

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance - Scouting BSA Troop 244.

A. Current City Council:

1. Roll Call.
2. Proclamations:
 - a. Small Business Saturday 2021
3. Approval of City Council Meeting Minutes:
 - a. Regular Meeting of November 3, 2021.
 - b. Pre-Council Meeting of November 15, 2021.
4. Receive the November 2, 2021 City General Election Report from the Kalamazoo County Board of Canvassers as information only.
5. Comments from Councilmembers.
6. Adjournment Sine Die of retiring City Council.

B. New City Council:

1. Oaths of Office.
2. Signing of the *City Council Code of Ethics and Values Policy*.
3. Seating of Mayor and Councilmembers.
4. Roll Call of New Council.
5. Election of Mayor Pro Tempore.
6. Adopt the City Council *Rules of Order and Procedure*.
7. Resolution of Respect for Claudette Reid.
8. Consent Agenda:
 - a. Approval of the Accounts Payable Register of November 16, 2021 as presented.
 - b. Amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2022.
 - c. Authorize the Acting City Manager to proceed with energy efficiency improvements including LED lighting installation at city facilities, climate controls at City Hall, and heating and air conditioning improvements at the Department of Public Safety at a cost of \$1,064,025.
 - d. Take action to:
 - a. approve one-year contracts with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance;
 - b. approve a four-year contract with EyeMed for Department Head and Non-Union vision insurance;
 - c. maintain current employer/employee cost-sharing practices by taking action to exempt the

city from the requirements of P.A. 152 for the 2022 medical benefits plan year,

and authorize the Acting City Manager to execute all documents related to the contract renewals on behalf of the city.

- e. Consent to landlord tenant relationship pertaining to Councilmember Lisa Brayton's tenancy in a building owned by the City Attorney's firm Bauckham Sparks.
- f. Set a Special Meeting on Tuesday, January 11, 2022, beginning at 5:45 p.m., to interview Board and Commission applicants.
- g. Materials Transmitted of November 3, 2021
- h. Minutes of Boards & Commissions:

Historic District Commission of April 7, 2021.

Planning Commission of August 5, 2021.

Senior Citizen's Advisory Board of September 15, 2021.

Planning Commission of October 7, 2021.

Zoning Board of Appeals of October 11, 2021.

- i. Calendar of Meetings:

- Senior Citizen Advisory Board, November 17, 2021 at 2:30 p.m., Portage Senior Center.
- Planning Commission, November 18 & December 2, 2021 at 7:00 p.m., Council Chambers.
- Historic District Commission, December 1, 2021 at 8:15 a.m., City Hall Room #1.
- Park Board, December 1, 2021 at 6:30 p.m., City Hall Room #1.
- Human Services Board, December 2, 2021 at 6:00 p.m., City Hall Room #1.
- *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.*

C. Statements of Citizens and Guests regarding New City Council.

1. Petitions and Statements of Citizens - Other Matters.

D. Communications:

E. Public Hearings:

F. Regular Business Agenda:

G. Unfinished Business:

H. Council Committee Reports:

I. New Business:

1. "I Love Portage" Essay Contest - Council Volunteers

J. Statements of Citizens:

K. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

Small Business Saturday 2021

- WHEREAS,** the City of Portage celebrates our local small businesses and the contributions they make to our local economy and community; and
- WHEREAS,** on average for every dollar spent at local small businesses 67 cents stays in the local community; and
- WHEREAS,** small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and
- WHEREAS,** in 2020, U.S. consumers reported spending a record high total of an estimated \$19.8 billion at independent retailers and restaurants on Small Business Saturday; and
- WHEREAS,** according to the 2020 Small Business Saturday Consumer Insights Survey, 97% of shoppers recognized the positive impact they can make by shopping small, and 85% of them reported they also encouraged friends and family to do so as well.; and
- WHEREAS,** 95% of consumers who plan to shop on Small Business Saturday said the day inspires them to go to small, independently-owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and
- WHEREAS,** 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020, and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and
- WHEREAS,** advocacy groups, as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, Mayor of the City of Portage, do hereby proclaim November 27, 2021, as SMALL BUSINESS SATURDAY and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Signed this 16th day of November, 2021.

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 3, 2021

Mayor Patricia Randall called the Regular Meeting to order at 07:01 PM. The regular meeting was held in a partially virtual format as permitted by PA 228 and in accordance with December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Lori Knapp, Vic Ledbetter (virtual - Portage, MI), Claudette Reid, and Terry Urban were present. Councilmember Chris Burns 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 the conclusion of another election cycle and the representation of democracy in action. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: None.

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.4 (Pennridge Trail Phase II). Motion by Knapp, seconded by Reid, to adopt the Consent Agenda as amended. Upon a roll call vote, motion carried 6 to 0.

City Council Meeting Minutes: Motion by Knapp, seconded by Reid, to approve the minutes of the Regular Meeting of October 19, 2021, and Pre-Council Meeting of November 1, 2021. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Knapp, seconded by Reid, to approve the Accounts Payable Register of November 3, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

Zoning Amendment to add 'Veterinary Animal Hospital/ Clinic' to the Commercial Planned Development district: Motion by Knapp, seconded by Reid, to accept Ordinance Amendment No. 21-22-A (Veterinary hospitals or clinics in the CPD, Commercial Planned Development District), for first reading and set a public hearing for December 7, 2021. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commission: Motion by Knapp, seconded by Reid, to receive the Minutes of the Youth Advisory Committee of September 20, 2021, as presented. Upon a roll call vote, motion carried 6 to 0.

Calendar of Meetings: Motion by Knapp, 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:

Michael Estes (1820 Tamfield Avenue) expressed discontent with the free publications printed by the Kalamazoo Gazette and commonly delivered at the end of citizens' driveways. He urged the City Council to create an ordinance that prevents unsolicited delivery of newspapers, citing them as unsightly and wasteful. Mayor Randall thanked Mr. Estes for his comments and deferred to Acting City Manager Herringa. Mr. Herringa cited concerns about legal implications of the proposed ordinance but relayed the City Administration would review the matter.

Acting City Manager Herringa next highlighted a new city practice regarding the availability of a recorded phone line for citizen comments in light of the continued virtual attendance option through

December 31. He explained the prior procedures adhered to the Open Meetings Act but noted a recent citizen concern had asked the City of Portage to offer a similar phone line option as that of the City of Kalamazoo.

Following Mr. Herringa's explanation, the City Clerk read the written comments of Mr. John Stears dated November 1, 2021, regarding a request for a citizen phone line option.

REGULAR BUSINESS AGENDA:

Final Plan for Pennridge Trail North Planned Development (Phase 2 North; Units 23-74), 1800 West Osterhout Avenue: At the request of the Mayor, Councilmember Reid explained removing the item from the Consent Agenda. Councilmember Reid noted that the Pennridge Trail Development had come before the City Council in several prior instances and she had expressed concerns with the planned egress and ingress. She compared the development to the city's rules for cul-de-sacs and noted the single point of entry and exit for the 134 planned units. Councilmember Reid expressed appreciation for the inclusion of a second access point for emergency use but stated her desire that it be opened for citizen use.

Motion by Pearson, seconded by Knapp, to approve the Final/Site Plan for Pennridge Trail North Planned Development (Phase 2 North; Units 23-74), 1800 West Osterhout Avenue, subject to finalization of engineering-related details associated with the public water main and sanitary sewer main extensions. Upon a roll call vote, motion carried 4 to 2 with Councilmembers Reid and Urban voting no.

Closed Session Recommendation - Real Property Matter: Motion by Pearson, seconded by Knapp, to move into Closed Session under Section 8(d) of the Open Meetings Act, to consider the purchase or lease of real property immediately following the conclusion of the business items of the Regular Meeting. 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 Urban highlighted the November 2 City General Election that included the City Council race, stating it was humbling to see his name on the ballot and have citizens vote for him. He expressed appreciation for open, fair, and free elections, and looked forward to serving another four years.

Councilmember Reid congratulated all of the City Council candidates and expressed confidence in the new group. She noted the election was unusual due to the number of uncontested races and was disappointed to see only two new citizens step forward as a candidate. Ms. Reid encouraged future citizen participation in local government. She then congratulated Metro Transit on the passage of its millage renewal and expressed support for the service. Councilmember Reid closed by highlighting the recent approval of the Pfizer COVID-19 vaccine for ages five and older.

Councilmember Knapp also highlighted the November 2 City Election and congratulated those that were elected, including herself, for which she stated she was humbled.

Councilmember Ledbetter echoed the election sentiments of the other Councilmembers and stated he looked forward to learning more as a member of the Council, as well as no longer serving as the newest member.

Acting City Manager Herringa congratulated the winners of the recent election. He also congratulated Councilmember Reid on her years of service as a Councilmember. Mr. Herringa closed by thanking the Office of the City Clerk, its volunteers, and election workers for another great election.

Mayor Pro Tem Pearson congratulated the newly elected and re-elected members of the City

Council. He then thanked City Council candidate Tara Gish for stepping up to run for the position, as well as her service to date on the Park Board.

Mayor Randall conveyed accolades to Councilmember Reid for her years of service, highlighting the festivities planned for the November 16th City Council meeting. She expressed gratitude for being re-elected and the functionality of the City of Portage non-partisan City Council. Mayor Randall then thanked Tara Gish and her husband for their service to the city. She highlighted recent election turnout statistics, noting Portage was the highest contributor to absentee voting in Kalamazoo County, and thanked the Office of the City Clerk staff. Mayor Randall closed her comments by noting the city's ongoing Fall Leaf Collection Program and efforts to collect all leaves despite the late arrival of autumn.

-- Entered Closed Session at 7:32 p.m. --

-- Resumed the Regular Meeting at 8:15 p.m. --

ADJOURNMENT: Upon roll call, all original members were present. As there were no additional comments or discussion, Mayor Randall adjourned the meeting at 08:16 PM.

Erica L. Eklov, City Clerk

**PRE-COUNCIL MEETING
MINUTES FROM NOVEMBER 15, 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 – Portage, MI), and Claudette Reid (virtual – Portage, MI) were present. Councilmembers Chris Burns, Vic Ledbetter, 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. Councilmember-elect Lisa Brayton also attended in person.

With regard to Item A.4, Mayor Pro Tem Pearson noted a typographical error in the Kalamazoo County Board of Canvassers report. City Clerk Eklov responded she would contact County Clerk for a correction.

With regard to Item B.8.c, Councilmember Reid inquired why the proposed building projects had not been advertised for bid. She questioned NORESKO also performing projects in addition to evaluating city buildings for cost-saving measures. Mayor Pro Tem Pearson inquired whether there were plans for NORESKO to perform any future projects. Acting City Manager Herringa responded that the currently proposed projects were necessary improvements prior to NORESKO's review and found to be of greatest need during the building reviews. He further stated any additional projects recommended by NORESKO will be incorporated as part of future Capital Improvement Projects.

With regard to Item B.8.f, Mayor Randall inquired whether the January Board and Commission Interview Session could start later than 5:30 p.m. in light of the short list of candidates. City Clerk Eklov responded that staff had compared prior January Board and Commission Interview Sessions to ascertain a start time.

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: 2021 City Election Report

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Receive the November 2, 2021 City General Election Report from the Kalamazoo County Board of Canvassers as information only.

The Kalamazoo County Board of Canvassers has completed the canvass of the November 2, 2021 City General Election. The attached Board of Canvassers Report is provided to City Council as information only.

