216.40
10/01/2021	15937(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,337.20
10/01/2021	15938(A)	FISHBECK THOMPSON CARR & HUBER, INC	RISK & RESILIENCE ASSESSMENT	1,576.64
10/01/2021	15939(A)	FORSHEE, MARK	2021 FALL UMPIRE PAYROLL	100.00
10/01/2021	15940(A)	FULL CIRCLE FARM	SNAP DUFBS SPF REIMBURSEMENT	85.00
10/01/2021	15941(A)	GABRIELLI, CARLIN	ADV EVIDENCE COLLECTION TRAINING	280.00
10/01/2021	15942(A)	GLEESING, KEVIN	POLICE SCHOOL OF STAFF & COMMAND WK 8 & 9	1,039.00
10/01/2021	15943(A)	GLOBAL EQUIPMENT CO., INC.	MISC BUILDING SUPPLIES	413.82
10/01/2021	15944(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL	235.00
10/01/2021	15945(A)	HOTRUM, ROBERT	2021 FALL UMPIRE PAYROLL	200.00
10/01/2021	15946(A)	HOUSER, DANIEL	CONTROLLED FORCE TRAINING EXP REIMB	168.00
10/01/2021	15947(A)	INDUSCO SUPPLY CO., INC.	MISC CLEANING SUPPLIES	1,403.24
10/01/2021	15948(A)	J + H OIL CO.	BULK GASOLINE DELIVERY	20,907.65
10/01/2021	15949(A)	J. ALLEN & CO. INC.	AUTUMN VIEW LANE ASPHALT REPAIR	6,960.00
10/01/2021	15950(A)	JB PRINTING	PORTAGER PRODUCTION SEPT 2021	6,327.50
10/01/2021	15951(A)	LAWSON PRODUCTS, INC	REPAIR AND MAINTENANCE SUPPLIES	987.31
10/01/2021	15952(A)	LRE	ENGINEERING SERVICES	8,611.20
10/01/2021	15953(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION REPAIRS	1,397.00
10/01/2021	15954(A)	MAYHEW, BRYAN	POLICE SCHOOL OF STAFF & COMMAND WK 8 & 9	1,039.00
10/01/2021	15955(A)	MEEKHOF TIRE SALES & SERVICE INC.	LOADER TIRE REPAIRS	280.00
10/01/2021	15956(A)	MEJEUR ELECTRIC LLC	MISC ELECTRICAL SERVICES	734.00
10/01/2021	15957(A)	MICHIGAN PAVING & MATERIALS CO.	MILL & FILL E CENTRE BIKEWAY	38,150.00
10/01/2021	15958(A)	MICHIGAN PAVING & MATERIALS CO.	2020 SPRING MILL & FILL PROGRAM	587,893.15
10/01/2021	15959(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	308.19
10/01/2021	15960(A)	MILLS, DANIEL	MACP ACCREDITATION CONFERENCE	94.35
10/01/2021	15961(A)	NYE UNIFORMS	MISC UNIFORMS	2,219.97
10/01/2021	15962(A)	O'BOYLE-COLWELL-BLALOCK & AS.	RAMONA LANDSCAPE PLANNING	1,392.50
10/01/2021	15963(A)	OFF THE CUFF CATERING	2021 PCAA RECEPTION CATERING	522.00
10/01/2021	15964(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	1,096.48
10/01/2021	15965(A)	PERCEPTIVE CONTROLS, INC.	SCADA MAINTENANCE	2,785.72
10/01/2021	15966(A)	PRAIRIE WORKSHOPS LLC	BLACKSMITH DEMONSTRATIONS FALL FESTIVAL	200.00
10/01/2021	15967(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	2,537.36
10/01/2021	15968(A)	PREIN & NEWHOF	2021 WATER SAMPLING - PFAS	3,658.00

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10/01/2021	15969(A)	PREIN & NEWHOF	2021 WATER SAMPLING - PFAS	782.00
10/01/2021	15970(A)	PRINTING SERVICES INC	MISC PRINTING SERVICES	622.75
10/01/2021	15971(A)	R W LAPINE INC.	HVAC MAINTENANCE SERVICES	8,054.35
10/01/2021	15972(A)	REPUBLIC SERVICES OF WEST MICHIGAN	AUGUST WASTE SERVICES - CITY BUILDINGS	1,535.61
10/01/2021	15973(A)	REYNHOUT, BRENT	MTOA CONFERENCE EXP REIMB	104.50
10/01/2021	15974(A)	RHODES, KEVIN	2021 FALL UMPIRE PAYROLL	325.00
10/01/2021	15975(A)	RIDGE AUTO NAPA	REPAIR & MAINT SUPPLIES	1,695.61
10/01/2021	15976(A)	VOID		0.00
10/01/2021	15977(A)	ROTO-ROOTER SEWER & DRAIN SERV	CDBG EMERGENCY WATER HEATER REPLACEMENT	1,000.00
10/01/2021	15978(A)	RYKSE & CO LLC	SNAP REIMBURSEMENT	25.00
10/01/2021	15979(A)	S B F ENTERPRISES, INC.	SUPPLIES FOR TAX & WATER/SEWER BILLS	2,692.30
10/01/2021	15980(A)	SAFETY SERVICES, INC.	GLOVES AND SAFETY SUPPLIES	604.85
10/01/2021	15981(A)	SARKOZY BAKERY LLC	SNAP REIMBURSEMENT	96.00
10/01/2021	15982(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL REPLACEMENT	18,088.07
10/01/2021	15983(A)	STEELE, DANA	MCRA TRAINING EXP REIMB	495.96
10/01/2021	15984(A)	SUBSURFACE REFLECTIONS LLC	UTILITY STAKING- WESTFIELD PARK	1,225.00
10/01/2021	15985(A)	USA SOFTBALL OF MICHIGAN	FALL SOFTBALL TEAM REGISTRATIONS	1,050.00
10/01/2021	15986(A)	VANPORTFLIET, DEREK	ADVANCED EVIDENCE COLLECTION TR REIMB	280.00
10/01/2021	15987(A)	WARNER NORCROSS & JUDD LLP	LEGAL & RETAINER FEES	12,500.00
10/01/2021	15988(A)	WEST MICHIGAN STAMP & SEAL, INC	NAME PLATES	25.00
10/01/2021	15989(A)	WIGHTMAN	QUALITY ASSURANCE BRIDGE INSPECTIONS	350.00
10/01/2021	15990(A)	WORLDPOINT ECC	FIRE TRAINING SUPPLIES	144.23
10/08/2021	15991(A)	KUSHNER & COMPANY, INC.	COBRA & FSA ADMINISTRATION	333.05
10/08/2021	15992(A)	TAYLOR, GRANT	REIMBURSEMENT FOR CPFO TRAINING	600.00

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09/27/2021	318455	CC CONSULTING LLC	CONSULTING SVC/RETAIL MARKETING ANALYSIS	5,000.00
10/01/2021	318456	A BETTER WAY TREE CARE LLC	TREE REMOVAL	2,600.00
10/01/2021	318457	A M LEONARD	LEAF PICK-UP SUPPLIES	228.65
10/01/2021	318458	ABSTRACT TITLE COMPANY	OVERPAYMENT 1123 LAKEVIEW DR SP ASSESSMENT	101.00
10/01/2021	318459	ACE PARKING LOT STRIPING, INC.	SCHRIER PARKING LOT LINE PAINTING	435.00
10/01/2021	318460	ALLEGRA PRINT & IMAGING	MISC PRINTING SERVICES	201.00

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10/01/2021	318461	AMERISCAN IMAGING SERVICES, INC.	RECORD MANAGEMENT - DESTRUCTION	83.60
10/01/2021	318462	AR ENGINEERING LLC	ENGINEERING SERVICES	1,572.00
10/01/2021	318463	ASCENSION MICH OCCUPATIONAL HEALTH	POST OFFER EXAMS	710.00
10/01/2021	318464	AT&T ACQUISITIONS, LLC	OVERPAYMENT STAX21 PARCEL 01600-075-O	385.00
10/01/2021	318465	AVI SYSTEMS, INC.	COUNCIL CHAMBERS PODIUM EQUIP REPAIR	3,981.90
10/01/2021	318466	B & H PHOTO & ELECTRONICS CORP.	DJI FLIGHT BATTERY FOR PHANTOM PRO/PRO+	185.00
10/01/2021	318467	BAILEY TERRA NOVA FARMS	SNAP REIMBURSEMENT	56.00
10/01/2021	318468	BALL, DAVID	HAYLOFT THEATRE CHAIR REFUND	120.00
10/01/2021	318469	BEATTY, JOHN	TRIP REFUND 21SE22 TIGERS/WHITESOX TRIP	110.00
10/01/2021	318470	BIRD, MARY	TRIP REFUND 211014 MYSTERY TRIP	80.00
10/01/2021	318471	BLOCK, MARY BETH	3CMA ANNUAL CONFERENCE EXPENSES REIMB	638.44
10/01/2021	318472	BLOOM SLUGGETT, PC	LITIGATION-S WESTNEDGE AVE STORM SEWER PROJ	1,320.00
10/01/2021	318473	BLUEBEAM, INC.	BLUEBEAM RENEWAL	1,322.16
10/01/2021	318474	BORLIK, JOHN & DIANE	TRIP REFUND 21SE22 TIGERS/WHITESOX	220.00
10/01/2021	318475	BRANCH, JOYCE	TRIP REFUND 21SE22 TIGERS/WHITESOX	450.00
10/01/2021	318476	BRAYTON, DANIEL J. AND LISA C.	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
10/01/2021	318477	BROWN, JULIA	POTTERY DEMONSTRATIONS - FALL FESTIVAL	200.00
10/01/2021	318478	BRUSH, BENJAMIN	SNAP REIMBURSEMENT	19.00
10/01/2021	318479	BUCHINO, DEB	TRIP REFUND 21SE22 TIGERS/WHITESOX	120.00
10/01/2021	318480	CAMERON, PAMELA JANE	WOODWORKING DEMONSTRATIONS - FALL FESTIVAL	200.00
10/01/2021	318481	CENTRAL TILE & TERRAZZO CO.	CARPET TILE-COMM DEV	743.52
10/01/2021	318482	CHEESE PEOPLE OF GRAND RAPIDS	SNAP REIMBURSEMENT	35.00
10/01/2021	318483	CHICAGO TITLE OF MICHIGAN	OVERPAYMENT 7615 BLACKMAR WATER ACCOUNT	21.23
10/01/2021	318484	CHICAGO TITLE OF MICHIGAN, INC	OVERPAYMENT STAX21 FOR 5849 STRATFORD DR	75.68
10/01/2021	318485	CINTAS CORP.	UNIFORM RENTAL	638.24
10/01/2021	318486	CITY OF KALAMAZOO TREASURER	CITIZEN'S ACADEMY TRAINING SUPPLIES	500.00
10/01/2021	318487	CLASSIC GLASS, INC.	WINDSHIELD	789.16
10/01/2021	318488	CLEARNETWORK, INC.	UNIFIED SECURITY CONSULTING JUL & AUG	3,900.00
10/01/2021	318489	CORY, CAROL	TRIP REFUND 21SE22 TIGERS/WHITESOX	230.00
10/01/2021	318490	COSTAR REALTY INFORMATION, INC.	COMM REAL ESTATE DATABASE	367.23
10/01/2021	318491	CT ELECTRICAL SERVICES, INC.	LED LIGHTING UPGRADE AT WELLHOUSES	6,815.00
10/01/2021	318492	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGE	119.20
10/01/2021	318493	DAVE'S CONCRETE PRODUCTS, INC.	PROJECT SUPPLIES	867.00