FUNDING: N/A

Attachments: 1. Board of Canvassers Report (corrected)

CANVASS OF VOTES CAST

-AT THE-

GENERAL ELECTION

-HELD ON-

NOVEMBER 2, 2021

-IN THE-

CITY OF PORTAGE

**AND CANVASSED BY THE
BOARD OF CANVASSERS**

OF

KALAMAZOO COUNTY, MICHIGAN

The whole number of votes given for the office of Mayor	Put figures in this column
Was six thousand two hundred and eighty	6,280
and they were given for the following named person:	
Patricia M. Randall received six thousand two hundred and eighty	6,280
TOTAL	6,280

The whole number of votes given for the office of City Council	Put figures in this column
Was sixteen thousand six hundred forty-one votes	16,641
and they were given for the following named persons:	
Lisa Brayton received five thousand five hundred sixty-one votes	5,561
Victor Ledbetter received five thousand five hundred sixty votes	5,560
Terry R. Urban received five thousand five hundred twenty votes	5,520
TOTAL	16,641

The whole number of votes given for the office of City Council, partial term	Put figures in this column
Was six thousand three hundred eighty-seven votes	6,387
and they were given for the following named persons:	
Tara R. Gish received one thousand six hundred twenty-four votes	1,624
Lori Knapp received four thousand seven hundred sixty-three votes	4,763
TOTAL	6,387

STATE OF MICHIGAN
COUNTY OF KALAMAZOO

The Board of Canvassers of the County of Kalamazoo, having Ascertained and Canvassed the Votes of Said City of Portage, at the General Election, held on the 2nd day of November, two thousand twenty-one.

Do Hereby Certify and Determine

That Patricia M. Randall, having received sufficient number of votes, is elected Mayor for a term ending November 08, 2023.

That Lisa Brayton, having received sufficient number of votes, is elected to the City Council for a term ending November 10, 2025.

That Victor Ledbetter, having received sufficient number of votes, is elected to the City Council for a term ending November 10, 2025.

That Terry R. Urban, having received sufficient number of votes, is elected to the City Council for a term ending November 10, 2025.

That Lori Knapp, having received sufficient number of votes, is elected to the City Council for a term ending November 8, 2023.

In Witness Whereof, We have hereunto set our hands and affixed the Seal of the County of Kalamazoo this 5th day of November in the year two thousand twenty-one.



ATTEST.

Clerk of the Board of Canvassers

BOARD OF CANVASSERS

Chair of the Board of Canvassers

CITY OF PORTAGE

CITY COUNCIL CODE OF ETHICS AND VALUES POLICY

1. **Purpose.** The Code of Ethics and Values Policy ("Policy") of the Portage City Council is intended to establish standards of integrity, fair dealing, responsibility, accountability and disinterested conduct, which are an essential part of a fiduciary duty owed to the public by its elected officials. The Policy is intended to encourage all councilmembers to place the public interest above self-interest and maintain independence, impartiality and fairness in their judgment, decisions and conduct. It is the policy of the City of Portage City Council to uphold, promote and demand the highest standards of ethics from all councilmembers. All members of the City Council share a commitment to ethical conduct in the service to their community. This Policy has been established to provide guidance for councilmembers so that the performance of their duties will be carried out in an ethical manner. In furtherance of this goal, the following general principles will apply:

- A. Councilmembers shall comply with the laws of the United States of America, the State of Michigan and City of Portage in the performance of their public duties.
- B. Councilmembers shall work for the common good of Portage residents and not be motivated by their own personal or financial interests.
- C. Councilmembers will endeavor to treat all members of the public and issues before them in a fair and equitable manner.
- D. Councilmembers shall be committed to the concepts of effective and democratic local government.
- E. Councilmembers shall encourage communication between residents, City Council and the City Administration and endeavor to keep the community informed on municipal matters, not otherwise made confidential.
- F. Councilmembers shall safeguard public confidence by being honest, fair and respectful of all persons with whom they have official contact and will follow the rules and laws that govern the deliberation of public policy issues and meaningful involvement of the public.
- G. Councilmembers have an obligation to attend City Council meetings and other meetings necessary for the performance of their official duties. Councilmembers should be prepared for meetings they attend, review materials, listen to the public discussions before them, keep comments and questions relevant to the business at hand, participate in discussions and make informed decisions based on the merits of each question.

2. **Definitions.**

- A. **Councilmember** means a member of the City Council.

- B. **Confidential information** means information, written or non-written, that has been obtained by a councilmember in the course of acting as such, that is not available to members of the public pursuant to the Michigan Freedom of Information Act, being MCL 15.231 *et. seq.*, or pursuant to other law, regulation, policy or procedure recognized by law, and that the councilmember is unauthorized to disclose:
- C. **Immediate family** means:
1. A councilmember's spouse or domestic partner;
 2. A councilmember's relative by lineal descent, parent, brother, sister or a person who resides in the councilmember's household; or
 3. An individual claimed by a councilmember or a councilmembers spouse as a dependent under the United States Internal Revenue Code, being 26 USC 1 *et. seq.*
- D. **Ownership Interest** means financial or pecuniary interest that a councilmember has in the affairs of 1) any business entity in which the councilmember or a member of his or her immediate family is an officer, director, member, or employee; 2) any business entity in which the councilmember or a member of his or her immediate family controls, or directly or indirectly owns, in excess of 5% of the total stock; or 3) any person or business entity with whom the councilmember has a contract.
- E. **Personal Gain or Benefit** means any benefit which is accepted or received by a councilmember or the councilmember's immediate family, or is perceived by a reasonable person to be accepted or received by a councilmember or the councilmember's immediate family, as remuneration for the purpose of improperly influencing an official action in a specific manner or for refraining from the performance of an official action in a specific manner, or as inducement for the councilmember to act in favor of some interest other than in the public interest.

3. **Conflict of Interest – Standards of Conduct.**

- A. A councilmember shall not divulge to an unauthorized person confidential information acquired by the councilmember in the course of his or her duties as a councilmember in advance of the time prescribed for its authorized release to the public, if it is to be released to the public.
- B. Councilmembers shall represent the official policies and positions of the City Council to the best of their ability when designated as delegates or City representatives for this purpose. When presenting their individual opinions and positions, a councilmember may not represent, nor allow the inference of, his or her personal opinion or position as that of the City Council or the City of Portage.

- C. A councilmember shall not appear or advocate on behalf of the private interest of third parties, including the councilmember's immediate family members, before the City Council or any City board, committee or commission or other proceeding of the City.
- D. A councilmember shall not solicit or accept a gift or loan of money, goods, services or other things of value for the benefit of a person or organization other than the City which tends to influence the manner in which the councilmember or another public officer or employee of the City performs official duties.
- E. Except as permitted by state law, a councilmember shall not engage in a business transaction in which the councilmember may derive a personal profit or gain, directly or indirectly, from his or her official position or authority or benefit financially from confidential information which the councilmember has obtained or may obtain by reason of that position or authority.
- F. Except as permitted by state law, a councilmember shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the councilmember's official duties or when that employment may tend to impair his or her independence or judgment or action in the performance of official duties.
- G. Except as provided by state law, a councilmember shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision relating to a business entity in which the councilmember has a personal or ownership interest.
- H. Except as permitted by state law, a councilmember shall not vote or participate in any other question on which the councilmember has a substantial direct or indirect financial, personal or ownership interest other than an interest similar to that of other citizens affected.

4. **Disclosure.** Whenever the performance of official duties shall require a councilmember to deliberate and vote on any matter involving the councilmember's financial or personal interest, the councilmember shall publicly disclose the nature and extent of the interest and is disqualified from participating in the deliberations and voting on the matter. The disclosure shall be made public at a meeting of the City Council before the matter is voted upon or in any other manner required by law.

5. **Gifts.** Councilmembers and their immediate family members shall not directly or indirectly solicit or accept a gift or loan of money, goods, services or other things of value which tend to influence the manner in which the councilmember or other public officer or employee of the City performs his or her official duties. Councilmembers are not prohibited from receiving money, goods, services or other items of value if not given to influence the councilmember in the performance of his or her official duties. The following list includes, but are not limited to, examples not prohibited:

- A. The solicitation and acceptance of campaign contributions in accordance with state law.
- B. Admission or registration fees, travel expenses, entertainment, meals or refreshments that are furnished to a councilmember by the sponsor of an event which is related to official local government business in connection with the event to which one or more members of the public are invited or are furnished to the councilmember in connection with a speaking engagement, teaching or the provision of assistance to an organization or another governmental entity as long as the City does not compensate the councilmember for the same items.
- C. An award publicly presented to a councilmember by an individual or a non-governmental entity or organization in recognition of the councilmember's public service, acts of heroism, crime solving or other similar recognition.
- D. Any gift or loan of money, goods, services or other things of value paid for by the federal, state, local government or other public agency authorized by law.

6. **Use of City Property.** No councilmember shall request, use, or permit the use of any city owned or supported property, vehicle, equipment, material, labor, or service for the personal convenience or the private advantage or personal gain of the councilmember or any other person which is not available to the public at-large.

7. **Nepotism.** A councilmember shall not influence or cause, directly or indirectly, the employment or any favorable employment action of an immediate family member, or participate in any employment decision about such family member.

8. **Political Activity.** Councilmembers shall not use any city owned property, vehicle, equipment, material, labor or services for the councilmember's own political benefit or for the political benefit of any other person seeking elective office, which is not available to the public at large on an equal basis. No political activity of the councilmember shall interfere with the performance of the usual duties of any city officer or employee.

9. **Compliance.**

- A. This Policy is intended to encourage and promote the highest standards of ethical conduct and behavior by members of the Portage City Council and is not intended to be a code of conduct enforceable by punitive measures. Violations of this Policy are not intended to subject councilmembers to reprimand or censure by the City Council. A violation of this Policy shall not be considered a basis for challenging the validity of a councilmember's decision or position as a councilmember.
- B. It is not the intent of this Code to in any way limit the right or ability of any councilmember to exercise his or her discretion in making legitimate policy decisions which are within their discretion so long as such action does not provide a special benefit to that person, relieve the

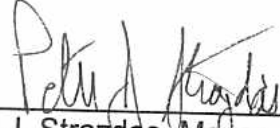
councilmember of a particular duty, or treat that person differently than other similarly situated city residents.

10. **Delivery of Policy to Councilmembers.** The City Clerk shall deliver a copy of this Policy to each councilmember as soon as practicable after the enactment of this Policy and to each new councilmember at the time of taking office. The City Clerk shall also request that each councilmember sign and return an acknowledgement the receipt of this Policy.

11. **Amendments.** This Policy may be amended to remain consistent with state law regarding the local code of ethics and the standards required therein.

12. **Ethics Committee.** If a councilmember requests an interpretation of this Policy, the Mayor shall select three (3) councilmembers to convene an Ethics Committee meeting who will provide its opinion to the councilmember requesting the interpretation.

Effective date: January 13, 2009



Peter J. Strazdas, Mayor

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TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Adopt the Rules of Order and Procedure

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Adopt the City Council *Rules of Order and Procedure*.

Per the City Charter, the City Council Rules of Order and Procedure govern the format and process followed for City Council Meetings (Charter Section 4.6-i and Section 4.6-m). Initially adopted by the City Council on October 13, 1964, the Rules of Order and Procedure are traditionally adopted every two years, yet rarely modified in a significant manner. In November and December 2017, the Office of the City Clerk conducted a review of the City Council Meeting Agenda format and the related Rules of Order and Procedure. Following City Council review and deliberation, the agenda format and Rules of Order and Procedure were revised. Subsequently, the Office of the City Clerk reviewed the Rules of Order and Procedure in 2019. City Council adopted the updated document that included minor revisions to the Consent Agenda section to incorporate the Calendar of Meetings and motion language referencing the agenda being available on the City of Portage website.

There are no revisions suggested for 2021 and it is recommended that City Council adopt the Rules of Order and Procedure.

FUNDING: Not Applicable

Attachments: 1. City Council Rules & Procedures Approved Nov 2019

RULES OF ORDER AND PROCEDURE
FOR THE CITY COUNCIL
PORTAGE, MICHIGAN

Section 1. Convening of Meeting; Quorum:

The Mayor, or in his/her absence or at his/her direction, the Mayor Pro Tem, shall, at the time fixed for meeting, take the chair for convening the Council. The presence of four (4) members of the meeting shall constitute a quorum for the transacting of business.

Section 2. Order of Business:

The Business of all regular meetings shall be transacted as far as possible in the following order:

- | | |
|---------------------------------------|--|
| CALL TO ORDER | D. Public Hearings |
| Invocation | E. Regular Business Agenda |
| Pledge of Allegiance | F. Unfinished Business |
| Roll Call | G. Council Committee Reports |
| Proclamations | H. New Business |
| A. Consent Agenda | I. Statements of Citizens |
| B. Petitions & Statements of Citizens | J. Statements of City Council & City Manager |
| C. Communications | ADJOURNMENT |

Section 3. Reading of Minutes:

Unless a reading of the minutes of a meeting is requested by a member of the Council, such minutes may be approved or corrected without reading if the City Clerk has previously furnished each member with a true copy thereof.

Section 4. Agenda for Meeting:

Any Councilmember, Mayor or City Manager may prepare items for consideration on the agenda of Council meetings. The Clerk shall prepare copies of the agenda of the business to be

11/13/91, 11/9/93, 11/14/95, 11/18/97, 1/06/03, 11/06/07, 11/17/09, 11/15/11, 7/23/13, 11/19/13, 11/17/15, 11/21/17, 12/19/17, 11/19/19

considered at each regular Council meeting. No business shall be placed on the agenda by the Clerk unless received not later than 12:00 o'clock noon on the Friday preceding the meeting, except upon the approval of four (4) or more members of the Council.

Section 5. Consent Agenda:

The Consent Agenda motions shall be provided to City Council. The Consent Agenda and related motions shall not be read into the record unless a motion to do so is passed by Council. Items may be removed from the Consent Agenda by a member of City Council or the audience. If an item is removed from the Consent Agenda, the item automatically moves from the Consent Agenda to the end of the Regular Business Agenda section. Routine items on the Consent Agenda include, but are not limited to, City Council Meeting Minutes, Minutes of Boards and Commissions, Accounts Payable Register, Materials Transmitted and Calendar of Meetings.

Councilmembers shall make every effort to request removal of items from the Consent Agenda prior to 12 noon on the day of the meeting. This does not preclude members of Council from requesting removal of an item from the Consent Agenda during the meeting itself.

The Consent Agenda items will then be enacted by the following motion: *“The Consent Agenda is available for review by visiting the City of Portage website, where it is available both in written and audio format on the City Council “Agenda and Minutes” web page – or - by visiting the Office of the City Clerk the day before or the day of a Regular Meeting. Does any Councilmember wish to remove an item from the Consent Agenda for individual consideration? Does anyone in the audience wish to remove an item from the Consent Agenda for individual consideration? I would consider a motion to approve the Consent Agenda as presented by City Council (– or – with the exception of Item(s) ____).”*

Section 6. Regular Meetings; Time-Place:

The Council shall meet regularly every other Tuesday at 7:00 o'clock p.m. in the Council Chambers of the Portage City Hall, 7900 S. Westnedge Ave., Portage, Michigan; however, the Council may cancel all but two Tuesday meetings in each month by giving notice of said cancellation as required by Act 267 of the Public Acts of 1976. When the day fixed for any regular meeting falls upon a national holiday, or the eve of a national holiday, or upon any regular or special

election day, the Council may determine to hold such meeting at the same hour within a week preceding or succeeding the regular day or cancel the meeting as provided above. Notice of the time and place of the changed meeting date or cancellation shall be given in accordance with Act 267 of Public Acts of 1976. Meetings may be held in other locations provided notice is given pursuant to Act 267 of Public Acts of 1976.

The Council shall hold an organizational meeting, which may be combined with, but in no event shall be later than its first regular meeting in November immediately following the regular City election. At such meeting, or within one week thereafter, Council shall elect from its membership a Mayor Pro-Tempore who shall serve for a period of two years and thereafter until a successor is appointed. Nominations for Mayor Pro Tem shall be entertained by the presiding officer and after all nominations desired are made, the nominations shall be closed by motion. Voting by the Council shall be by a signed ballot. The City Clerk shall announce and record in the record each Councilmember's vote. A majority of Councilmembers present shall be required to elect the Mayor Pro Tem. If the first vote does not result in a majority, voting shall continue until a majority is achieved.

Section 7. Meetings; Notice Required:

The City Clerk shall call a special meeting on the written request of the Mayor, or any three members of the Council. Notice required for the special meeting will be given in accordance with Section 5 of Act 267 of the Public Acts of 1976, and the business to be transacted at such meeting will be limited to that stated or given in the notice.

Section 8. Presiding Officer; Powers and Duties:

- (a) The Mayor shall be the presiding officer of the Council. He/she shall state every question coming before the Council, announce the decision of the Council on all matters, and decide all questions of order; provided, however, that upon an appeal to the Council, a majority vote of the Council shall conclusively determine such question of order. He/she shall vote on all questions. He/she shall, at the request of a Councilmember divide any question, if such

question in his/her opinion is subject to division, and he/she shall submit it as divided.

- (b) The Mayor may refer any communication, question or petition to the City Manager of the City for action, reply or procedure to dispose of such matter.

Section 9. Statements of Citizens:

All citizens shall have an opportunity to be heard during the course of each meeting after standing and being recognized by the presiding officer, and stating their name, street address and city. No citizen shall speak for longer than three (3) minutes unless the rules are suspended in accordance with Section 12(a).

Section 10. Rules of Debate:

- (a) There shall be no debate or discussion of any issue prior to the proper introduction of said issue.
- (b) When a motion is under debate, only the following motions shall be in order:
 - 1. Motion to adjourn.
 - 2. Motion to take a recess.
 - 3. Motion to lay on the table.
 - 4. Motion for the previous question.
 - 5. Motion to postpone to a day certain.
 - 6. Motion to refer to a committee of the council.
 - 7. Motion to amend or substitute.
 - 8. Motion to postpone indefinitely.
- (c) A motion to adjourn and a motion to lay on the table shall always be in order and without debate.
- (d) After a motion is made to close debate, the presiding officer shall poll the Council on the question of closing the debate. If the yes's prevail, the presiding officer shall immediately poll the Council on the principal question, or questions, without further debate.
- (e) All votes shall be taken by yes and no, and be entered upon the journal to show the names of those voting in the affirmative and in the negative, except if the vote is unanimous, the record need merely so state.

- (f) When a question has once been decided, it shall be in order for any member who voted on the prevailing side of the question or a member who did not vote by reason of absence to move reconsideration thereof.

Section 11. Ordinances, Resolution, Motions, Contracts:

- (a) All ordinances, resolution and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney.
- (b) Ordinances, resolutions and other matters that are subjects requiring action by the Council, shall be introduced and sponsored by the Mayor or a member of the Council; otherwise, they shall not be considered.
- (c) Each proposed ordinance shall be introduced in written form. Reading of the title shall be sufficient for the introduction of an ordinance unless a member of the Council requests that the proposed ordinance be read in full. The Council may also request that the introducer give an explanation of the proposed ordinance. Upon the introduction of an ordinance, the Council may:
 - 1. Postpone the proposed ordinance for consideration at the next regular meeting of the Council or at a later regular Council meeting specified in the motion to postpone; or
 - 2. Refer the proposed ordinance to an ad hoc committee of three (3) Councilmembers named by the Mayor for study and recommendation to the Council. When such committee reports back to the Council, the ordinance may then be adopted or postponed as above. Any proposed ordinance may be amended by the Council at any time prior to its adoption by the vote of four (4) or more of its members.
 - 3. When an emergency ordinance is introduced for adoption at any meeting, it shall be read in full before the Council and may be passed at such meeting in accordance with the provisions of Section 5.3 (b) of the City Charter.

Section 12. Suspending; Amending Rules:

- (a) These rules may be suspended by a vote of five (5) members of the City Council present and voting.
- (b) These rules may be amended by a vote of five (5) members of the City Council present and

voting.

Section 13. Roll Call Votes:

All roll call votes are to rotate in staggered alphabetical order, such that no member of the City Council, including the presiding officer, votes in the same position for consecutive roll call votes.

Section 14. Attendance:

Councilmembers who will be absent shall, if possible, notify the City Clerk prior to meeting.

Section 15. Governing Rules of Order:

Roberts Rules of Order may apply to all other items not provided for in these rules, except where they may be inconsistent with said rules.

Section 16. Vacancies

If a vacancy occurs on the City Council, except in the case of recall, the Council shall fill the vacancy by appointment within 60 days thereafter. In making its appointment Council may consider appointing any eligible person.

RESOLUTION HONORING

Claudette S. Reid

WHEREAS, Claudette Reid has served the City of Portage as a member of the Portage City Council from 2005 – 2021 and as Mayor Pro Tem from 2013 – 2015; and

WHEREAS, Claudette Reid has served on numerous City Council committees including, but not limited to, the Council/School/Library Committee, Utility Rate Study Committee, Advisory Board Review Committee, Housing and Neighborhoods Committee, Fees Committee, Community Survey Committee, Coordination of Citizen Health Committee, Police/Fire Consolidation & Collaboration Committee, Lake Center Business Committee, Sign Ordinance Committee, Business & the City of Portage Committee; and

WHEREAS, Claudette Reid has served on a variety of committees at the local, regional and state level including, but not limited to, the Long Lake Governmental Lake Board, Kalamazoo Area Transportation Study Policy Committee, Council of Governments, Community Action Board, Cable Access Board, Metro Transit ADA Local Advisory Committee, Kalamazoo County Community Action Agency Board; Kalamazoo County Environmental Health Advisory Council, Kalamazoo County Central Dispatch Authority (KCCDA) Board of Directors; chair of the Friends of Occupational Therapy PAC with the Michigan Occupational Therapy Association; and

WHEREAS, in 2017, Claudette Reid, along with her husband Richard Kraas, donated 11.5 acres of land to the city as a natural area and named the Betty Lee Ongley Nature Preserve; and

WHEREAS, Claudette Reid, in her role as a member of the Portage City Council, has contributed to the City for the benefit of the residents of the City of Portage.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Portage, Michigan, acknowledge the many contributions of Claudette Reid to the City Council and citizens of the City of Portage and acknowledge 16 years of faithful and valuable service to this community; and

BE IT FURTHER RESOLVED that a copy of this resolution be placed in the Local History Room of the Portage District Library so the contributions of Claudette Reid to the Portage community may be continually recognized by future generations of Portage citizens.