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10/01/2021	318494	DEVERS, JULIE	TRIP REFUND TIGERS/WHITESOX 21SE22	120.00
10/01/2021	318495	DEVON TITLE AGENCY	OVERPAYMENT WATER BILL 2214 CURTIS AVE	54.30
10/01/2021	318496	DEVON TITLE AGENCY	OVERPAYMENT STAX21 PARCEL 00017-160-D	21.76
10/01/2021	318497	DEVON TITLE AGENCY	OVERPAYMENT 6217 DEVON ST WATER BILL	7.85
10/01/2021	318498	DEVON TITLE AGENCY	OVERPAYMENT 6529 ELLE AVE STAX21 AND WAT	41.38
10/01/2021	318499	DEVON TITLE AGENCY	OVERPAYMENT STAX21 7810 WENDY LN	101.11
10/01/2021	318500	DICK, ROBERT	DUFB SPF WIC REIMBURSEMENT	31.00
10/01/2021	318501	DOUBLEDAY, KAREN	TRIP REFUND 211014 MYSTERY TRIP	80.00
10/01/2021	318502	DTN, LLC	WXSENTRY WEATHER SERVICES	972.00
10/01/2021	318503	EHLERT, WILLIAM & ANTONIETTE	TRIP REFUND 21SE22 TIGERS/WHITESOX	240.00
10/01/2021	318504	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	2,159.61
10/01/2021	318505	EVENT PRODUCTION SERVICES OF MI LLC	AUGUST & SEPT FRIDAY AT THE FLATS SOUND	300.00
10/01/2021	318506	FACE, GEORGE	FIRE HOUSE EXPO TRAVEL EXP REIMB	1,102.90
10/01/2021	318507	FADER EQUIPMENT, INC.	REPAIR/MAINTENANCE SUPPLIES	113.66
10/01/2021	318508	FERGUSON ENTERPRISES, LLC	FIRE FACILITY MAINT	2,859.75
10/01/2021	318509	FIRST PLACE SUPPLY, INC.	OFFICE SUPPLIES	168.92
10/01/2021	318510	FISH WINDOW CLEANING	CITY HALL WINDOW CLEANING	250.00
10/01/2021	318511	FLETCHER ENTERPRISES	GRAFFITI REMOVAL	200.00
10/01/2021	318512	FRENCH, STACY	MFIS FALL CONF TRAVEL EXP REIMB	384.33
10/01/2021	318513	GOLLIN, KENNEDY	FALL FESTIVAL HORSE AND CARRIAGE DEPOSIT	1,300.00
10/01/2021	318514	GRAHAM, WILLIAM	MFIS FALL CONF TRAVEL EXP REIMB	384.33
10/01/2021	318515	GUTH ILLUSTRATION & DESIGN	PHOTO BOOTH BANNER DESIGN	200.00
10/01/2021	318516	HAINES JR, EDWARD J & CATHERINE E	BD BOND REFUND	3,200.00
10/01/2021	318517	HAINES, NICHOLAS	CERTIFIED PLAYGROUND SAFETY INSPECTOR CERT	261.34
10/01/2021	318518	HALT FIRE, INC.	FIRE APPARATUS MAINT	1,460.57
10/01/2021	318519	HARMON, JAMIE	MICHIGAN PUBLIC SERVICE INSTITUTE TR EXP REIMB	218.00
10/01/2021	318520	HARRISON, MARK ALLEN	SNAP REIMBURSEMENT	23.00
10/01/2021	318521	HEMPHILL-PEARSON, BARBARA	TRIP REFUND 21SE22 TIGERS/WHITESOX	100.00
10/01/2021	318522	HOME DEPOT	REPAIR/MAINTENANCE SUPPLIES	1,730.90
10/01/2021	318523	VOID		0.00
10/01/2021	318524	INT'L SOCIETY OF FIRE SERVICE INSTR	REGISTRATION-ISFSI FIRE INSTRUCTOR CRED	525.00
10/01/2021	318525	KALAMAZOO BOOK ARTS CENTER	KBOC ART AT FALL FESTIVAL	200.00
10/01/2021	318526	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES/OAKBROOK 2021 MOBILE HM TAXES	777.50

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10/01/2021	318527	KALAMAZOO COUNTY TREASURER	2020 MTT DOCKET #20-003637	1,498.77
10/01/2021	318528	KALAMAZOO COUNTY TREASURER	2021 JULY BOARD OF REVIEW PRE CHANGES	111.73
10/01/2021	318529	KALAMAZOO GAZETTE	KZOO GAZETTE SUBSCRIPTION RENEWAL	251.75
10/01/2021	318530	KALAMAZOO VALLEY COMMUNITY COL	TUITION FOR 3 ACADEMY STUDENTS	24,900.00
10/01/2021	318531	KAMERMAN, DAN	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318532	KIRACOFE, SHERRILL	TRIP REFUND 21SE22 TIGERS/WHITESOX	120.00
10/01/2021	318533	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	404.45
10/01/2021	318534	LYTLE, JAMES	TRIP REFUND 211007 AUTUMN ON THE RIVER R	112.00
10/01/2021	318535	MAHN	MAHN ANNUAL CONFERENCE REGISTRATION	150.00
10/01/2021	318536	MANDIGO, PHYLLIS	TRIP REFUND 211007 AUTUMN ON THE RIVER	122.00
10/01/2021	318537	MARLATT, RACHEL	HAYLOFT & SCHOOLHOUSE DEPOSIT REFUND	200.00
10/01/2021	318538	MAXWELL PRODUCTS, INC.	CRACK SEALING MATERIALS	23,298.84
10/01/2021	318539	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	144.00
10/01/2021	318540	MEIKLE, CATHERINE	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318541	METRO ADVANTAGE TITLE	OVERPAYMENT WATER BILL 6316 AVON ST	47.66
10/01/2021	318542	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	1,827.44
10/01/2021	318543	MICHIGAN ASSOC. OF SENIOR CENTERS	MICH ASSOC SR CENTERS ANNUAL CONFERENCE	235.00
10/01/2021	318544	MILLER, MARY	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318545	MITCHELL, RENEE	SMART CYCLING CLASSES	185.00
10/01/2021	318546	MLIVE MEDIA GROUP	LEGAL NOTICES	101.85
10/01/2021	318547	MOHNEY, GERALD C & LORI B TRUST	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
10/01/2021	318548	MONROE, DWAN	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/01/2021	318549	MOSES FIRE EQUIPMENT, INC.	FIRE APPARATUS MAINT	636.87
10/01/2021	318550	NORTON, DEBBY	SCHRIER PARK BLD DEPOSIT REFUND	150.00
10/01/2021	318551	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,333.66
10/01/2021	318552	VOID		0.00
10/01/2021	318553	OPENGOV, INC	AUTOMATED BUDGET & CITIZEN ENGAGEMENT SYS	80,225.00
10/01/2021	318554	PAPPAS, LYNN M	ESLS SNAP DUFBI WIC REIMBURSEMENT	352.00
10/01/2021	318555	PATEL, PRASHANT	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/01/2021	318556	PEERLESS, INC.	FIRE STATION SUPPLIES	669.00
10/01/2021	318557	PERKINS, DARYL	TRIP REFUND 211014 A MYSTERY TRIP	80.00
10/01/2021	318558	PETERMAN CONCRETE CO.	CONCRETE & MATERIALS	82.40
10/01/2021	318559	PETERS, STEVE	SWP TOURNAMENT DEPOSIT REFUND	100.00

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10/01/2021	318560	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	404.59
10/01/2021	318561	PETTY CASH-LARRY MOORE	REPLENISHMENT CHECK	285.94
10/01/2021	318562	PHELPS, MARIAH	SNAP REIMBURSEMENT	24.00
10/01/2021	318563	PLANET BIKE LLC	BE BRIGHT LIGHTS 2021/BIKE VISIBILITY INITIATIVE	1,194.00
10/01/2021	318564	PLAYFORD, LOU	FIREHOUSE EXPO TRAINING EXP	112.00
10/01/2021	318565	PORTRUM, RUTH	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/01/2021	318566	POTRUDE, HOWARD & GEORGIA	TRIP REFUND 21SE22 TIGERS/WHITESOX	210.00
10/01/2021	318567	RAFACZ, JOE	ROPE MAKING DEMONSTRATION FALL FESTIVAL	200.00
10/01/2021	318568	RANKIN, JOHN & GENNY	TRIP REFUND 21SE22 TIGERS/WHITESOX	220.00
10/01/2021	318569	RATH, JOHN R.	GLASS BLOWING DEMONSTRATION FALL FESTIVAL	200.00
10/01/2021	318570	RATHCO SAFETY SUPPLY, INC.	TRAFFIC CONTROL SERVICES	742.50
10/01/2021	318571	REDMOND FUNERAL HOME	SCHRIER PARK BLD DEPOSIT REFUND	150.00
10/01/2021	318572	RENEWED EARTH, INC.	LEAF & BRUSH DISPOSAL	9,083.33
10/01/2021	318573	RESTORATIVE LAKE SCIENCES, LLC	2021 WEST LAKE WEED MANAGEMENT PROGRAM	1,625.00
10/01/2021	318574	RIVERSIDE INTEGRATED SYSTEMS, INC.	MONITOR FIRE ALARM	270.00
10/01/2021	318575	ROAD COMMISSION OF KALAMAZOO COUNTY	TRAFFIC SIGNAL ENERGY & MAINT	2,112.49
10/01/2021	318576	ROBERTSON, JANICE	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318577	SAFEBUILT MICHIGAN, LLC	FILL IN INSPECTIONS FOR BUILDING SERVICE	23,865.00
10/01/2021	318578	SANDERSON DEHAAN IRRIGATION	COMPLETION OF SPRINKLER SYSTEM	650.00
10/01/2021	318579	SCHEUMANN, CONNOR	PETTING FARM FALL FESTIVAL	1,050.00
10/01/2021	318580	SCHULTZ, FRED & DOROTHY	TRIP REFUND 21SE22 TIGERS/WHITESOX	220.00
10/01/2021	318581	SCHULTZ, GREG	SWP TOURNAMENT DEPOSIT REFUND	100.00
10/01/2021	318582	SHAUB, MARGARET	TRIP REFUND 210917 ART PRIZE	115.00
10/01/2021	318583	SHI INTERNATIONAL CORP.	EXTRA RAM FOR P340 PC	170.00
10/01/2021	318584	SIMON, VIRGINIA	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318585	SITEONE LANDSCAPE SUPPLY LLC	PARKS IRRIGATION REPAIR SUPPLIES	290.94
10/01/2021	318586	SMEMSIC	SMEMSIC FALL CONFERENCE REGISTRATION	210.00
10/01/2021	318587	SPARTAN DISTRIBUTORS INC.	MOWER REPAIR/MAINTENANCE	424.47
10/01/2021	318588	SPENCER, SUSANNE	TRIP REFUND 210917 ART PRIZE 2021	105.00
10/01/2021	318589	STALLARD, BETTY	TRIP REFUND 211129 BRANSON ADVENTURE	279.00
10/01/2021	318590	STATE FARM INSURANCE	OP STAX21 PARCEL 92016-010-N	105.63
10/01/2021	318591	STATE OF MICHIGAN	SOR REGISTRATION FEE	30.00
10/01/2021	318592	STATE OF MICHIGAN (BOILER DIV)	BOILER INSPECTION	60.00

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Check Dates From: 9/26/2021 to 10/09/2021

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Check Date	Check	Vendor Name	Description	Amount
10/01/2021	318593	STATE OF MICHIGAN (DOT)	MAJOR ROAD RECONSTRUCTION/RESURFACE	195,176.92
10/01/2021	318594	STEVENSON, KATHY	TRIP REFUND 211014 A DAY AWAY MYSTERY TR	80.00
10/01/2021	318595	SUN TITLE AGENCY	EARNST MONEY FOR 9112 S WESTNEDGE	1,000.00
10/01/2021	318596	SUPERIOR BUSINESS SOLUTIONS	PRINTING SERVICES	25.74
10/01/2021	318597	SUREFIRE, LLC	FLASHLIGHTS & HOLSTERS	632.00
10/01/2021	318598	SWANK MOTION PICTURES, INC.	RAYA LAST DRAGON MOVIE NIGHT LICENSING	450.00
10/01/2021	318599	TACTRON, INC.	FIRE OPS SUPPLIES	25.19
10/01/2021	318600	TAFT, KRIS	REIMBURSEMENT FOR VETERANS DAY PROJECT	199.70
10/01/2021	318601	TEDFORD, BRIANNA	HAYLOFT THEATRE DEPOSIT REFUND	300.00
10/01/2021	318602	THOMPSON, JAMES OR DARLA	OVERPMT STAX21 ON PARCEL 05403-178-O	88.06
10/01/2021	318603	TITLE CONNECT LLC	OVERPAYMENT PARCEL 00009-001-O	513.30
10/01/2021	318604	TRIPLE CROWN PRODUCTS	PUBLIC WORKS SHIRTS	164.85
10/01/2021	318605	TRUGREEN AND ACTION PEST CONTROL	HERBICIDE APPLICATIONS	650.00
10/01/2021	318606	TUCEK, PAUL & DIANE	TRIP REFUND 21SE22 TIGERS/WHITESOX	220.00
10/01/2021	318607	ULINE, INC.	MISC EVIDENCE SUPPLIES	73.94
10/01/2021	318608	UNITED PARCEL SERVICE	UPS WEEKLY	54.06
10/01/2021	318609	VANDERNOOT, JULIE	TRIP REFUND 211129 BRANSON	279.00
10/01/2021	318610	VANGUARD FIRE & SUPPLY CO., INC.	FIRE SCBA MAINT	1,625.00
10/01/2021	318611	VERIZON CONNECT NWF, INC.	FLEET GPS SERVICES	1,381.58
10/01/2021	318612	VERMEER, JEREMY	N AMERICAN ACTIVE ASSAILIANT CONF EXP	98.00
10/01/2021	318613	WASHCO, LLC	WASH MILLENNIUM TRAIL BRIDGES	2,750.00
10/01/2021	318614	WEBER, KATHLEEN	TRIP REFUND 21SE22 TIGERS/WHITESOX	110.00
10/01/2021	318615	WELNIAK, BRAD	FDTN-LIVE FIRE TR CAMP EXPENSE REIMB	171.00
10/01/2021	318616	WEST HILLS ATHLETIC CLUB	FIRE FITNESS PROGRAM	4,500.00
10/01/2021	318617	WEST MICHIGAN REALTORS TITLE CO	OVERPAYMENT STAX21 5840 COPPERLEAF TRL	278.87
10/01/2021	318618	WILD, JED	N AMERICAN ACTIVE ASSAILIANT CONF EXP REIMB	98.00
10/01/2021	318619	WILLIAMS & WORKS	ENGINEERING SERVICES-LOVERS LANE	910.00
10/01/2021	318620	WRIGHT, BARBARA	TRIP REFUND 210917 ART PRIZE 2021	105.00
10/01/2021	318621	TEDFORD, BRIANNA	GRAIN ELEVATOR RENTAL REFUND	400.00
10/06/2021	318622	MCDA	ANNUAL DUES FOR MCDA MEMBERSHIP	100.00
10/08/2021	318623	DEKKER, MELISSA	REIMBURSEMENT FOR PHONE ACCESSORY	365.11
10/08/2021	318624	FORD, BRUCE P & CATHERINE A	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
10/08/2021	318625	JAROS, ROBERT T & MICHELLE C	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30

ACCOUNTS PAYABLE REGISTER
Check Dates From: 9/26/2021 to 10/09/2021

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Check Date	Check	Vendor Name	Description	Amount
10/08/2021	318626	LOVERS LANE PROPERTIES LLC	2021 SUMMER BRFD DISBRSMNT 6666 LOVERS	13,848.76
10/08/2021	318627	MASSIE, LARRY B.	PLACE CALLED PORTAGE BOOK SALE	14.97
10/08/2021	318628	NATIONAL FIRE PROTECTION ASSOC	RECERT FIRE INSPECTOR II, PLAN EXAMINER	300.00
10/08/2021	318629	PHILLIPS, RUSSELL	CERTIFICATION TRAINING REFUND	261.34
10/08/2021	318630	PORTAGE ROTARY	PORTAGE ROTARY DUES	225.00
10/08/2021	318631	TREYSTAR HOLDINGS, LLC	BROWNFIELD SUMMER 21	15,334.77
10/08/2021	318632	VERIZON WIRELESS	WIRELESS SERVICE	48.16
Total Paper Check				480,977.05

Check Type: Auto-Pay Payments

09/29/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	103.74
10/04/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	14,359.45
10/06/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	6,576.61
10/07/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	47,940.25
10/08/2021		CONSUMERS AUTOPAY	GAS-ELECTRIC	24,529.19
Total Auto-Pay Payments				93,509.24

Check Type: Electronic Payments

09/24/2021		CITY OF PORTAGE EMPLOYEE	PAYROLL ADJUSTMENT	4,970.72
09/24/2021		PORTAGE PUBLIC SCHOOLS	WEEKLY TAX DISBURSEMENT 9/21/21	106,353.89
09/24/2021		FIFTH THIRD	INVESTMENTS	500,000.00
09/27/2021		COMERICA	INVESTMENTS	500,000.00
09/28/2021		COMERICA	INVESTMENTS	500,000.00
09/28/2021		RAYMOND JAMES	INVESTMENTS	1,000,000.00
09/28/2021		EAGLE CLAIMS	WORKERS' COMPENSATION	27,165.51
09/30/2021		ICMA	DEPT HEAD & NON-UNION PENSION PAYMENTS	159,923.83
09/30/2021		HUNTINGTON NATIONAL BANK	DEBT SERVICE PAYMENT	1,037,002.04
09/30/2021		SBF	WATER/SEWER BILL POSTAGE	1,698.08
09/30/2021		SBF	WATER/SEWER BILL POSTAGE	419.18
10/01/2021		LAKE BOARDS	LAKE SPECIAL ASSESSMENTS	8,181.96
10/01/2021		MULTIPLE	WEEKLY TAX DISBURSEMENT 9/24/21	259,309.16
10/08/2021		ICMA	PENSION WITHHOLDINGS	38,917.44
10/08/2021		MULTIPLE	WEEKLY TAX DISBURSEMENT 10/1/21	123,717.63

ACCOUNTS PAYABLE REGISTER
Check Dates From: 9/26/2021 to 10/09/2021

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Check Date	Check	Vendor Name	Description	Amount
10/08/2021		KZOO COUNTY TREASURER	BROWNFIELD	14,325.22
10/08/2021		STURGIS BANK	OPEN MM ACCOUNT	1,000,000.00
			Total Electronic Payments	5,281,984.66
Check Type: Credit Card				
09/01/2021		FGM GRANDIN ROAD	MONSTER MASH SUPPLIES	160.97
09/03/2021		FGM GRANDIN ROAD	MONSTER MASH SUPPLIES	321.95
09/06/2021		HYATT REGENCY CHICAGO	ASSESSOR CONFERENCE	700.83
09/08/2021		SP YOGAOUTLET.COM	SENIOR CENTER FITNESS EQUIPMENT	277.20
09/09/2021		OFF THE CUFF CATERING	BOXED LUNCHES FOR SEPT VETERANS GROUP	465.00
09/09/2021		PUBLIC FLEET ADVISORS	FLEET TRAINING SEMINAR	175.00
09/10/2021		STC MI ADVANCED PRGRM	ASSESSING TRAINING	1,010.00
09/13/2021		GRAND HOTEL	POLICE CONFERENCE	230.21
09/13/2021		HYATT REGENCY ST.LOUIS	PUBLIC INFORMATION CONFERENCE	601.44
09/13/2021		HOMEDEPOT.COM	PRIVACY FILM FOR COMMUNITY DEV WINDOWS	106.08
09/13/2021		BAVARIAN INN MOTOR LODGE	FLEET TRAINING SEMINAR	101.65
09/14/2021		SELECTBLINDS LLC	TEST BLIND FOR NEW WINDOWS AT POLICE	269.04
09/15/2021		CHULA VISTA RESORT	POLICE TRAINING	92.05
09/16/2021		NRPA CONFERENCE	PARKS DEPT CONFERENCE	345.00
09/17/2021		BOYNE MOUNTAIN ONLINE RES	MICAMP CONFERENCE HOTEL DEPOSIT	176.05
09/20/2021		MMTA	TREASURY CONFERENCE	359.00
09/20/2021		FGM GRANDIN ROAD	MONSTER MASH SUPPLIES RETURN	(35.00)
09/20/2021		ASAP	CMO ADMIN CONFERENCE	487.90
09/20/2021		ASAP	CMO ADMIN CONFERENCE	487.90
09/22/2021		MISHRM	HR CONFERENCE RECORDINGS	295.00
09/27/2021		PANERA BREAD	PLANNING COMMISSION WORKSHOP	248.76
09/27/2021		MOUNTAIN GRD LODGE	MICAMP CONFERENCE HOTEL DEPOSIT	176.04
09/27/2021		MOUNTAIN GRD LODGE	SALES TAX REFUND	(8.04)
09/28/2021		MGFOA MEMBERSHIP DUES	FINANCE ANNUAL MEMBERSHIP DUES	120.00
09/29/2021		MICHIGAN ASSOC OF CHIEFS	POLICE MEMEBERSHIP DUES	100.00
			Total Credit Card Payments	7,264.03
			Grand Total	6,716,155.54