Dated: November 16, 2021

Mayor Patricia M. Randall

Councilmember Jim Pearson

Councilmember Lisa Brayton

Councilmember Terry Urban

Councilmember Chris Burns

Councilmember Lori Knapp

Councilmember Vic Ledbetter



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 November 16, 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 October 24, 2021 through November 6, 2021 and notes \$435,009.79 in automated clearing house payments, \$558,069.43 in paper checks, \$56,764.50 in auto-pay payments, \$1,103,413.32 in electronic payments and \$9,118.64 in credit card payments (October) for a grand total of \$2,162,375.68.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of November 16, 2021

ACCOUNTS PAYABLE REGISTER
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Check Type: ACH Transactions

Check Date	Check	Vendor Name	Description	Amount
10/29/2021	16074(A)	A NEW LEAF	CITY HALL PLANT CARE	93.50
10/29/2021	16075(A)	ABONMARCHE CONSULTANTS, INC	TRAFFIC IMPACT STUDY REVIEW	845.00
10/29/2021	16076(A)	AIRGAS USA LLC	WELDING SUPPLIES	292.51
10/29/2021	16077(A)	AMAZON.COM SALES, INC.	MOIST METER-COM DV/K9 COLLAR-POL/FIT EQ-SR CTR	1,746.74
10/29/2021	16078(A)	AUNALYTICS INC	DISASTER RECOVERY SERVICES	1,757.70
10/29/2021	16079(A)	BATTERIES PLUS	MISC BATTERIES	188.45
10/29/2021	16080(A)	BYHOLT INC.	MASON SAND	1,727.50
10/29/2021	16081(A)	C C I SOUTH, INC.	DATA WIRING - NETWORK DROP	200.00
10/29/2021	16082(A)	C M P DISTRIBUTORS, INC.	VESTS & RIOT GEAR	4,868.00
10/29/2021	16083(A)	C T S TELECOM, INC.	DEDICATED FIBER OPTIC CIRCUIT	1,243.90
10/29/2021	16084(A)	CARDINAL BUS, INC.	TRAVEL TRANSPORTATION SR CENTER TRIPS	1,721.75
10/29/2021	16085(A)	CARLETON EQUIPMENT CO.	REPAIR AND MAINT SUPPLIES	36.33
10/29/2021	16086(A)	CHARTER COMMUNICATIONS	CABLE TV	302.00
10/29/2021	16087(A)	CIVICPLUS	CIVICCLERK ANNUAL FEE RENEWAL	12,566.40
10/29/2021	16088(A)	CLARKE, GERALD	SNAP REIMBURSEMENT	38.00
10/29/2021	16089(A)	CLEAN HARBORS ENVIRONMENTAL SERVICE	BLOCK STATION MAINT - ODOR CONTROL UNITS	3,911.00
10/29/2021	16090(A)	CONSOLIDATED ELECTRICAL DIST INC	REPAIR & MAINT SUPPLIES	293.28
10/29/2021	16091(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING SERVICES	97.95
10/29/2021	16092(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	20,143.71
10/29/2021	16093(A)	EARLE, SHELIA L	OCTOBER FITNESS CLASS INSTRUCTION	415.00
10/29/2021	16094(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM MONITORING	1,699.50
10/29/2021	16095(A)	FARM N GARDEN	GATE REPAIRS	326.00
10/29/2021	16096(A)	FISHBECK THOMPSON CARR & HUBER, INC	RISK & RESILIENCE ASSESSMENT	11,955.84
10/29/2021	16097(A)	FOREMOST SALES COMPANY LLC	PARK FACILITY CLEANING SVCS, AUG & SEPT	12,355.00
10/29/2021	16098(A)	FULL CIRCLE FARM	SNAP DUFBS SPF REIMBURSEMENT	145.00
10/29/2021	16099(A)	GLEESING, KEVIN	POLICE SCHOOL OF STAFF & COMMAND WK 9	434.60
10/29/2021	16100(A)	GLOBAL EQUIPMENT CO., INC.	BUILDING REPAIR/MAINT	90.44
10/29/2021	16101(A)	GRAINGER INC	FLEET MAINTENANCE	292.35
10/29/2021	16102(A)	GREEN, BRET LEE	SNAP REIMBURSEMENT	192.00
10/29/2021	16103(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL	292.00
10/29/2021	16104(A)	INDUSCO SUPPLY CO., INC.	CITY HALL RESTROOM SUPPLIES	1,007.66
10/29/2021	16105(A)	J & J LAWN SERVICE, INC.	UTILITY MOWING & TRIMMING	9,007.88
10/29/2021	16106(A)	KAHN, WILMA	CLASS INSTRUCTION - REMINISCENT WRITING	203.00

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10/29/2021	16107(A)	KREITNER, JAMES	SNAP REIMBURSEMENT	231.00
10/29/2021	16108(A)	LAWSON PRODUCTS, INC	AA BATTERIES	25.92
10/29/2021	16109(A)	LRE	TOPOGRAPHIC SURVEY-OAKSIDE DRAINAGE	5,397.49
10/29/2021	16110(A)	MACQUEEN EQUIPMENT LLC	SWEEPER MAINTENANCE	497.01
10/29/2021	16111(A)	MAPLE HILL SPRINKLING, INC.	PARKS IRRIGATION WINTERIZING	410.00
10/29/2021	16112(A)	MAYHEW, BRYAN	POLICE SCHOOL OF STAFF & COMMAND WK 9	434.60
10/29/2021	16113(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	77.35
10/29/2021	16114(A)	MEJEUR ELECTRIC LLC	HOLIDAY LIGHTING ELEC REPAIRS	4,510.00
10/29/2021	16115(A)	MICHIGAN PAVING & MATERIALS CO.	MILL & FILL ACCESS DRIVES FOR WELLS/LIFT ST	38,433.00
10/29/2021	16116(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	308.19
10/29/2021	16117(A)	MULDERS LANDSCAPE SUPPLIES INC	SIDEWALK REPAIRS, TOP SOIL	2,352.50
10/29/2021	16118(A)	NYE UNIFORMS	BICYCLE & MISC UNIFORMS	2,777.68
10/29/2021	16119(A)	O'BOYLE-COLWELL-BLALOCK & AS.	LAKEVIEW PARK CONCEPT PLAN REVISION	3,400.00
10/29/2021	16120(A)	OFF THE CUFF CATERING	PEEP SCREENING BREAKFAST	228.00
10/29/2021	16121(A)	ONE WAY PRODUCTS	JANITORIAL SUPPLIES- PARKS	3,075.30
10/29/2021	16122(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVC	10,615.17
10/29/2021	16123(A)	PARIS CLEANERS	LAUNDRY CONTRACT	1,004.41
10/29/2021	16124(A)	PECKELS, CHRISTINE	SEPTEMBER & OCTOBER YOGA INSTRUCTION	360.00
10/29/2021	16125(A)	PORTAGE FIREFIGHTERS	IAFF DUES FOR OCTOBER 2021	1,800.00
10/29/2021	16126(A)	PORTAGE ON-CALL FIREFIGHTERS	OCCF DUES FOR OCTOBER 2021	20.00
10/29/2021	16127(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA DUES FOR OCTOBER 2021	616.00
10/29/2021	16128(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	1,123.78
10/29/2021	16129(A)	PREMIER SAFETY	FIRE SCBA MAINTENANCE	750.00
10/29/2021	16130(A)	PRINTING SERVICES INC	PRINTING SERVICES	404.25
10/29/2021	16131(A)	R W LAPINE INC.	HVAC VISUAL/AUDIBLE ALARM	3,253.75
10/29/2021	16132(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES	1,133.96
10/29/2021	16133(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	16.80
10/29/2021	16134(A)	ROE-COMM, INC.	MISC RADIO SERVICES	9.99
10/29/2021	16135(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINTENANCE	4,670.00
10/29/2021	16136(A)	STEELE, DANA	REIMB TRAINING EXP-EMSIC CONF	50.00
10/29/2021	16137(A)	STOUT, MELISSA JOY	SEPTEMBER & OCTOBER FITNESS CLASSES	310.00
10/29/2021	16138(A)	SUEZ WATER ENVIRONMENTAL SERVICES	UTILITY OPERATION SYSTEM	221,000.50
10/29/2021	16139(A)	THE IRRIGATOR	IRRIGATION REPAIR AT PORTAGE PD	115.00
10/29/2021	16140(A)	TRUCK & TRAILER SPECIALTIES	REPAIR/MAINTENANCE SUPPLIES	451.34
10/29/2021	16141(A)	TYLER TECHNOLOGIES, INC.	FIRE TECHNOLOGY/INTERFACE MAINT	3,057.60

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10/29/2021	16142(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW DUES FOR OCTOBER 2021	562.72
10/29/2021	16143(A)	WARNER NORCROSS & JUDD LLP	LEGAL & RETAINER FEES	2,400.00
10/29/2021	16144(A)	WARNER OIL COMPANY INC	DEF DRUMS- LEAF PICK UP	287.00
10/29/2021	16145(A)	WIGHTMAN	ENGINEERING SERVICES - ROMENCE ROAD	23,453.75
10/29/2021	16146(A)	WOLVERINE POWER SYSTEMS	ANNUAL SERVICE TO CITY HALL GENERATOR	275.00
10/29/2021	16147(A)	XEROX CORPORATION	XEROX COPIER FEE	206.80
11/05/2021	16148(A)	EKLOV, ERICA	REIMB LUNCH FOR ELECTION SATURDAY WORK	42.70
11/05/2021	16149(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVC	4,371.24
Total ACH				435,009.79

Check Type: Paper

10/29/2021	318775	ACTION PIANO SERVICE	PIANO TUNING	195.00
10/29/2021	318776	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,232.00
10/29/2021	318777	ALLEN EDWIN HOME BUILDERS LLC	HYDRANT METER DEPOSIT REFUND	100.00
10/29/2021	318778	AMERIFIRST FINANCIAL CORP	REFUND DUE TO MICHIGAN STATE TAX COMM	16,133.61
10/29/2021	318779	ARIZA, JOSE	OVERPAYMENT STAX21 PARCEL # 08040-001-O	27.49
10/29/2021	318780	ASCENSION MICH OCCUPATIONAL HEALTH	POST OFFER EXAMS	267.00
10/29/2021	318781	AT&T	ELECTRONIC COMMUNICATIONS	604.69
10/29/2021	318782	AUTO TRIM	VEHICLE REPAIR	50.00
10/29/2021	318783	BAILEY TERRA NOVA FARMS	SNAP REIMBURSEMENT	184.00
10/29/2021	318784	BALL, DAVID	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/29/2021	318785	BAUER, BRIAN	RAMONA SOFTBALL #1 DEPOSIT REFUND	100.00
10/29/2021	318786	BEAR CREEK FARM AND MARKET LLC	DUFB REIMBURSEMENT	37.00
10/29/2021	318787	BENNETT, THOMAS L	SNAP REIMBURSEMENT	18.00
10/29/2021	318788	BONAMEGO, LOUIS	SNAP DUFB SPF ESLS REIMBURSEMENT	314.00
10/29/2021	318789	BULLEY, DANIEL	RAMONA SOCCER NORTH DEPOSIT REFUND	100.00
10/29/2021	318790	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	15.99
10/29/2021	318791	CAPITOL STRATEGIES, LLC	LOBBYIST CONSULTING SVCS	6,000.00
10/29/2021	318792	CARDNO, INC.	INVASIVE SPECIES REMOVAL SERVICES	4,294.30
10/29/2021	318793	CATHOLIC FAMILY SERVICES	SHELTER CARE/CRISIS INTERVENTION	6,000.00
10/29/2021	318794	CC CONSULTING LLC	CONSULTING SVC/RETAIL MARKETING ANALYSIS	3,250.00
10/29/2021	318795	CERTIFIED LABORATORIES	GREASE- KEG & TUBE RED PREMALUBE	792.00
10/29/2021	318796	CHAPMAN'S NURSERY & LANDSCAPING	TREE REPLACEMENTS - WESTNEDGE/SHAVER	1,740.00
10/29/2021	318797	CHEESE PEOPLE OF GRAND RAPIDS	SNAP REIMBURSEMENT	57.00
10/29/2021	318798	CHIME HOLDINGS, LLC	OVERPAYMENT STAX21 PARCEL # 00025-050-O	7.02

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10/29/2021	318799	CINTAS CORP.	UNIFORM RENTALS	1,292.96
10/29/2021	318800	CLIFFORD, EDWARD A & HELEN J	BD BOND REFUND	300.00
10/29/2021	318801	CONSOLIDATED ELECTRIC (LANSING)	BD PAYMENT REFUND	72.00
10/29/2021	318802	CUMMINS INC.	GENERATOR - 12TH STREET BLOCK STATION	4,609.53
10/29/2021	318803	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGES	83.88
10/29/2021	318804	DAVE'S CONCRETE PRODUCTS, INC.	CEMETERY FOUNDATIONS	331.00
10/29/2021	318805	DIAZ, MARK	REFUND CREDIT BALANCE ON FINAL WATER BILL	95.20
10/29/2021	318806	DICK, ROBERT	SNAP DUFB SPF WIC ESLS REIMBURSEMENT	370.00
10/29/2021	318807	DRABIK, SARAH	RAMONA SOCCER #5 DEPOSIT REFUND	100.00
10/29/2021	318808	DRIESEN & ASSOCIATES INC	MATERIALS TESTING SVC FOR COMM SR CENTER	2,527.50
10/29/2021	318809	EAKINS, PRESTON	SCOOP BALLOON GUY MONSTER MASH	500.00
10/29/2021	318810	ELECTIONS OPERATING LLC	ELECTION SUPPLIES	162.58
10/29/2021	318811	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT/REPAIR	287.75
10/29/2021	318812	EXERGY MACHINING LLC	TINK- LONG & SHORT PINS	832.60
10/29/2021	318813	FIRE DEPARTMENT TRAINING NETWORK	FIRE TRAINING REGISTRATION-ENG CO OPS	1,800.00
10/29/2021	318814	FIRE DEPARTMENT TRAINING NETWORK	FIRE TRAINING REGISTRATION-RESCUE CO OPS	1,200.00
10/29/2021	318815	FIRST AMERICAN TITLE CO.	AUSTIN LAKE TRAIL WORK FEE-INFO TITLE UPDATE	600.00
10/29/2021	318816	FIRST AMERICAN TITLE CO.	INFORMATIONAL TITLE WK FEE/MULTIPLE LOC	1,500.00
10/29/2021	318817	FIRST AMERICAN TITLE INSURANCE CO.	7840 PORTAGE RD INFORMATION TITLE WK FEE	500.00
10/29/2021	318818	FIRST DAY SHOE FUND	FY2020-21 CDBG HPS FUNDING FOR SHOES	500.00
10/29/2021	318819	FORSYTH, LARRY	SANTA CHAIRS FOR TRADITIONAL HOLIDAY	550.00
10/29/2021	318820	FUN SERVICES	MONSTER MASH GAMES/PRIZES/AIR BRUSH	2,999.00
10/29/2021	318821	GALL'S, LLC	RANGER UNIFORMS	892.50
10/29/2021	318822	GOLDEN WEST INDUSTRIAL SUPPLY, INC.	MISC POLICE SUPPLIES	269.84
10/29/2021	318823	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION OF PPOA DUES FOR OCTOBER 202	2,965.68
10/29/2021	318824	GUARDIAN TRACKING, LLC	ANNUAL SUBSCRIPTIONS-POLICE & NON-UNION	8,916.00
10/29/2021	318825	HALL BUILDERS LLC	FIRE ST 1-KITCHEN RENOVATIONS	37,615.00
10/29/2021	318826	HALT FIRE, INC.	FIRE APPARATUS MAINT	122.13
10/29/2021	318827	HARDIN, ALLISON	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/29/2021	318828	HARMON, JAMIE	MI PUBLIC SERVICE INSTITUTE TR-EXP REIMB	586.25
10/29/2021	318829	HARTMANN, SHELLY	CULINARY ACADEMY CLASS	250.00
10/29/2021	318830	HIGHTOWER, KEVIN	REF RENTAL DAMAGE DEP, SWMICH AQUARIUM SOC	100.00
10/29/2021	318831	HOME DEPOT	REPAIR/MAINTENANCE SUPPLIES	2,658.85
10/29/2021	318833	HONOR CREDIT UNION	CD PURCHASE FOR CITY INVESTMENT	250,000.00
10/29/2021	318834	HUYSER ASHPHALT	HYDRANT METER DEPOSIT REFUND	80.80

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10/29/2021	318835	ICE CREATIONS	PUMPKIN CARVING MONSTER MASH	425.00
10/29/2021	318836	INCREDIBLE KETTLE	SNAP REIMBURSEMENT	150.00
10/29/2021	318837	INT'L PUBLIC MGT ASSOC FOR HR	POLICE EXAM PACKETS & ANSWER KEY	1,834.55
10/29/2021	318838	J M B DEMOLITION, LLC	DEMOL & DISPOSAL-FORMER KALAMAZOO SCREW BLD	68,300.00
10/29/2021	318839	JAMESTOWN ADVANCED PRODUCTS	FIRE DEPT PICNIC TABLES	2,670.50
10/29/2021	318840	JOFFE, VICKI	CANINE CARNIVAL REFUND	5.00
10/29/2021	318841	KALAMAZOO CORNHOLE, LLC	2021 CORNHOLE LEAGUE	560.00
10/29/2021	318842	KALAMAZOO COUNTY TREASURER	NOVEMBER OAKBROOK MOBILE HOME TAXES	322.50
10/29/2021	318843	KALAMAZOO COUNTY TREASURER	2021 JULY BOARD OF REVIEW-CHANGES PRIOR YR	253.87
10/29/2021	318844	KALAMAZOO COUNTY TREASURER	3RD QTR BILLING FOR SUBPOENA BY MAIL	990.50
10/29/2021	318845	KEENAN, CHRIS	RAMONA SOCCER NORTH DEPOSIT REFUND	100.00
10/29/2021	318846	KOMINEK, ISABELLE	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/29/2021	318847	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	1,274.60
10/29/2021	318848	LEADS ONLINE LLC	TOTAL TRACK INVEST PKG RENEWAL	3,798.64
10/29/2021	318849	LOPEZ, SANDRA I	SNAP REIMBURSEMENT	153.00
10/29/2021	318850	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING SERVICES	171.00
10/29/2021	318851	MENARDS	DPW BUILDING REPAIR/MAINT	262.88
10/29/2021	318852	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR AND MAINT	1,237.19
10/29/2021	318853	MICHIGAN ASSESSORS ASSOCIATION	MEMBERSHIP DUES	90.00
10/29/2021	318854	MICHIGAN TACTICAL OFFICERS ASSOC.	MTOA ANNUAL TRAINING CONFERENCE	199.00
10/29/2021	318855	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	3,229.80
10/29/2021	318856	MORALES, MARINA	SCHRIER PARK DEPOSIT REFUND	150.00
10/29/2021	318857	MORAN, TIMOTHY	OVERPAYMENT 8939 S SPRINKLE RD SUMMER TAX	10.62
10/29/2021	318858	OCKERMAN, JOAN	TRIP REFUND 220619 MAINE	50.00
10/29/2021	318859	OFFICE DEPOT, INC.	OFFICE SUPPLIES	2,084.62
10/29/2021	318862	OSTERHOUSE, CAROLINE	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/29/2021	318863	PAPPAS, LYNN M	SNAP DUFBI SPF WIC REIMBURSEMENT	592.00
10/29/2021	318864	PAW PAW VETERINARY CLINIC, P.C.	K9 EXAM/OFFICE VISIT	164.30
10/29/2021	318865	PEERLESS-MIDWEST, INC.	GARDEN LANE WTP - RECLAIM PUMP	9,725.00
10/29/2021	318866	PHELPS, MARIAH	SNAP REIMBURSEMENT	14.00
10/29/2021	318867	PORTAGE PUBLIC SCHOOLS (TRANS)	BUS TRANSPORTATION	427.08
10/29/2021	318868	Q3 TECHNOLOGIES LLC	SENIOR CENTER FIBER LOCATION PREP WORK	316.00
10/29/2021	318869	QUADMED, INC.	EMERGENCY MEDICAL FIRST AID KITS FOR CITY HALL	1,571.09
10/29/2021	318870	RATHCO SAFETY SUPPLY, INC.	PARKS - CONES/DECALS	139.50
10/29/2021	318871	ROBINSON, JOANNIE C	SNAP REIMBURSEMENT	7.00

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10/29/2021	318872	ROCKFORD ADVERTISING	2022 MICHIGAN TRAIL MAGAZINE AD RENEWAL	2,588.75
10/29/2021	318873	ROWERDINK, INC.	MAINTENANCE SUPPLIES	146.51
10/29/2021	318874	RUE, TRISHA	STUART MANOR DEPOSIT REFUND	150.00
10/29/2021	318875	SALYKHOM, ROBERT	DJ FOR MONSTER MASH	800.00
10/29/2021	318876	SCHULTZ, GREG	LAKEVIEW SOFTBALL DEPOSIT REFUND	100.00
10/29/2021	318877	SEELYE FORD, INC.	VEHICLE REPAIR	49.50
10/29/2021	318878	SIGN SHOP OF WESTERN MICHIGAN	PDPS STAFFING BOARD	47.50
10/29/2021	318879	STARK, JENNIFER	STUART MANOR DEPOSIT REFUND	150.00
10/29/2021	318880	STATE OF MICHIGAN (DOT)	RECONSTRUCTION OF EAST MILHAM AVE	64,716.97
10/29/2021	318881	STATE SYSTEMS RADIO, INC	RADIO SERVICES	561.00
10/29/2021	318882	STEENSMA LAWN & POWER EQUIPMENT	REPAIR/MAINTENANCE SUPPLIES	305.30
10/29/2021	318883	STOMMEN, JAKE	WESTFIELD SOFTBALL DEPOSIT REFUND	100.00
10/29/2021	318884	SURGERY CENTER OF KALAMAZOO, LLC	OVERPAYMENT STAX21 PARCEL # 90020-125-G	314.29
10/29/2021	318885	TEPE SANITARY SUPPLY, INC	FIRE CLEANING SUPPLIES	299.00
10/29/2021	318886	THE POSTMAN AND CONCRETE DESIGNS	BASEBALL DIAMOND FENCE REPAIR	553.00
10/29/2021	318887	TRUGREEN AND ACTION PEST CONTROL	HERBICIDE APPLICATIONS & LAWN CARE	835.00
10/29/2021	318888	ULINE, INC.	OPERATING SUPPLIES	314.22
10/29/2021	318889	ULINE, INC.	EVIDENCE SUPPLIES	73.94
10/29/2021	318890	UNITED PARCEL SERVICE	UPS WEEKLY	12.00
10/29/2021	318891	VANGUARD FIRE & SUPPLY CO., INC.	REPLACE VEHICLE FIRE EXTINGUISHER	56.50
10/29/2021	318892	WASHCO, LLC	POWER WASHING CELERY FLATS & ELIASON	650.00
10/29/2021	318893	WEATHERTAP	ANNUAL SUBSCRIPTION	89.95
10/29/2021	318894	WEDEL'S INC.	SOD FOR CEMETERIES	1,872.50
10/29/2021	318895	WEED, CAROL	RENTAL DAMAGE DEPOSIT RETURN	100.00
10/29/2021	318896	WELNIAK, BRAD	LIVE FIRE TRAINING CAMP - EXP REIMB	483.56
10/29/2021	318897	WILD, JED	N AMERICAN ACTIVE ASSAILANT CONF - EXP REIMB	278.62
10/29/2021	318898	WILLIAMS & WORKS	ENGINEERING SERVICES-LOVERS LANE	3,127.50
10/29/2021	318899	WILLIAMS, AMANDA	SCHRIER PARK DEPOSIT REFUND	150.00
10/29/2021	318900	WILLSON PROPERTY MANAGEMENT	OVERPAYMENT STAX21 PARCEL 07621-118-O	27.23
10/29/2021	318901	WILLSON, BEN	2021 CITY TOURNAMENT DEPOSIT REFUND	50.00
10/29/2021	318902	WMU HOMER STRYKER MD SCHOOL OF MED	CRP/AED CARD	170.00
10/29/2021	318903	WOLZ, MARI-CLARE	SCHOOLHOUSE DEPOSIT REFUND	50.00
10/29/2021	318904	ZOLL DATA SYSTEMS, INC.	PREWIRE & SEAT BELT SENSOR KIT	750.00
10/29/2021	318905	USPS	PORTAGER POSTAGE NOV & DEC 2021	8,500.00
11/05/2021	318906	FBINAA MICHIGAN CHAPTER	40 HR CRISIS NEGOTIATION TRAINING	70.00