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Portage Community Senior Center Interior Furnishings

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

ACTION RECOMMENDED: Approve Michigan Office Environments (MOE) for procurement and installation services for the Portage Community Senior Center interior building furniture under multiple cooperative purchasing group agreements in the total amount of \$310,511.30 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The new, modern Charles & Lynn Zhang Portage Community Senior Center will expand from 7,300 to 36,852 square feet and will require furniture to fill the facility. The new rooms in the Portage Community Senior Center will be used by the membership, and also for conference/meeting/wedding event rentals and after-hour community programming. In other words, it will serve to meet a wide-range of needs and activities. The new room additions that require furnishing include:

- Indoor/Outdoor Café (1)
- Lower Level Meeting/Activity Room (1)
- Performance/Stage Auditorium (1)
- Multi-Purpose Room with Courts (1)
- Travel Office (1)
- Main Level Meeting Rooms (3)
- Lounge Area (1)
- Lobby and Concourse (1)
- Office Areas (5)
- Upper Concourse (1)
- Upper Meeting/Activity Rooms (3)
- Wellness Rooms (2)
- Storage Rooms for Program Supplies, Tables, Chairs, and Equipment

Michigan Office Environments (MOE) and city staff worked to develop a scope-of-work and quotation based on the modern design of the architecture, projected use and requirements for each room. MOE was selected since they are the local Haworth Dealership, which has the State of Michigan MiDeal furniture contract, which also stipulates the labor rates the dealer can charge. Haworth consists of approximately 70% of the furniture purchases and MOE labor rates are covered under the MiDeal contract. There was a

great deal of consideration toward the ergonomic use of each piece of furniture for seniors of all abilities, aesthetics for events such as wedding and conference rentals, and cleaning and maintenance of materials for full purpose use by many user groups. In addition to being under the MiDeal contract, MOE has a successful work history with the City. For example, MOE has provided furnishings for Public Safety (including Fire Station No. 2), Parks and Recreation, Senior Center, Treasury, and Community Development departments. MOE would also handle the on-going post-purchase warranty and repair services to ensure all furniture is in working order.

The City's contracted architecture firm, Byce & Associates, Inc., has a senior interior designer on staff who is providing expertise on colors and furnishings in collaboration with MOE to coordinate and complement the building interiors. To offset costs, a list of furniture in the current building was developed with items identified for transfer to the new facility. These items include folding tables, utility carts, a piano, card tables, file cabinets, a podium, shelving, and café tables. MOE is a leading provider of commercial office furniture in Michigan with a proven track record, competitive rates and experience working with cooperative purchasing agreements, installations, and warranty repair service.

The proposed quote was developed using five (5) Competitive Cooperative Purchasing Programs for various types of furnishings that will save the City \$84,362.33, and two (2) Discount Off List Price contracts.

FURNITURE VENDORS:

Cooperative Competitive Purchasing Programs

- Haworth – State of Michigan MiDeal program (Office Furniture and Seating)
- Humanscale – Sourcewell program (Monitor Arms for Audio Visual)
- Global – Equalis program (Seating and Conference Room Chairs and Side Chairs)
- OFS – Omnia program (Seating)
- Magnuson – NCPA program (Trash Receptacles)

Discount Off List Contracts

- Waddell/Ghent – TIPS program (Display Cases)
- ERG International – TIPS program (Seating and Benches)

Victoria Barboza, Purchasing Manager, has thoroughly reviewed the five (5) Cooperative Purchasing Programs and has found them to be fully competitive and compliant with city purchasing requirements. Approximately 77% of the quoted furniture is under a Competitive Cooperative Purchasing program. Of the remaining 23% of sole source purchases, 10% are under Discount Off List Price contracts, leaving 13% as strictly sole source. Sole source items are denoted in the attached furniture listing. These sole source furnishings are recommended to standardize and provide a uniform theme throughout the building, that either both match existing furniture, such as folding tables; custom designed to fit specific spaces, such as the benches and display cases; match the wall color, such as the magnetic glass boards; or custom ordered fabrics/materials to coordinate with the color scheme of the other interior furnishings. The process of identifying furniture for a new nearly 37,000 square foot facility that caters to a wide audience has taken significant time not only in identifying needs and selecting items, but also in identifying cooperative purchasing opportunities.

Therefore, it is recommended that City Council approve Michigan Office Environments, LLC, for procurement and installation services for the Portage Community Senior Center interior furnishings through multiple cooperative purchasing programs in the total amount of \$310,511.30 and authorize the Acting City Manager to execute all documents related to this action on behalf of the city.

FUNDING: CIP FY 2020-2030 #400-9044-709.9506-21PF01

Attachments: 1. Portage Senior Center Budget Pricing Updated 10-11-21

October 8, 2021



Michigan Office Environments

177 Portage Rd., Kalamazoo, MI 49007
269-363-0630
moe1.com



Manuf.	Qty	Description
Haworth	7	Very Task Chair
Global	3	Kate Guest Chair
Global	8	Kate Guest Chair
Global	8	Accord, Medium Back
Haworth	10	Very Chair Carts
Haworth	80	Very Wire Stacker with perf back, vinyl seat and armless
Haworth	80	Very Wire Stacker with perf back, vinyl seat and with arms
Haworth	4	Maari Wood Leg Side Chair with upholstered seat and back - Grade B Fab Seat
Haworth	16	Maari Wood Leg Side Chair with upholstered seat and back - Grade D Fab Seat
Haworth	16	Maari Wood Leg Side Chair with upholstered seat and back - Grade A Faux Leather Seat
Haworth	6	Maari Wood Leg Side Chair with upholstered seat and back
Haworth	100	Very Side Chairs with perf back, poly seat and no arms
Haworth	1	X-Series Desk
Haworth	1	X-Series Desk
Haworth	1	X-Series Desk
*Clarus	12	Magnetic Glass Boards 48x72
*Clarus	2	Magnetic Glass Boards 48x36
*Clarus	6	Flip Glass Boards 48x24
ERG	7	Laguna Bench 66"
ERG	3	Laguna Bench 44"
OFS	2	Evergreen Lounge Chair
Haworth	4	Cabana Lounge Seating
OFS	1	Mention Highback Swivel with Arms
ERG	1	Laguna Bench 22"
Haworth	2	Cabana Two Seat Sofa
Haworth	1	Haworth Master Key
Haworth	4	Cabana Lounge Chair
Haworth	2	Cabana Lounge Seating
Haworth	3	Cabana Lounge Seating
Haworth	1	Planes Podium
MLM	1	Custom Stand for Owl Statue
*Safco	3	Laptop Caddy
*Displays To Go	1	Leaflet Display - 9 Tier Wood Rack
*Uline	4	Shelf Cart
Haworth	2	Be_Hold Credenza
Haworth	1	X Series Wardrobe Storage
Haworth	2	X Series Lateral Files with Top

October 8, 2021



2021 Best In Class Dealer

Michigan Office Environments

177 Portage Rd., Kalamazoo, MI 49007

269-363-0630

moe1.com

Manuf.	Qty	Description
*Ghent	2	Showcase
Haworth	1	Be_Hold Storage
Haworth	3	Very Stool Bar Height, Upholstered Seat and Back, Armless
Haworth	12	Very Stool Counter Height, Upholstered Seat, Perf Back, Armless
Haworth	3	Maari Wood Leg Counter Height Stool with upholstered seat
Haworth	90	Planes Table with Quick Connect and Power (as noted on dwg)
Haworth	10	Jive side Table
*Safco	20	Banquet Tables 60" Round
*Safco	20	Folding Tables 72x30 Rectangular
*Safco	5	Table Carts
Haworth	1	Jive Meeting Table
Haworth	1	Planes Conference Table
OFS	2	Spun Coffee Tables
Haworth	2	Haworth Jive Table 54x24
Haworth	2	Haworth Jive Table 24 Dia, Disc Base
Haworth	2	Haworth Jive Table 30x30
Haworth	3	Pip Laptop Tables
Haworth	2	Jive Side Tables
Haworth	4	Planes Tables
Haworth	3	Jive Tables
Haworth	3	Compose Workstations
Haworth	3	Compose Workstations
Magnuson	11	Slope 32 Gallon Single Trash Bin
Magnuson	10	Slope Recycle Double Top Opening 38 Gal Split Top Bin (14 Gal Trash and 14 Gal
Magnuson	10	6.9 Gal Waste Basket with 2.4 Gal Large Side Waste/Recycle Bin
FF&E Product		\$288,611.31
Labor		\$17,600.00
*Freight		\$4,300.00
Furniture		\$310,511.30

Total savings to City with Cooperative Agreements: \$84,362.33

October 8, 2021



Michigan Office Environments

177 Portage Rd., Kalamazoo, MI 49007

269-363-0630

moe1.com



Manuf.	Qty	Description
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Cooperative Competitive Pricing Agreements

Manufacturer	Contract	Number
Haworth	MiDEAL	071B7700023
Humanscale	Sourcewell	121919-HMN
Global	Equalis	EQ-052920-01F
OFS	Omnia	R191813
Magnuson	NCPA	07-37

Contract Discount off List

Manufacturer	Contract	Number
Ghent (Gmi)	TIPS	20031
ERG	TIPS	20031

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: School Crossing Guard Services Contract

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

ACTION RECOMMENDED: Approve a one-year contract in the amount of \$70,178 per year, with the option of four one-year renewals, with All City Management Services, Inc. to provide school crossing guard services and authorize the Acting City Manager to execute all documents related to the contract on behalf of the city.

All City Management Services, Inc., of Santa Fe Springs, California, has provided the City of Portage with school crossing guards at various locations within the city since 2015. The services have been provided in a competent, professional manner throughout their tenure.

The current contract with All City Management Services expired June 30, 2021. A good faith review of available crossing guard providers was conducted with only two nationwide providers being identified: Park, Inc. of Charlotte, North Carolina, and All City Management Services, Inc. A request for proposals was solicited from both providers. Parks, Inc. declined to provide a bid. All City Management Services Inc. provided a bid in the amount of \$70,178.00 for a one-year contract, with the option of four one-year renewals:

- Year two: \$71,053.00
- Year three: \$78,473.00
- Year four: \$79,931.00
- Year five: \$88,387.00.

It is recommended that City Council approve a one-year contract in the amount of \$70,178 per year, with the option of four one-year renewals, with All City Management Services, Inc. to provide school crossing guard services and authorize the Acting City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds have been budgeted in the FY 2021-2022 Police Division operational budget to cover this expense.