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11/05/2021	318907	NIMANA, SATPAL	REFUND FINAL WATER/SEWER BILL	97.62
11/05/2021	318908	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	359.58
Total Paper Checks				558,069.43

Check Type: Auto-Pay Payments

10/29/2021	CONSUMERS AUTOPAY	GAS-ELECTRIC	121.63
11/03/2021	CONSUMERS AUTOPAY	GAS-ELECTRIC	10,973.23
11/04/2021	CONSUMERS AUTOPAY	GAS-ELECTRIC	44,338.80
11/05/2021	CONSUMERS AUTOPAY	GAS-ELECTRIC	1,330.84
Total Auto-Pay Payments			56,764.50

Check Type: Electronic Payments

10/27/2021	CITY OF PORTAGE EMPLOYEE	PAYROLL ADJUSTMENT	341.95
10/28/2021	FIFTH THIRD	INVESTMENTS PURCHASE	499,250.00
10/28/2021	SBF	WATER/SEWER BILL POSTAGE	1,749.76
10/29/2021	ICMA	DEPARTMENT HEAD & NON-UNION PENSION PMTS	15,148.11
10/29/2021	MULTIPLE	WEEKLY TAX DISBURSEMENT 10/22/21	321,559.12
11/01/2021	EAGLE CLAIMS	WORKERS'COMPENSATION	23,953.51
11/04/2021	EAGLE CLAIMS	WORKERS'COMPENSATION	85,999.00
11/05/2021	ICMA	PENSION WITHHOLDINGS	36,883.26
11/05/2021	MULTIPLE	WEEKLY TAX DISBURSEMENT 10/29/21	118,528.61
Total Electronic Payments			1,103,413.32

Check Type: Credit Card

10/01/2021	BUZZSPROUT.COM PODCAST	MONTHLY PODCAST SUBSCRIPTION	24.00
10/01/2021	GOVERNMENT FINANCE OFFICE	BUDGET AWARD PROGRAM SUBMISSION FEE	575.00
10/04/2021	MOUNTAIN GRD LODGE	SALES TAX REFUND	(8.04)
10/07/2021	MMTA	TREASURER CONFERENCE	359.00
10/08/2021	PAYPAL EASY IC	EMS EDUCATION ANNUAL MEMBERSHIP	299.00
10/08/2021	CRYSTAL MTN LODGING	FALL CONFERENCE LODGING	143.44
10/11/2021	HOLIDAY INN GATEWAY	POLICE TRAINING/CONFERENCE	331.10
10/11/2021	CENTER FOR PUBLIC SAFETY	CHIEF FIRE OFFICER RENEWAL	325.00
10/12/2021	MSU PAYMENTS	PARKS VIRTUAL CONFERENCE	20.00
10/12/2021	MSU PAYMENTS	PARKS VIRTUAL CONFERENCE	25.00
10/13/2021	ESRI	CITY ARCGIS ONLINE SERVICE CREDITS	200.00

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10/13/2021	ASAP	REFUND FOR DUPLICATE CHARGE	(487.90)
10/14/2021	SELECTBLINDS LLC	BLINDS FOR POLICE DEPT	1,293.12
10/18/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	117.00
10/18/2021	HOMEDEPOT.COM	TRADITIONAL HOLIDAY SUPPLIES	421.88
10/18/2021	COURTYARD BY MARRIOTT	POLICE TRAINING/CONFERENCE	197.40
10/18/2021	COURTYARD BY MARRIOTT	POLICE TRAINING/CONFERENCE	197.40
10/18/2021	WEBMLIVE.COM	MLIVE SUBSCRIPTION	75.00
10/18/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	234.00
10/18/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	351.00
10/18/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	351.00
10/18/2021	HOLIDAY INN EXPRESS HOLL	POLICE TRAINING/CONFERENCE	425.00
10/20/2021	HOLIDAY INN EXPRESS HOLL	POLICE TRAINING/CONFERENCE	446.25
10/20/2021	MICHIGAN ASSESSORS ASSOC	ASSESSORS ANNUAL MEMBERSHIP	92.25
10/20/2021	CHULA VISTA RESORT	POLICE TRAINING/CONFERENCE	184.10
10/21/2021	DROPBOX	FILE SHARING SERVICE ANNUAL CHARGE	450.00
10/21/2021	HOLIDAY INN EXPRESS HOLL	POLICE TRAINING/CONFERENCE	446.25
10/21/2021	TERRACYCLE US LLC	COFFEE POD RECYCLING	164.00
10/22/2021	MMTA	TREASURER MEMBERSHIP	150.00
10/25/2021	PARTYCITY.COM	MONSTER MASH SUPPLIES	78.71
10/25/2021	MICHIGAN TAX TRIBUNAL	FEE TO FILE MOTION	50.00
10/25/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	468.00
10/25/2021	HAMPTON INN AUBURN HILLS	POLICE TRAINING/CONFERENCE	468.00
10/26/2021	MEIJER # 022	MONSTER MASH SUPPLIES	217.48
10/28/2021	MEIJER # 022	MONSTER MASH SUPPLIES	303.21
10/29/2021	MGFOA REGISTRATION FEE	FINANCE VIRTUAL CONFERENCE	50.00
10/29/2021	SHEETMUSICPLUS.COM	SHEET MUSIC FOR SENIOR CENTER BAND	81.99
Total Credit Card Payments			9,118.64
Grand Total			2,162,375.68

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Amend the General Appropriations Act (budget)

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2022.

The normal government procurement process involves issuance of purchase orders to obtain goods and services necessary to provide service to citizens. Purchase orders specify description, quantity and price of the required goods. With each purchase order, an encumbrance is entered into the city accounting system to reserve budgeted funds to pay for the goods. As goods are received and the related invoices paid, the encumbrances are relieved. At the end of each fiscal year, open purchase orders (encumbrances) are carried forward to the next fiscal year to reserve funds required to pay for goods and services already ordered. This is completed by adding the encumbered funds to the annual budget of the next fiscal year. The “encumbrance carry forward” process is a standard practice in governmental accounting. The City of Portage Charter, Section 7.6(d), requires the production of this listing for approval by City Council.

For Fiscal Year 2020-2021, the amount recommended to be rolled forward is \$481,389. This total consists of:

Utility Projects	\$222,480
General Fund	\$197,772
Leaf Pickup Fund	\$32,000
CDBG	\$16,354
Fleet & Facilities Fund	\$8,320
Street Projects	\$2,838
West Lake Weed	\$1,625
Total	\$481,389

A significant portion of the funds to be rolled forward includes approximately \$134,000 for a delineation and study of PFAS in the groundwater basin and \$31,500 for a generator for the 12th Street Block Station; General Fund significant projects include \$118,000 in public safety projects and supplies that were on back order due to COVID, approximately \$51,000 in upgrading our current AED devices in facilities, \$16,000 in Community Development projects, and \$8,320 for fleet and facilities up-fitting a truck with a dumpster attachment.

The amount rolled forward from Fiscal Year 2019-2020 was \$1,016,453, consisting of \$334,332 in equipment for Fleet and Facilities, \$241,350 for street projects, \$167,879 for programs and projects in

the General Fund, \$152,587 for utility projects, \$111,799 for a project in the Cable Television Fund, and \$8,506 for Leaf Pickup equipment.

The attached list shows the dollar value of open purchase orders as of June 30, 2021, all of which are for necessary supplies and services. Receipt of these goods and services will require subsequent payment by the city. Council action to amend the Fiscal Year 2021-2022 budget will allow payment for goods and services ordered in Fiscal Year 2020-2021 from the Fiscal Year 2021-2022 budget. Therefore, it is recommended that City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2022.

FUNDING: N/A

Attachments: 1. 2020-2021 Purchase Orders to Roll into 2021-2022 Budget

2020-2021 Purchase Orders to Roll into 2021-2022 Budget

PO Number	Vendor Name	Carry-Forward Amount
1	83815 AMERICAN HYDROGEOLOGY CORP.	6,318.78
2	84842 ENVIRONMENTAL RESOURCES GROUP, LLC	12,493.10
3	85925 WADE TRIM ASSOCIATES, INC.	4,653.91
4	86068 KIESLER POLICE SUPPLY	1,753.50
5	86436 PREMIER TRUCK SALES & RENTAL, INC.	32,000.00
6	86446 AMERICAN HYDROGEOLOGY CORP.	134,210.87
7	86968 FISHBECK THOMPSON CARR & HUBER, INC	21,232.00
8	87002 RESTORATIVE LAKE SCIENCES, LLC	1,625.00
9	87302 PREIN & NEWHOF	1,610.00
10	87341 FIRST DAY SHOE FUND	500.00
11	87686 HALL BUILDERS, INC	6,000.00
12	87846 KIESLER POLICE SUPPLY	19,705.65
13	87847 KIESLER POLICE SUPPLY	9,080.40
14	87876 HALT FIRE, INC	25,000.00
15	87877 STRYKER	51,345.00
16	87980 PINNACLE TECHNOLOGY GROUP INC	1,055.00
17	88103 HALL BUILDERS, INC	37,615.00
18	88106 HALL BUILDERS, INC	16,500.00
19	88137 ABONMARCHE CONSULTANTS, INC	1,105.00
20	88274 VANGUARD FIRE & SUPPLY CO., INC.	1,265.00
21	88281 SHERRIFF-GOSLIN CO.	9,900.00
22	88371 KALAMAZOO FLAG COMPANY, LLC	397.90
23	88387 TRUCK & TRAILER SPECIALITIES	8,320.00
24	88389 WIGHTMAN	3,950.00
25	88409 ON DUTY GEAR, LLC	1,910.00
26	88414 WRAPS N SIGNS	1,732.79
27	88417 OCBA	3,400.00
28	88496 CUMMINS INC.	31,500.00
29	88514 WADE TRIM ASSOCIATES, INC.	3,900.00
30	88564 COMMUNITY IMAGE BUILDERS	3,160.00
31	88567 MICHIGAN OFFICE ENVIRONMENTS	14,000.00
32	85990 CATHOLIC FAMILY SERVICES	6,000.00
33	88456 CAPSTONE HOME IMPROVEMENT, LLC	7,250.00
34	88470 ANALYTICAL TESTING & CONSULTIN	550.00
35	88479 BATTERIES PLUS	350.00
Total		\$ 481,388.90

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Energy Improvement Projects

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works
Jereme Rowland, Deputy Director - Fleet & Facilities
Victoria Barboza, Purchasing Manager
Lauren VanderVeen, Finance Director
Steve Clark, Lieutenant

ACTION RECOMMENDED: Authorize the Acting City Manager to proceed with energy efficiency improvements including LED lighting installation at city facilities, climate controls at City Hall, and heating and air conditioning improvements at the Department of Public Safety at a cost of \$1,064,025.

The City of Portage, like other municipalities across the State of Michigan, desires to engage in efforts to promote environmental sustainability while at the same time trying to reduce ongoing costs. Staff are committed to seeking out and exploring opportunities for cost savings and efficiencies. On February 9, 2021, City Council adopted a resolution regarding the climate crisis in which it committed the City of Portage to "taking action and implementing policies, projects and procedures that promote environmental sustainability."