Attachments: 1. Tabulation of Proposals_2021 RFP - School Crossing Guard Services

TABULATION OF PROPOSALS

2021 RFP - School Crossing Guard Services

Closed September 8, 2020 at 3pm

<u>FIRM</u>	<u>TOTAL CONTRACT VALUE</u>
All City Management Services, Inc.	\$388,022.00

Without Professional
Liability

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: 2022 City Council Meeting Schedule

SUPPORTING PERSONNEL: Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Approve the:
1. 2022 schedule of regular City Council meetings, and
2. 2022 schedule of Pre-Council meetings.

Historically, the Council has met on the 2nd and the 4th Tuesday of the month, apart from holidays, Portage Public Schools Breaks, etc. Proposed City Council and Pre-Council meeting schedules for 2022 are recommended as noted below.

City Council Meeting Dates

Tuesday, January 11
Tuesday, January 25
Tuesday, February 8
Tuesday, February 22
Tuesday, March 8
Tuesday, March 22
Tuesday, April 12
Tuesday, April 26
Tuesday, May 10
Tuesday, May 24
Tuesday, June 14
Tuesday, June 28
Tuesday, July 12
Tuesday, July 26
Tuesday, August 9
Tuesday, August 23
Tuesday, September 6
Tuesday, September 20
Tuesday, October 4
Tuesday, October 18
Tuesday, November 1
Tuesday, November 15
Tuesday, December 6
Tuesday, December 20

Pre-Council Meeting Dates

Monday, January 10
Monday, January 24
Monday, February 7
Monday, February 21
Monday, March 7
Monday, March 21
Monday, April 11
Monday, April 25
Monday, May 9
Monday, May 23
Monday, June 13
Monday, June 27
Monday, July 11
Monday, July 25
Monday, August 8
Monday, August 22
Tuesday, September 6*
Monday, September 19
Monday, October 3
Monday, October 17
Monday, October 31
Monday, November 14
Monday, December 5
Monday, December 19

FUNDING: Not applicable

Attachments: 1. Calendar of Proposed 2022 City Council Meeting Dates

Proposed 2022 City Council Meeting Dates

January						
Su	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
Su	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March						
Su	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
Su	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
Su	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

April 15 – Good Friday. City Hall closed at noon.

June 10 – PPS last day of school.

July						
Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
Su	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

September 6 – Pre-council and Council meetings, due to Labor Day.

October						
Su	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
Su	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

November 8 – Election Day

December						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

 Council Meeting Date

H US holiday (City Hall closed)

 Portage Public Schools break

 Pre-Council Meeting Date

 2nd & 4th Tuesday of the Month

Minutes of Boards & Commissions

PLANNING COMMISSION

July 22, 2021 Meeting

The City of Portage Planning Commission meeting of July 22, 2021 was called to order by Chairman Corradini at 7:00 p.m.

IN REMOTE ATTENDANCE

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Kelly Peterson, Director of Community Development; and Seth Koches, Assistant City Attorney.

ROLL CALL

Mr. Forth called the roll: Fries (yes); Pezzoli (yes); Youngs (yes); Freiman (yes); and Corradini (yes). A motion was offered by Commissioner Pezzoli, seconded by Commissioner Freiman, to approve the roll and excuse Commissioners Baldwin and Joshi. The motion was unanimously approved. Commissioner Adams arrived at 7:10 p.m.

APPROVAL OF MINUTES:

A motion was made by Commissioner Fries, supported by Commissioner Pezzoli to approve the June 17, 2021 meeting minutes. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Special Land Use Permit for Alpha Motorcar Used Car Sales, 8811 Portage Road. Mr. Forth summarized the Special Land Use Permit request submitted by Alpha Motorcars to establish a vehicle dealership for the sale of used automobiles. The property is zoned B-3, general business and is occupied by a vacant 3,300 square foot commercial building and associated site improvements. A small sales office will be established in the front portion of the building and the rear of the building for detailing/minor repair work. The site can accommodate up to 27 vehicles for sale on the existing asphalt surface five spaces for customers and three for employees. Mr. Forth indicated several areas of the asphalt are in deteriorated condition and the applicant plans to complete repairs to the asphalt including seal coating and striping. Finally, Mr. Forth stated the proposed automobile dealership fulfills the requirements for issuance of a Special Land Use Permit.

Chairman Corradini opened the public hearing. The applicant, Matthew Bosker, 2925 Rolling Hill Avenue, was present to speak in support the Special Land Use Permit request. Chairman Corradini asked Mr. Bosker if site improvements, such as landscaping, were planned to be completed. Mr. Bosker responded that those types of improvements were not anticipated at this time. No other citizens were present to speak in support or opposition to the Special Land Use permit request. A motion was offered by Commissioner Pezzoli, seconded by Commissioner Fries to close the public hearing. The motion was unanimously approved. There being no further discussion, a motion was offered by Commissioner Pezzoli, seconded by Commissioner Freiman, to approve the Special Land Use Permit for Alpha Motorcar Used Car Sales, 8811 Portage Road. The motion was unanimously approved.

SITE/FINAL PLANS:

1. Site plan for Stryker Medical, 6501 Portage Road. Mr. Forth summarized the staff report to construct a 199,280 square foot building addition and associated improvements to the existing 300,793 square foot Stryker facility located at 6501 Portage Road. The building expansion project will occur on the north side of the building. In conjunction with the building expansion an additional 204 off-street parking stalls are also proposed.

The applicant's representative, Mr. Jeff Paulson, Hurley & Stewart, was present to speak in support of the site plan. Commissioner Reed asked Mr. Paulson when Stryker plans to break ground, Mr. Paulson responded ground breaking is expected to occur in August 2021. Commissioner Pezzoli asked Mr. Paulson if the design of

the storm water system will be completed before construction begins. Mr. Paulson responded that the design would be completed before construction commences. Chairman Corradini asked about impacts on the existing water main. Mr. Paulson indicated the building will be located ten feet south of the water main and about 70 feet of main will need to be lowered to maintain adequate ground cover over the main.

There being no further discussion, a motion was offered by Commissioner Pezzoli, seconded by Commissioner Fries, to approve the site plan for Stryker Medical, 6501 Portage Road. The motion was unanimously approved.

NEW BUSINESS:

1. FY2020-21 Planning Commission Work Program Final Update and Proposed FY2021-22 Work Program. Mr. Forth provided a brief overview of the completed FY2020-21 work program and the proposed FY2021-22 work program. With regard to the proposed FY2020-21 work program, Mr. Forth noted new activities include the Lake Center Overlay Zoning District, enhanced Planning Commission continuing education program student representation on the Commission and an update to the Planning Commission Rules of Procedure. Commissioner Fries asked about the role of the Planning Commission during the Comprehensive Master Plan Update. Director Peterson stated the Commission will have a very active role and will also act as the stewards of the planning process. Director Peterson also indicated there will be an extensive outreach program. The commission and Director Peterson discussed various methods to engage the public including conducting charrettes, scheduling public input session at various locations around the city, and utilizing technology to better solicit public input. Commissioner Fries asked the update process will commence. Director Peterson indicated new staff members are being hired who will be needed to assist with this project.

2. Election of Officers. Mr. Forth indicated the Commission can accept nominations for officers or, as an alternative, re-elect the current slate of officers. Chairman Corradini indicated he would like to continue to serve as the chairman of the Planning Commission. Commissioner Pezzoli offered a motion to re-elect the current Planning Commissioner officers (Chairman Dan Corradini, Vice-chairperson Sarah Joshi, and Secretary Becky Baldwin for another year in those positions. The motion was unanimously approved.

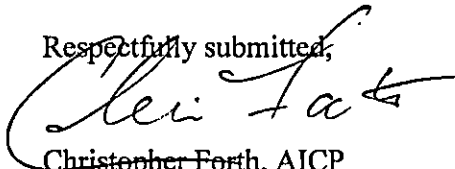
STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Fries thanked Director Peterson for information regarding the Master Plan update process and the Planning Commissions role in that process. Chairman Corradini welcomed everyone back to in-person meetings.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 8:10 p.m.

Respectfully submitted,


Christopher Forth, AICP
Deputy Director

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of the Meeting – September 9, 2021

CALL TO ORDER: The City of Portage Human Services Board meeting of September 9, 2021 was called to order by Secretary Timothy Henson at 6:29 p.m. in Conference Room 1, Portage City Hall, 7900 South Westnedge Avenue.

MEMBERS PRESENT: Timothy Henson, Brooke Kolodzieczyk, Alice Mwanda, Effie Kokkinos, Barb Sagara, and Fayyaz Razi (Youth Advisory Committee representative).

MEMBERS EXCUSED: Chairperson Fi Spalvieri, Vice Chairperson Stephanie Upshaw and Nadeem Mirza.

OTHERS PRESENT: Chris Buckley, Executive Director Portage Community Center

MEMBERS ABSENT: None.

STAFF PRESENT: Tina Perry, Neighborhood and Housing Specialist; Christopher Forth, Deputy Director.

APPROVAL OF MINUTES: Kolodzieczyk moved and Kokkinos supported a motion to approve the July 22, 2021 minutes. Motion passed 5-0.

NEW BUSINESS:

Housing Rehabilitation Program, Request to Exceed Maximum Loan Amount. Ms. Perry summarized the staff report regarding a request from Ms. Karen Baker, 6104 Palm Street, to exceed the Housing Rehabilitation Program maximum loan amount of \$20,000 by \$970. The applicant was approved for a housing rehabilitation loan in 2005 in an amount of \$12,220, which leaves \$7,780 of additional funds for other eligible activities before the \$20,000 cap is reached.

In June of this year, the applicant was approved for another Housing Rehabilitation Program loan to replace a roof. Prior to commencement of work, the contractor discovered that some of the wood sheathing also needed to be replaced. Replacement of wood sheathing was not originally anticipated. Ms. Perry indicated staff is recommending the applicant's request to exceed the \$20,000 Housing Rehabilitation Program maximum loan amount by \$970 be approved.

There being no further discussion, Kolodzieczyk moved and Sagara supported a motion to approve an increase of funding to a housing rehabilitation project for Karen Baker at 6104 Palm Street, that may go over the \$20,000 maximum by \$970. Motion passed. 5-0.

OLD BUSINESS:

Proposed revisions to FY 2021-22 Human Public Services Grant application form: The Board members continued discussion on changes to the Human/Public Service Funding Application. Mr. Forth provided the application with highlighted areas for discussion. The Board voted to 1) remove the question concerning whether or not the agency is affiliated with a religious organization (page.

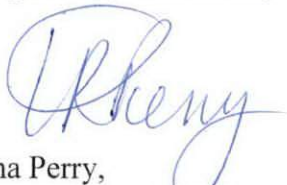
1) since every applicant must agree to comply with local, state and federal nondiscrimination laws and 2) accepted the change to ask each applicant how many clients they estimate they will serve during the upcoming fiscal year. Finally, and with regard to Question 15, the Board members supported changing the format from the use of checkboxes to a written narrative that better describe outreach efforts. After additional discussion, the wording and scoring will be reviewed at a future meeting. The application will be distributed to area agencies the first week in November 2021.

STATEMENTS OF CITIZENS: None Received

ADJOURNMENT: Fayyaz Razi (YAC) indicated he will not be in attendance until February, 2022 meeting. The next meeting of the Human Services Board is scheduled for October 7, 2021 at 6:00 p.m.

There being no further discussion to come before the Board, a motion was made by Kolodzieczyk and supported by Henson to adjourn the meeting at 7:00 p.m. Motion was approved 5-0.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'TPerry', is written over the printed name of Tina Perry.

Tina Perry,
Neighborhood and Housing Specialist

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – September 13, 2021

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

MEMBERS PRESENT: Linda Finch, Linda Fry, Jay Eichstaedt, Lena Jomaa, Alexander Philipp, Lynn Haddow, Don Platt.

MEMBERS EXCUSED:

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator; Jake Eccleston, Assistant City Attorney.

APPROVAL OF THE MINUTES: Eichstaedt moved and Philipp seconded a motion to approve the July 12, 2021 minutes as submitted. Upon voice vote, the motion was approved 7-0.

NEW BUSINESS:

ZBA #21-01; 6929 South Westnedge Avenue: Mais summarized the request for a variance to orient service bay doors facing a public street. Robert Behar of BCP Development stated the main reason for the request is that placing bay doors on the east elevation created too tight of a turning radius. Jomaa inquired if the site entrance location would change. The applicant said no. Fry inquired if more than one tenant would be located in the building. The applicant stated yes. Jomaa inquired if the applicant found staff's recommendation to have the door color match the building acceptable. The applicant said yes. Eichstaedt inquired if the red doors were similar to other stores and/or part of their national branding. The applicant responded yes. Philipp inquired if the fir trees would be retained by the applicant. Mais responded the trees are located in the right-of-way, and the city has no plans to remove them.

A public hearing was opened. No public comments were made. The public hearing was closed.

After additional discussion, a motion was made by Finch, seconded by Haddow to grant a variance to orient service bay doors facing Romence Road, conditioned upon the number of doors not exceed the three shown in the application materials, for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zoning district, which include the building has two elevations, and the south elevation is screened by mature trees; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity, the right to remodel for ease of vehicular access; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood, and; the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Haddow-Yes, Philipp-Yes, Platt-Yes, Fry-Yes. Motion passed 7-0.

ZBA #21-03; 2725 Radcliffe Avenue: Mais summarized the request for a variance to construct a 20-foot by 15-foot addition that would extend to within 35 feet of the rear (south) property line where a minimum 40-foot setback is required. Mike and Rachel Simonds were present to answer questions. Jomaa inquired if they planned to start work right away. The applicant responded yes. Eichstaedt inquired how it came to be the property was ten feet shallower than all the other properties in the area. Mais said when the lot was split the owner of the parent parcel (2724 Romence) likely wanted to retain more land for their lot. The applicant confirmed that was what happened.

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

After additional discussion, a motion was made by Eichstaedt, seconded by Haddow, to a grant variance to construct a 20-foot by 15-foot addition that would extend to within 35 feet of the rear (south) property line where a minimum 40-foot setback is required for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same

zoning district, which include the shallow lot depth; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity, the right to improve ones dwelling; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood, and; the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Haddow-Yes, Philipp-Yes, Platt-Yes, Fry-Yes. Motion passed 7-0.

ZBA #21-04; 1827 Woodland Drive: Mais summarized the request for a variance to construct a 16-foot by 16-foot addition that would extend to within 24 feet of the rear (south) property line where a minimum 40-foot setback is required. Tim Marsh stated the variance was needed to accommodate a family member with a heart condition, and wished to construct a bedroom and bathroom addition on the main floor of their trilevel home to reduce the amount of stairs that needed to be climbed.

A public hearing was opened. An anonymous letter opposed to the request was read into the record. The public hearing was closed.

After additional discussion, a motion was made by Eichstaedt, seconded by Jomaa, to grant a variance to construct a 16-foot by 16-foot addition that would extend to within 24 feet of the rear (south) property line where a minimum 40-foot setback is required for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zoning district, which include the shallow substandard corner lot; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity, the right to improve one's dwelling; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood, and; the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Haddow-Yes, Philipp-Yes, Platt-Yes, Fry-Yes. Motion passed 7-0.

ZBA # 21-05; 1314 Forest Drive: Mais summarized the request for a variance to construct a detached garage 18 feet from the (north) front property line where a minimum 27-foot front setback is required. Richard Hemphill was present to answer questions. Finch inquired if the traffic engineer had reviewed the plan. Mais confirmed he had. The applicant provided the Board a final revised drawing (titled revision #4) of the proposed garage.

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

After additional discussion, a motion was made by Fry, seconded by Eichstaedt, to grant a variance to construct a detached garage 18 feet from the (north) front property line where a minimum 27-foot front setback is required for the following reasons: there are exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zoning district, which include the shallow and narrow lot size; the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity, the right to construct a garage; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood, and; the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be

final and effective immediately. Upon roll call vote: Finch-Yes, Jomaa-Yes, Eichstaedt-Yes, Haddow-Yes, Philipp-Yes, Platt-Yes, Fry-Yes. Motion passed 7-0.

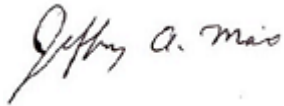
OTHER BUSINESS: Officer elections were held with the following results: Eichstaedt – Chair, Haddow – Vice Chair, Fry - Secretary.

Director of Community Development, Kelly Peterson, explained the Board will be transitioning from paper agendas to electronic agendas over the next two months, and wanted to select a date Board members could attend Civic Clerk software training. The Board agreed to meet for training on September 27, 2021 at 7:00 p.m.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

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

Jeff Mais
Zoning & Codes Administrator

PLANNING COMMISSION

September 16, 2021

The City of Portage Planning Commission meeting of September 16, 2021 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Christopher Forth, Deputy Director of Planning and Development Services; Eric Feldt, City Planner; Daniel Harrington, City Planner; and Catherine Kaufman, City Attorney.

ROLL CALL

Mr. Feldt called the roll: Joshi (yes); Fries (yes); Corradini (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); Youngs (yes); and Freiman (yes).

APPROVAL OF MINUTES:

A motion was made by Commissioner Baldwin, supported by Commissioner Frieman to approve the August 5, 2021 meeting minutes. The motion was unanimously approved.

SITE/FINAL PLANS:

1. Site Buffer for Proposed Self-Storage Development, 6741/ 6809 Lovers Lane.

Mr. Feldt explained that the applicant seeks Planning Commission approval to provide additional landscaping at 6741/6809 Lovers Lane in-lieu of a berm to meet Sec 42-573(E) along a property line between a proposed self-storage development and existing residences. Per Sec 42-573, the Planning Commission may approve this request upon finding that the proposed landscaping (or other proposed alternative screening features) is equivalent to the required berm. The applicant's proposed landscaping consists of two rows of staggered evergreen trees which will form a year-round screening feature. Staff finds that the proposed landscaping results in a natural screening feature that will buffer views of the proposed storage buildings from adjacent residents. Therefore, staff finds the proposal meets the intent of and is equivalent to the requirements under Sec 42-573 (E), and recommends approval of the subject request.

Commissioner Youngs asked about issues with storm water retention and the system for the site. Mr. Feldt responded that it is addressed during the site plan review process but not addressed in the report. Commissioner Adams asks whether there is a maintenance plan for the 'living berm'. Mr. Feldt responded that maintenance is required in the zoning code. Vice Chairman Joshi asked about the speed of growth of trees and when significant screening will be achieved. Commissioner Pezzoli commented about the required tree size for planting which will contribute to screening. Mr. Feldt confirmed that screening will be achieved through elevation and the size of planted trees. Commissioner Adams asked the applicant why an earthen berm is not applied in the site plan. Applicant, Mr. Brookes, responded that the property is sloped toward the back of the property creating a 'reverse berm'.

Commissioner Fries motioned to approve applicant request. Commissioner Pezzoli supported the motion. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Zoning amendment for animal hospital. Mr. Feldt recommend delaying public hearing and public comment to the next available meeting on October 7th, 2021. Attorney Kaufman mentions that another public

notice will need to be mailed if rezoning will occur. Chairman Corrandini makes a motion to adjourn the public hearing until October 7th, 2021. Commissioner Adams seconds. The motion passes unanimously.

New Business:

1. Master Planning Workshop. Chairman Corrandini confirms the master planning workshop on September 23rd.

STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Fries asks for clarification on who is sending emails from the city. Mr. Feldt clarifies that a previous email had been sent by the city clerk. Commissioner Baldwin asks if everyone [on the board] will be attending the Master Planning Workshop. Mr. Feldt states that the organizer for the workshop has included all board members emails and that commissioners do not need to sign-up for the event.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 7:30 p.m.

Respectfully submitted,

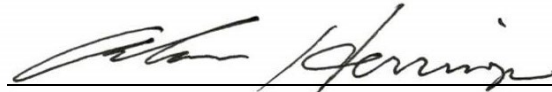


Eric Feldt
City Planner/Project Manager

MATERIALS TRANSMITTED

Tuesday, October 5, 2021

1. Communication from the Acting City Manager regarding a Citizen Appeal of Late Fee on Property Tax Payment – Information Only.



Adam Herring, Acting City Manager

cc Michael Carroll, Deputy City Manager

October 5, 2021

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Citizen Appeal of Late Fee on Property Tax Payment

The attached letter appealing a late fee on a property tax payment was received late yesterday afternoon. This is after the Friday deadline for inclusion on the agenda. However, Mr. Mohanty informed the City Clerk of his intent to attend tonight's City Council Meeting and speak during "Statements of Citizens."

The tax due date was September 14, the grace period due date was September 21 and Mr. Mohanty made payment on October 4. Mr. Mohanty is citing Covid and international travel as the reason for his late payment. The amount of his late fee is \$149.01.

Of note, the \$149.01 late fee is not entirely due to the City of Portage. The 3% penalty of \$111.76 that was applied on September 22 is a City of Portage fee. The 1% penalty of \$37.25 that was applied on October 1 is a fee from both the City of Portage and the other taxing jurisdictions (KVCC, KRESA, Portage Public Schools, KCDA, etc.). Of the 1% penalty fee, \$10.42 goes to the City of Portage and the remaining \$26.83 goes to the other taxing jurisdictions. City Council does not have the authority to waive the amount of \$26.83.

Should City Council choose, the following options are available:

- Listen to the concern and refer the matter to City Administration for review and report;
- Listen to the concern and add the item to the agenda under "New Business" following affirmation by four Councilmembers, then take formal action to deny or grant the request;
- Listen to the concern and take no action citing that his payment was made twenty days late, a grace period has already been provided, and "reminder" articles were included in both the August and September Portager newsletters.

For information, Mr. Mohanty indicated his belief that reminders should have been sent directly to him between the July mailing of tax bills and the September 14th due date. To this end, tax payment "reminder" articles are published in both the August and September Portagers.