In April of 2020, using the advice from the Department of Energy as a guide, the City of Portage issued a request for proposals for the provision of an energy services company (ESCO). According to the Department of Energy:

"Energy service companies (ESCOs) develop, design, build and arrange to finance for projects that save energy, reduce energy costs, and decrease operations and maintenance costs at their customers' facilities. In general, ESCOs act as project developers for a comprehensive range of energy conservation measures (ECMs) and assume the technical and performance risks associated with a project. ESCOs are distinguished from other firms that offer energy-efficiency improvements in that they use the performance-based contracting methodology."

Following a thorough review of the bids, NORESKO was selected and affirmed by City Council on May 26, 2020. Since that time, staff have been in contact with NORESKO as they reviewed and evaluated opportunities for energy savings. This includes several site visits from NORESKO. Regrettably, disruptions caused by COVID and a change in City Administration resulted in delays to the evaluation and selection of projects. City staff and NORESKO have identified three projects that will yield positive energy savings and promote environmental sustainability while addressing areas of greatest need. These include new heating and air conditioning and related items for the Public Safety building; installation of

LED lighting in City Hall, Public Safety and various park buildings; and installation of a new digitally-controlled climate control system at City Hall. The anticipated improvements will result in approximately \$50,000 in annual savings. It should be noted that these are projects that were either in the current CIP or planned for inclusion in upcoming capital improvement efforts. Regarding environmental impact, these projects will reduce a carbon dioxide equivalent of 424 tons/year, which is similar to removing 89 cars from the road on an annual basis.

NORESCO would use a local vendor that has a long history of working on city HVAC systems (R.W. LaPine) to perform a majority of the work. NORESO was hired as the ESCO following a competitive bid process, conducted the energy analysis and needs assessment, and is verifying the energy savings. As a result of this contractual relationship, the work that they will be doing is not eligible for competitive bid. Indeed, requiring NORESO to go out for bid for this work would be a breach of contract.

To maximize efficiency, supply chain issues (equipment procurement and delivery), and seasonality constraints of the Energy Conservation Measures (ECMs), NORESO has compressed all the installation efforts into a mid to late spring installation schedule. Major equipment will need to be procured by the end of November to meet season delivery and associated start-up dates.

Funding for this project has been identified using a combination of sources. An amount of \$534,000 is being utilized from last fiscal year's general fund balance and the Fiscal Year 21-22 Capital Improvement Program budget will be amended by this amount. The excess general fund balance above the 24% threshold would typically be used to help support the Fiscal Year 21-22 Capital Improvement Program. Finally, \$530,000 of the planned HVAC improvements at Public Safety are included in the FY 21-22 Public Safety Capital Improvement Program and operating budgets.

It is recommended that Council authorize the Acting City Manager to proceed with energy efficiency improvements, including LED lighting installation at city facilities, climate controls at City Hall, and heating and air conditioning improvements at the Department of Public Safety at a cost of \$1,064,025.

FUNDING: Funding is available from the balance of last fiscal year's General Fund, as well as the Fiscal Year 21-22 Public Safety Capital Improvement Program and operating budgets.

Attachments: 1. NORESO CWO Council Presentation

Energy
Performance
Contract

City Council
Presentation
November 16, 2021

City of Portage
Michigan

Overview/History of Energy Performance Project

- IGA began on July 21st, 2020 (15+ months)
- Detailed Analysis of Energy and Operations Costs and Equipment Performance
- Turn-Key Fixed Price includes NORESO Audit, Design, Project Management, Commissioning, Training and Rebate Assistance
- Results in improved system efficiency, reliability and building health for many years
- Meets City Council goals of efficiency and sustainability
- NORESO will help with press releases and communication to the community

ESPC Program Benefits

Single source accountability for design, construction, commissioning, training & performance

Accelerated implementation of building upgrades and accrual of savings

Building Benefits

- Improved efficiencies
- Improved reliability
- Better work environment
- Healthier Buildings
- Reduced GHG emissions

Implementation Benefits

- Holistic engineered approach
- Single source accountability
- Dedicated On-site PM
- Commissioning
- Training
- Accelerated building improvements & savings

Energy Use & Cost Baseline

Building	Total Annual Spend	Current EUI (kBtu/Sq. Ft.)	*Benchmark EUI (kBtu/Sq. Ft.)	EUI % Above Benchmark
City Hall	\$89,295	139.2	73.2	90%
Public Works	\$52,842	52.0	48.8	7%
Public Safety	\$66,520	125.0	72.4	73%
Fire Station 1	\$24,074	70.9	72.4	-2%
Fire Station 3	\$14,479	82.0	72.4	13%
Parks	n/a	n/a	n/a	n/a
Total:	\$258,944		*Midwest Avg	

Note: EUI = Energy Use Index



Proposed LED Lighting Scope

- City Hall – retrofit all interior fixtures to LED (only 10% now LED)
- Public Safety – retrofit all interior fixtures in Annex wing & training room to LED
- Parks – retrofit remaining HID pathway fixtures to LED



Proposed City Hall Controls Scope

- New DDC VAV Box Controls w/ new valves & CO2 sensors
- HW Boiler and Pump Controls
- New AHU Sound Attenuator
- New Static Pressure Sensor
- Air and Water Balance
- Reprogramming

Proposed City Hall Controls Operation

System	Current Operation	Proposed Operation
Boilers & Pumps	• Mostly manual operation • Partial HW reset to 135°F / 90°F on small / large boilers respectively • Manual HW pump operation running year-round	• Enhanced BAS control • Circulation pumps disabled when not needed • Enhanced HW reset & shutdown of fin-tube boiler above 70°F OAT
AHU Unit	• Constant 24/7 operation via BAS • Heating to 70°F & Cooling to 74°F • Limited economizing below 55°F OAT	• BAS Time Schedule • Occupied Heating to 70°F & Cooling to 74°F • Unoccupied Heating to 64°F & Cooling to 82°F • Occupied M-F 6:00am–7:00pm & Sat – Sun 8:00am–12:00pm • Enhanced economizing up to 65°F OAT
AHU Fan	• BAS controlled w/ partial fan speed modulation • Average fan speed of 86%	• Replace SP sensor • BAS controlled w/ improved fan speed modulation using duct SP & DDC boxes feedback • Reduced Average fan speed after sound attenuator replaced
VAV Boxes	• Pneumatic & Unreliable • DCV Operation by sole RA CO₂ sensor	• Programmable DDC control with CO₂ sensors • Improved DCV operation & IAQ levels w/ zone-by-zone CO₂ sensors • Air & Water Balance

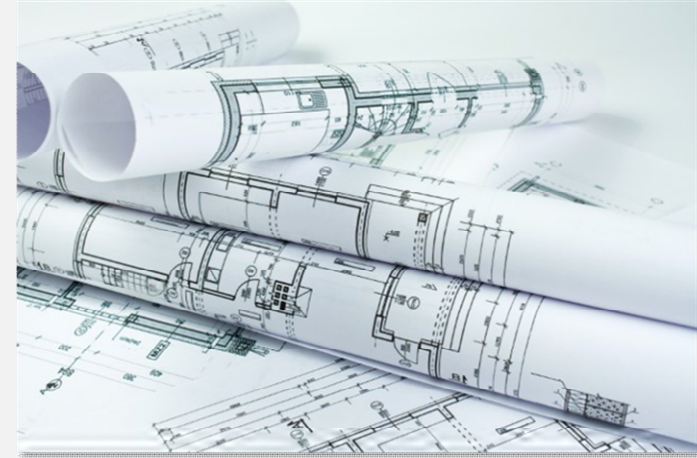


Proposed Public Safety Mechanical Scope

- Replace inefficient equipment nearing end of life
- High Efficiency Roof-top Units, Boiler and Chiller
- Environmentally friendly refrigerants

Construction Approach

- Lower risk for City – turnkey fixed price, single source
- Focus on safety and minimizing building disruptions
- 100% dedicated full-time, on-site construction manager
- Frequent communication, look ahead schedules, coordination with City
- Qualification and management of local subcontractors
- Includes commissioning, training, as-builts, O&M manuals, warranty
- Single- Source responsibility for design, construction and performance



Program Financial Summary

#	ECM	ECM Price	Year One Savings*
1	LED Lighting Upgrades – City Hall, Public Safety, Parks	\$ 170,710	\$ 34,898
2	City Hall Controls Upgrade – Direct Digital VAV Box Controls, Boiler Controls, System Optimization	\$ 326,210	\$ 8,514
3	Public Safety Mechanical Upgrades – New Roof-top Units, Boiler and Chiller	\$ 567,105	\$ 4,050
	Total	\$ 1,064,025	\$ 47,462

* Note: Savings will increase in subsequent years as utility rates escalate

Greenhouse Gas & Healthy Building Impact

- Improved Indoor Air Quality (IAQ) through better temperature and ventilation control
- Improved occupant health comfort & safety
- Environmentally friendly refrigerants

Emission Type	Reductions	
Carbon Dioxide (CO ₂)	749,950	lbs per year
Sulfur Oxides (SO _x)	1,069	lbs per year
Nitrogen Oxides (NO _x)	617	lbs per year
Carbon Dioxide Equivalent	424	metric tons/yr
Equivalent Acres of US Forest Planted	347	acres
Equivalent Cars Removed from Roads	89	cars

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Health and Vision Insurance Contract Renewals

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Take action to:

- a. approve one-year contracts with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance;
- b. approve a four-year contract with EyeMed for Department Head and Non-Union vision insurance;
- c. maintain current employer/employee cost-sharing practices by taking action to exempt the city from the requirements of P.A. 152 for the 2022 medical benefits plan year,

and authorize the Acting City Manager to execute all documents related to the contract renewals on behalf of the city.

Health insurance is provided by the city to all full-time non-union and union personnel as part of an overall comprehensive benefits package, which is key to attracting and retaining quality employees. City employees currently have the opportunity to enroll in health insurance specific to employee groups, offered through Blue Cross Blue Shield (BCBSM) of Michigan Community Blue or Blue Care Network (BCN).

Current health and vision insurance contracts with BCBSM of Michigan, BCN, and EyeMed expire on January 31, 2022. As part of the health insurance contract renewal process for the 2022 plan year, the city was advised of both increases and decreases in premiums for BCN plans and increases for all BCBSM plans. A flat, no increase, four-year renewal was received from EyeMed.

Changes to premiums (excluding taxes and fees) are as follows:

EyeMed	Department Head & Non-Union	0.00%
BCN \$500/20%	IAFF and UAW	-3.08%
BCN \$500/20%	Department Head & Non-Union	-3.01%
BCN \$500/0%	PPCOA, PPPOA and UAW	-0.29%
BCN HDHP	IAFF, PPCOA, PPOA, UAW	1.32%
BCN HDHP	Department Head & Non-Union	1.46%
BCBSM CB 14/20%	Department Head & Non-Union	2.63%

BCBSM HDHP	IAFF	2.66%
BCBSM HDHP	Department Head & Non-Union	2.79%
BCBSM CB \$1000/20%	IAFF	3.97%

The state health insurance premium caps for 2022 increased by 3.7%. An increase in taxes and fees of approximately \$6,643 is expected for the 2022 plan year based on current enrollment.

Current State Insurance Premium Caps		2022 State Insurance Premium Caps	
Single Coverage	\$7,043.89	Single Coverage	\$7,304.51
2 Person Coverage	\$14,730.96	2 Person Coverage	\$15,276.01
Family Coverage	\$19,210.66	Family Coverage	\$19,921.45

The city chose not to solicit bids for health insurance contracts this year as the increases received during the renewal process were much better than anticipated given the high claims experience reported by the carriers. Two years ago, the city solicited bids and all of the carriers solicited declined to quote due to high claims experience. The city will be required to solicit bids for health insurance contracts for the 2023 plan year.