City Administration was supportive of the addition of the grace period earlier this year. It allows an opportunity for residents who, for whatever reason, were unable to make a timely payment. It also assisted Treasury staff in being able to assist residents that were running late. It is the opinion of City Administration that granting an appeal outside of the grace period requires an extremely high bar and runs the risk of setting precedent. Additionally, granting appeals outside of the deadline lessens the value and importance of the payment deadline and grace period.

Attachment

Dated 10/4/21

To

City Council

City of Portage

Michigan 49024

Sub – Appeal for waiver of penalty for property tax

Parcel# -03195-009-O

Property Address – 5789 Bay Meadow Trail, Portage

Dear members of council,

I am resident of City of Portage for last 20 years. I have paid my property tax on time every year without any problem. I am little late this year due to Covid related hardship and international travel. I have already paid the full amount of \$ 3,762.58. I will appreciate if you can waive my penalty and accept it as the full payment towards Summer Property tax.

Thanks.

Lara Das/Saroj Mohanty

5789 Bay Meadow Trail

Portage MI 49024

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: MIP Ordinance Amendment

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

ACTION RECOMMENDED: Adopt the amendment to Section 50-193, Offenses Involving Underage Persons, (Chapter 50 Offenses and Miscellaneous Provisions) of the Code of Ordinances.

The Michigan Compiled Laws (MCL) Michigan Liquor Control Code of 1998 has been amended numerous times in the last decade with the latest amendment effective October 1, 2021. Section 436.1703 relates to the purchase, consumption, or possession of alcoholic liquor by minor; attempt; violation; fines; sanctions; furnishing fraudulent identification to minor; use by minor; prior violation; screening and assessment; prior judgment; chemical breath analysis; notice to parent, custodian, or guardian; exceptions; recruitment of minor for undercover operation prohibited; affirmative defense; definitions. With this latest amendment, the first violation penalty will change from a misdemeanor to a civil infraction.

As a result of the recent amendment to MCL 436.1703, the current language within the City of Portage – Code of Ordinances, specifically Chapter 50, Article 6, Section 50-193, will need to be amended in order to comply with state law. While there are several minor administrative changes within the law, the primary recommended changes to the City of Portage ordinance would be to amend the first offense violation of the ordinance from a misdemeanor to a civil infraction.

The proposed ordinance amendment was first introduced during the October 5, 2021 Regular Meeting. As such, it is recommended that City Council adopt the amendment to Section 50-193, Offenses Involving Underage Persons, (Chapter 50 Offenses and Miscellaneous Provisions) of the Code of Ordinances, altering the first offense to a civil infraction to take effect on November 3, 2021.

FUNDING: N/A

Attachments:

1. Ordinance Amendment
2. MIP Ordinance Amendment - Red Line
3. Notice of Adoption MIP

CITY OF PORTAGE

ORDINANCE NO. __

ADOPTED: _____, 2021

**EFFECTIVE: FIFTEEN DAYS FOLLOWING
PUBLICATION AFTER ADOPTION**

An Ordinance to adopt an amendment to the City of Portage Code of Ordinances regarding Minors in Possession; and to repeal all ordinances or parts of ordinances in conflict herewith.

**CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN**

ORDAINS:

SECTION I

**AMENDMENT OF CHAPTER 50 “OFFENSES AND MISCELLANEOUS PROVISIONS,
ARTICLE 6, “OFFENSES INVOLVING UNDERAGE PERSONS”, SECTION 50-193,
“Sec. 50-193. – “PURCHASE, CONSUMPTION, OR POSSESSION OF ALCOHOLIC
LIQUOR BY MINOR; ATTEMPT; VIOLATION; FINES; SANCTIONS; FURNISHING
FRAUDULENT IDENTIFICATION TO MINOR; CHEMICAL BREATH ANALYSIS;
NOTICE TO PARENT, CUSTODIAN, OR GUARDIAN; CONSTRUCTION OF
ORDINANCE; EXCEPTIONS.”**

Chapter 50, Article 6, Section 50-193 of the City of Portage Code of Ordinances is hereby amended to read as follows:

- (a) A person less than 21 years of age ("minor") shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided in this section. A minor who violates this subsection is responsible for a state civil infraction or guilty of a misdemeanor as follows and is not subject to the penalties prescribed in MCL 436.1909, or its future amendments:
- (1) For the first violation, the minor is responsible for a state civil infraction and must be fined not more than \$100.00. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, and may order the minor to perform community service and to undergo substance abuse screening and assessment at his or her own

expense as described in subsection (e) of this section. A minor may be found responsible or admit responsibility only once under this subdivision.

- (2) If a violation of this subsection occurs after 1 prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 30 days if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than \$200.00, or both. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (e) of this section.
- (3) If a violation of this subsection occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 60 days, if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than \$500.00, or both, as applicable. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (e) of this section.
- (b) An individual who furnishes fraudulent identification to a minor or, notwithstanding subsection (a), a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.
- (c) If an individual who pleads guilty to a misdemeanor violation of subsection (a)(2) or offers a plea of admission in a juvenile delinquency proceeding for a misdemeanor violation of subsection (a)(2), the court, without entering a judgment of guilt in a criminal proceeding or a determination in a juvenile delinquency proceeding that the juvenile has committed the offense and with the consent of the accused, may defer further proceedings and place the individual on probation. The terms and conditions of that probation include, but are not limited to, the sanctions set forth in subsection (a)(3), payment of the costs including minimum state cost as provided for in section 18m of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18m, and section 1j of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1j, and the costs of probation as prescribed in section 3 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.3. If a court finds that an

individual violated a term or condition of probation or that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. If an individual fulfills the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. A discharge and dismissal under this section is without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of disqualifications or disabilities imposed by law on conviction of a crime. An individual may obtain only 1 discharge and dismissal under this subsection. The court shall maintain a nonpublic record of the matter while proceedings are deferred and the individual is on probation and if there is a discharge and dismissal under this subsection. The secretary of state shall retain a nonpublic record of a plea and of the discharge and dismissal under this subsection. These records shall be furnished to any of the following:

- (1) To a court, prosecutor, or police agency on request for the purpose of determining if an individual has already used this subsection.
- (2) To the department of corrections, a prosecutor, or a law enforcement agency, on the department's, a prosecutor, or a law enforcement agency's request, subject to all of the following conditions:
 - a. At the time of the request, the individual is an employee of the department of corrections, the prosecutor, or the law enforcement agency, or an applicant for employment with the department of corrections, the prosecutor, or the law enforcement agency.
 - b. The record is used by the department of corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.
- (d) A misdemeanor violation of subsection (a) successfully deferred, discharged, and dismissed under subsection (c) is considered a prior judgment for the purposes of subsection (a)(3).
- (e) A court may order an individual found responsible for or convicted of violating subsection (a) to undergo screening and assessment by a person or agency as designated by the department-designated community mental health entity as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a, to determine whether the individual is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. A court may order an individual subject to a misdemeanor conviction or juvenile adjudication of, or placed on probation regarding, a violation of subsection (a) to submit to a random or regular preliminary chemical breath analysis. The parent, guardian, or custodian of a minor who is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6, may request a random or regular preliminary chemical breath analysis as part of the probation.

- (f) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may request that individual to submit to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical breath analysis, the analysis must not be administered without a court order, but a peace officer may seek to obtain a court order. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a state civil infraction proceeding or criminal prosecution to determine if the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content.
- (g) A law enforcement agency, on determining that an individual who is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6 or its future amendments, allegedly consumed, possessed, or purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (a) shall notify the parent or parents, custodian, or guardian of the individual as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The law enforcement agency shall notify the parent, guardian, or custodian not later than 48 hours after the law enforcement agency determines that the individual who allegedly violated subsection (a) is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6 or its future amendments. The law enforcement agency may notify the parent, guardian, or custodian by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If an individual less than 17 years of age is incarcerated for violating subsection (a), his or her parents or legal guardian must be notified immediately as provided in this subsection.
- (h) This section does not prohibit a minor from possessing alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq., by the commission, or by an agent of the commission, if the alcoholic liquor is not possessed for his or her personal consumption.
- (i) The following individuals are not considered to be in violation of subsection (a):
 - (1) A minor who has consumed alcoholic liquor and who voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a minor.
 - (2) A minor who accompanies an individual who meets both of the following criteria:
 - a. Has consumed alcoholic liquor.
 - b. Voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of

sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a minor.

- c. A minor who initiates contact with peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.
- (j) If a minor who is less than 18 years of age and who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, voluntarily presents himself or herself to a health facility or agency for treatment or for observation as provided under subsection (i), the health facility or agency shall notify the parent or parents, guardian, or custodian of the individual as to the nature of the treatment or observation if the name of a parent, guardian, or custodian is reasonably ascertainable by the health facility or agency.
- (k) This section does not limit the civil or criminal liability of a vendor or the vendor's clerk, servant, agent, or employee for a violation of the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq. or its future amendments.
- (l) The consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited postsecondary educational institution in an academic building of the institution under the supervision of a faculty member is not prohibited by this section if the purpose of the consumption is solely educational and is a requirement of the course.
- (m) The consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this section.
- (n) Subsection (a) does not apply to a minor who participates in either or both of the following:
 - (1) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.
 - (2) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the state police, the commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the minor was not under the direction of the state police, the commission, or the local police agency and was not part of the undercover operation.
- (o) The state police, the commission, or a local police agency shall not recruit or attempt to recruit a minor for participation in an undercover operation at the scene of a violation of subsection (a), MCL 436.701(1), or its future amendments. or MCL 436.801(1), or its future amendments.
- (p) In a prosecution for the violation of subsection (a) concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal.
- (q) As used in this section:
 - (1) "Any bodily alcohol content" means either of the following:
 - a. An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

- b. Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.
- (2) "Emergency medical services personnel" means that term as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904.
- (3) "Health facility or agency" means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.
- (4) "Prior judgment" means a conviction, juvenile adjudication, finding of responsibility, or admission of responsibility for any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, a law of the United States that substantially corresponds to a law of this state, or a law of another state that substantially corresponds to a law of this state.

(Code 1983, § 602.04(g)(9); Ord. No. 092-06, 3-17-1992; Ord. No. 03-06, 6-27-2006; Ord. No. _____)

State Law reference — MCL 436.1703.

SECTION III **SEVERABILITY**

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION IV **REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

Dated: _____, 2021

Patricia Randall, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2021.

Erica Eklov, City Clerk

PREPARED BY:
Catherine P. Kaufman (P65412)
Portage City Attorney
470 W. Centre Ave.
Portage, MI 49024
(269) 382-4500

Approved as to Form:

Date: 10/14/2021

Catherine P. Kaufman
City Attorney

Sec. 50-193. - Purchase, consumption, or possession of alcoholic liquor by minor; attempt; violation; fines; sanctions; furnishing fraudulent identification to minor; chemical breath analysis; notice to parent, custodian, or guardian; construction of ordinance; exceptions.

- (a) A person less than 21 years of age ("minor") shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided in this section. A minor who violates this subsection is ~~guilty of a misdemeanor punishable by the following fines and sanctions and is not subject to the penalties prescribed in MCL 436.1909, or its future amendments; responsible for a state civil infraction or guilty of a misdemeanor as follows and is not subject to the penalties prescribed in MCL 436.1909, or its future amendments:~~
- (1) For the first violation, ~~, the minor is responsible for a state civil infraction and must be fined not more than a minor shall pay a fine of not more than \$100.00; A court may be ordered under this subdivision~~ to participate in substance ~~abuse prevention~~use disorder services ~~as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments,~~ and designated by the administrator of substance abuse services; ~~, and may be ordered the minor~~ to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (~~de~~) of this section. ~~A minor may be found responsible or admit responsibility only once under this subdivision.~~
 - (2) ~~If a violation of this subsection occurs after 1 prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than~~ For a violation of subsection (a) of this section following a prior conviction or juvenile adjudication for a violation of subsection (a) of this section, a minor may be imprisoned for not more than 30 days ~~if the court finds that the minor but only if the minor has been found by the court to have~~ violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, ~~or by a fine of not more than \$200.00, or both. ; may be required to pay a fine of not more than \$200.00, or both; A court may order a minor under this subdivision to may be ordered to~~ participate in substance ~~use disorder~~abuse prevention services ~~as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments,~~ and designated by the administrator of substance abuse services, to perform community service; and required to undergo substance abuse screening and assessment at his or her own expense as described in subsection (~~de~~) of this section.
 - (3) ~~If a violation of this subsection occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment~~For a violation of subsection (a) of this section following two or more prior convictions or juvenile adjudications for a violation of subsection (a) of this section, a minor may be imprisoned ~~, if the court finds that the minor violated for not more than 60~~

~~days but only if the minor has been found by the court to have violated~~ an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, ~~, or by a fine of not more than \$500.00, or both, as applicable. ; may be required to pay a fine of not more than \$500.00, or both, and may be ordered to participate in~~ A court may order a minor under this subdivision to participate in substance abuse prevention use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, or its future amendments, and designated by the administrator of substance abuse services, to perform community service; and required to undergo substance abuse screening and assessment at his or her own expense as described in subsection (~~de~~) of this section.

- (b) A person who furnishes fraudulent identification to a minor, or notwithstanding subsection (~~a~~) ~~of this section~~, a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.
- (c) If an individual who pleads guilty to a misdemeanor violation of subsection (a)(2) or offers a plea of admission in a juvenile delinquency proceeding for a misdemeanor violation of subsection (a)(2) ~~When a minor who has not previously been convicted of or received a juvenile adjudication for a violation of subsection (a) of this section pleads guilty to a violation of subsection (a) of this section or offers a plea of admission in a juvenile delinquency proceeding for a violation of subsection (a) of this section, the court,~~ without entering a judgment of guilt in a criminal proceeding or a determination in a juvenile delinquency proceeding that the juvenile has committed the offense and with the consent of the accused, may defer further proceedings and place the individual on probation. The ~~upon~~ terms and conditions of that probation that ~~that~~ include, but are not limited to, the sanctions set forth in subsection (a)(~~13~~) ~~of this section~~, payment of the costs including minimum state cost as provided for in section 18m of chapter XIIA of the Probate Code of 1939, 1939 PA 288, MCL 712A.18m, or its future amendments, and section 1j of chapter IX of the Code of Criminal Procedure, 1927 PA 175, MCL 769.1j, or its future amendments, and the costs of probation as prescribed in section 3 of chapter XI of the Code of Criminal Procedure, 1927 PA 175, MCL 771.3 ~~or its future amendments.~~ If a court finds that an individual violated a term or condition of probation or that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. If an individual fulfills the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. A discharge and dismissal under this section is without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of disqualifications or disabilities imposed by law on conviction of a crime. An individual may obtain only 1 discharge and dismissal under this subsection ~~Upon violation of a term or condition of probation or upon a finding that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the~~

proceedings. ~~Discharge and dismissal under this ordinance shall be without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of this ordinance or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions or juvenile adjudications under subsection (a)(2) and (3) of this section. There may be only one discharge or dismissal under this subsection as to an individual.~~ The court shall maintain a nonpublic record of the matter while proceedings are deferred and the individual is on probation and if there is a discharge and dismissal under this subsection. The secretary of state shall retain a nonpublic record of a plea and of the discharge and dismissal under this subsection. ~~This~~ These records shall be furnished to any of the following:

- (1) To a court, prosecutor, or police agency ~~upon~~ request for the purpose of determining if an individual has already ~~utilized~~ used this subsection.
- (2) To the department of corrections, a prosecutor, or a law enforcement agency, ~~upon~~ the department's, a prosecutor's, or a law enforcement agency's request, subject to all of the following conditions:
 - a. At the time of the request, the individual is an employee of the department of corrections, the prosecutor, or the law enforcement agency, or an applicant for employment with the department of corrections, the prosecutor, or the law enforcement agency.
 - b. The record is used by the department of corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.

~~(d) A misdemeanor violation of subsection (a) successfully deferred, discharged, and dismissed under subsection (c) is considered a prior judgment for the purposes of subsection (a)(3).~~

~~(e) The~~ A court may order ~~the person~~ an individual found responsible for or convicted of violating subsection (a) ~~of this section~~ to undergo screening and assessment by a person or agency as designated by the department-designated community mental health entity as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a, to determine whether the individual is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs. A court may order an individual subject to a misdemeanor conviction or juvenile adjudication of, or placed on probation regarding, a violation of subsection (a) to submit to a random or regular preliminary chemical breath analysis. The parent, guardian, or custodian of a minor who is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6, may request a random or regular preliminary chemical breath analysis as part of the probation.

~~(d) substance abuse coordinating agency as defined in section 6103 of the Public Health Code, 1978 PA 368, MCL 333.6103, or its future amendments, in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.~~

~~(e) The secretary of state shall suspend the operator's or chauffeur's license of an individual convicted of violating subsection (a) or (b) of this section as provided in section 319 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.319 or its future amendments.~~

(f) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may ~~require~~ request the ~~person~~ individual to submit to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical

~~breath analysis, the analysis must not be administered without a court order, but a peace officer may seek to obtain a court order. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis.~~ The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a state civil infraction proceeding or a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content. ~~A minor who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00.~~

- (g) A law enforcement agency, ~~upon~~ determining that an individual who is ~~person~~ less than 18 years of age ~~who is and~~ not emancipated under 1968 PA 293, MCL 722.1 to 722.6, or its future amendments, allegedly consumed, possessed, purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (a) ~~of this section~~ shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The law enforcement agency shall notify the parent, guardian, or custodian ~~The notice required by this subsection shall be made~~ not later than 48 hours after the law enforcement agency determines that the ~~person~~ individual who allegedly violated subsection (a) ~~of this section~~ is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6 or its future amendments. The law enforcement agency may notify the parent, guardian, or custodian ~~The notice may be made~~ by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first class mail. If an individual less than 17 years of age is incarcerated for violating subsection (a) of this section, his or her parents or legal guardian ~~shall~~ must be notified immediately as provided in this subsection.
- (h) This section does not prohibit a minor from possessing alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq. or its future amendments, by the commission, or by an agent of the commission, if the alcoholic liquor is not possessed for his or her personal consumption.
- (i) The following individuals are not considered to be in violation of subsection (a):
- (1) A minor who has consumed alcoholic liquor and who voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a minor.
 - (2) A minor who accompanies an individual who meets both of the following criteria:
 - a. Has consumed alcoholic liquor.
 - b. Voluntarily presents himself or herself to a health facility or agency for treatment or for observation including, but not limited to, medical examination and treatment for any condition arising from a violation of sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b to 750.520g, committed against a minor.
 - c. A minor who initiates contact with peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.

- ~~(h)~~(j) If a minor who is less than 18 years of age and who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, voluntarily presents himself or herself to a health facility or agency for treatment or for observation as provided under subsection (i), the health facility or agency shall notify the parent or parents, guardian, or custodian of the individual as to the nature of the treatment or observation if the name of a parent, guardian, or custodian is reasonably ascertainable by the health facility or agency.
- ~~(i)~~(k) This section does not limit the civil or criminal liability of the vendor or the vendor's clerk, servant, agent, or employee for a violation of the Michigan Liquor Control Code, 1998 PA 58; MCL 436.1113, et seq. or its future amendments.
- ~~(j)~~(l) The consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited postsecondary educational institution in an academic building of the institution under the supervision of a faculty member is not prohibited by this section if the purpose of the consumption is solely educational and is a requirement of the course.
- ~~(k)~~(m) The consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this section.
- ~~(l)~~(n) Subsection (a) of this section does not apply to a minor who participates in either or both of the following:
- (1) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.
 - (2) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the state police, the commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the minor was not under the direction of the state police, the commission, or the local police agency and was not part of the undercover operation.
- ~~(m)~~(o) The state police, the commission, or a local police agency shall not recruit or attempt to recruit a minor for participation in an undercover operation at the scene of a violation of subsection (a) of this section, MCL 436.1801(~~21~~), or its future amendments, or MCL 436.1701(1)-or its future amendments.
- ~~(n)~~(p) In a ~~criminal~~ prosecution for the violation of subsection (a) of this section concerning a minor having any bodily alcohol content, it is an affirmative defense that the minor consumed the alcoholic liquor in a venue or location where that consumption is legal.
- ~~(o)~~(q) As used in this section, "any bodily alcohol content" means either of the following:
- (1) An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
 - (2) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.
- (3) "Emergency medical services personnel" means that term as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904.
- (4) "Health facility or agency" means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.
- ~~(2)~~(5) "Prior judgment" means a conviction, juvenile adjudication, finding of responsibility, or admission of responsibility for any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of

this state, a law of the United States that substantially corresponds to a law of this state, or a law of another state that substantially corresponds to a law of this state.

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

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Chapter 50, Article 6, Offenses Involving Underage Persons, of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the 19th day of October, 2021, and will become effective fifteen days after publication after adoption.

NOTICE IS FURTHER GIVEN that the proposed ordinance amendment is summarized as follows:

Ordinance Amendment – Offenses Involving Underage Persons:

- Amendments to the provisions to comply with MCL 436.1703.

PLEASE TAKE FURTHER NOTICE that a copy of the Ordinance may be examined at the Office of the City Clerk at City Hall on any business day from 8 a.m. to 5 p.m. The Ordinance may also be viewed online at www.portagemi.gov. When permitted, a copy of the Ordinance may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time.

Dated: October 19, 2021

Erica Eklov, City Clerk

PREPARED BY:
Catherine P. Kaufman (P65412)
Portage City Attorney
470 West Centre, Suite A
Portage, MI 49024

Approved as to Form:

Date:

10/14/2021
Catherine P. Kaufman
City Attorney