It is recommended that City Council approve one-year contracts with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance and approve a four-year contract with EyeMed for Department Head and Non-Union vision insurance. Estimated contract costs are as follows: BCBSM - \$297,262, with \$204,325 paid by the city; BCN - \$2,166,917, with \$1,945,343 paid by the city; and EyeMed - \$64,186 paid by the city.

In 2013, the state legislature amended Public Act 152 to expand the definition of “medical benefit plan cost” to include the amounts public employers pay directly or indirectly for taxes and fees associated with health insurance. Based on this action, the costs for taxes and fees would have had to be passed directly to employees. P.A. 152 also provides that an exemption to the requirements of the act can be exercised for the next succeeding year by a two-thirds vote of the City Council. As such, the Council took action in December 2013 to exempt the city from P.A. 152 beginning with the 2014 plan year, permitting the city to continue to pay up to the caps for health insurance premiums and pay the costs associated with taxes and fees. With the exception of not passing along the cost of healthcare-related taxes to employees, the city continues to comply with all other aspects of P.A. 152. This same action has been repeated each successive year.

It is recommended that City Council again take action to exempt the city from P.A. 152 for the 2022-2023 plan year and allow the city to pay up to the state caps in premiums or in HSA contributions plus the associated taxes and fees. If approved, this action will simply enable a continuation of current practice in conformance with P.A. 152 as originally enacted in 2011.

FUNDING: Funds have been budgeted and are available to support the cost of employee health and vision insurance coverage for the balance of the current fiscal year. Funds will be budgeted for Fiscal Year 2022-2023

Attachments: None

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Disclosure of landlord tenant relationship

SUPPORTING PERSONNEL: Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Consent to landlord tenant relationship pertaining to Councilmember Lisa Brayton's tenancy in a building owned by the City Attorney's firm Bauckham Sparks.

The Office of the City Manager has been informed by City Attorney Kaufman of an existing landlord tenant relationship between her firm (Bauckham Sparks) and incoming Councilmember Lisa Brayton. A memo from the City Attorney disclosing this relationship is attached, as well as the associated ethics opinion from the Michigan Bar Association.

It is recommended that the Council consent to the landlord tenant relationship pertaining to Councilmember Lisa Brayton's tenancy in a building owned by City Attorney Bauckham Sparks.

FUNDING: N/A

Attachments:

1. Legal memo re landlord tenant relationship Brayton 11.9.2021
2. Michigan Bar Ethics Opinion

BAUCKHAM, SPARKS, THALL, SEEGER & KAUFMAN, P.C.

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JOHN H. BAUCKHAM
1923 – 2015

HARRY F. SMITH
1906 – 1972

OF COUNSEL
KENNETH C. SPARKS
MICHAEL D. SCHLACK

November 9, 2021

TO: Honorable Mayor and City Council

FROM: Catherine P. Kaufman, City Attorney

SUBJECT: Disclosure of landlord tenant relationship with Council member

SUPPORTING PERSONNEL: Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Council consent to landlord tenant relationship pertaining to Councilperson Lisa Brayton's tenancy in a building owned by City Attorney Bauckham Sparks.

Councilmember Elect Lisa Brayton is associated with the practice of Dr. Dan Brayton, DDS, who is a tenant in an office building owned by the City Attorney's firm, Bauckham, Sparks, Thall, Seeger and Kaufman, P.C. Dr. Brayton has been a tenant in this building for several years prior to the law firm's purchase of the office building at 470 W. Centre Avenue in 2019. After the law firm's purchase of the building in 2019, Dr. Brayton became a tenant of Bauckham Sparks.

Based on my concern regarding a possible conflict of interest, I consulted the Michigan Bar Association's Ethics Hotline. The Bar Association advised that Ethics Opinion JI-006 would apply to these facts. [See Attached Ethics Opinion JI-006]. The Ethics Opinion notes that the landlord tenant relationship may lead to the appearance of impropriety, as the lawyer (here Bauckham Sparks) would be practicing law in front of the judge (here Councilmember Brayton). The Ethics Opinion provides that disclosure and consent would remove the shadow of impropriety from the arrangement. Accordingly, we disclose this landlord tenant relationship with Dr. Dan Brayton DDS and request that the Council consent to the existing landlord tenant relationship.

SBM - State Bar of Michigan

https://www.michbar.org/opinions/ethics/numbered_opinions/JI-006

NOTE: Various references in this ethics opinion to portions of the Michigan Code of Judicial Conduct are no longer accurate due to amendments effective August 1, 2013. Click [here](#) to review language added to (which is underlined) and language stricken from (which is indicated by strikethrough) Canons 2, 4, 5, and 7.

JI-6

June 1, 1989

SYLLABUS

A relationship between a landlord/judge and a tenant/lawyer creates the appearance of impropriety if the lawyer practices before the judge.

A full disclosure of the relationship must be made to all litigants, and the consent of all litigants obtained, in order to avoid a disqualification.

A judge should manage investments and other financial interests to minimize the number of cases in which the judge is disqualified. As soon as can be done without serious financial detriment, a judge should divest investments and other financial interests that require frequent disqualification.

References: MCJC 2A, 5C(3); CI-293, CI-300.

TEXT

A judge is the owner of an office building in which the judge formerly practiced law; the former partners lease the building. The judge continues to disqualify himself from the former partners' cases, but the partners have now subleased some space in the building to another lawyer. The judge asks whether the judge is disqualified in cases involving the new lawyer.

A landlord-tenant relationship with judge as landlord and a lawyer as tenant creates the appearance of impropriety if the lawyer practices before the landlord judge. MCJC 2A. The fact that a tenant sublets from the lawyers rather than directly from the judge alters the legal connection between the two, but does not alter the appearance to the litigating public. If the relationship exists and a litigant learns of it from someone other than the judge, there is just cause to question the judge's impartiality.

If the tenant/attorney appears before the landlord/judge, the judge should, at a minimum, disclose the relationship and continue to sit on the case only with the informed consent of the parties.

Actual judicial impartiality may be completely unaffected by the landlord/tenant relationship described, especially as there is no direct privity between the landlord/judge and sublessee/lawyer, but the relationship itself casts a shadow of doubt over the judge's acts and decisions affecting the sublessee or the clients. Disclosure and consent would remove the shadow. In accord, CI-293, CI-300.

If the relationship causes frequent disqualification, the judge should consider divesting the property or renting to nonlawyers pursuant to MCJC 5C(3).

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Special Meeting for Board and Commission Applicants

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Set a Special Meeting on Tuesday, January 11, 2022, beginning at 5:45 p.m., to interview Board and Commission applicants.

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

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

- Board of Review - 5 expiring terms; 1 vacancy
- Zoning Board of Appeals - 2 expiring terms; 2 alternate vacancies
- Human Services Board - 1 vacancy

It is recommended that City Council set a Special Meeting on Tuesday, January 11, 2022, at 5:45 p.m. to interview Board and Commission applicants.

FUNDING: N/A

Attachments: 1. Board Vacancy Summary (revised)

January 11, 2022 Board & Commission Interviews

	Interviews		5:45 PM	6:00 PM	6:15 PM	Appointed:	End of Term:
Able to Attend?			Board of Review	Human Services Board	Zoning Board of Appeals		
			5 expiring terms, 1 vacancy	1 vacancy	2 expiring terms, 2 alt vacancies		
	Applicants:						
Yes	Patrick J.	Buckley	Member			1/12/2016	1/31/2022
	Carol	Eddy, Chr.	Member			1/12/2016	1/31/2022
Yes	Leonard	Lamberson	Member			1/12/2016	1/31/2022
	Keith M.	Hearit	Member			1/10/2017	1/31/2022
Yes	Lyndsay	Vainner	Member			1/9/2018	1/31/2022
	Luke	Schrader - 1	Applicant				
	Bruce	Jennings - 1	Applicant				
	Shelby	Robinson - 1	Applicant				
	Ian	Lennan - 1	Applicant				
	Abigail	Davenport - 1		Applicant			
	Laura	Combs - 2		Applicant			
	Sarah	Stawowy - 1		Applicant			
	George	Starrett - 1		Applicant			
Yes	Linda	Fry, Secretary			Member	5/8/2018	2/28/2022
	Alexander	Philipp			Member	2/29/2016	2/28/2022
	Abigail	Davenport - 2			Applicant		
	Ian	Lennan - 1			Applicant		
	Shelby	Robinson - 1			Applicant		

Key: 1, 2 = ranked board choice

MATERIALS TRANSMITTED

Wednesday, November 3, 2021

1. Communication from the Acting City Manager regarding a change to the November 3 City Council meeting agenda – Information Only.
2. Communication from the Acting City Manager regarding the Bi-Monthly Financial Report – Information Only.



Adam Herring, Acting City Manager

cc Michael Carroll, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Removal of Kotobuki Seating Agenda Item From November 3 Agenda

At the request of the applicant, the item involving a blighted property and Kotobuki Seating has been moved to the December 7, 2021 City Council meeting.

The applicant indicated that he has a scheduling conflict and wants to attend the meeting in person to be able to share and discuss his project. The applicant has confirmed that the switch to the meeting in December will not adversely impact his project.

The agenda for the November 3, 2021 City Council meeting has been updated accordingly.

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Monthly Financial Report

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

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

Attachments: September 30, 2021 Financial Report

10/28/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 09/30/2021

Calculations as of 09/30/2021		2021-22	2021-22	2021-22	25%
Fund	DESCRIPTION	ORIGINAL BUDGET	AMENDED BUDGET	ACTIVITY	Percent of Amended Collected/Used
REVENUES					
0000		26,292,710	26,292,710	9,583,605	36%
1720 - City Manager		500	500	500	100%
2053 - Finance Treasury		1,500	1,500	134	9%
2110 - Technology Services		4,750	4,750	0	0%
2133 - Public Information		218,000	218,000	0	0%
2415 - City Clerk		166,050	166,050	5,438	3%
2491 - City Clerk Elections		0	0	9,907	0%
2865 - Parks Maintenance		1,000	1,000	0	0%
2876 - Cemeteries		58,500	58,500	6,705	11%
2877 - Parks & Rec - Parks		50,300	50,300	0	0%
2878 - Parks & Rec - Kalamazoo In Bloom		0	0	0	0%
2881 - Parks & Rec - Farmers Market		11,000	11,000	0	0%
2882 - Parks & Rec - Team Sports		105,280	105,280	130	0%
2885 - Parks & Rec - Programs		10,400	10,400	0	0%
2886 - Parks & Rec - Ramona Park		69,200	69,200	0	0%
2887 - Parks & Rec - Special Events		15,000	15,000	400	3%
2888 - Parks & Rec - Millennium Park		47,800	47,800	0	0%
3005 - Police Administration		109,950	109,950	4,926	4%
3010 - Police Patrol		1,500	1,500	20	1%
3021 - Police Training-Grant Funded		8,000	8,000	0	0%
3030 - Police Public Safety Dispatch/ts		12,000	12,000	0	0%
3050 - Police Drug Law Enforcement		100	100	0	0%
3065 - Police Facility Management		70,000	70,000	0	0%
3310 - Fire Admin		110	110	0	0%
3340 - Fire Prevention		950	950	30	3%
3710 - Comm Dev Building Services		750,000	750,000	31,123	4%
3720 - Comm Dev Planning & Development		50,050	50,050	6,870	14%
3730 - Comm Dev Neighborhood Services		209,000	209,000	6,218	3%
6720 - Senior Center		275,207	276,207	3,853	1%
6721 - Senior Center Trips		200,000	200,000	0	0%
6722 - Senior Center Activities		20,000	20,000	0	0%
6725 - Aging Mastery Program		0	0	0	0%
Total Revenues- General Fund		28,758,857	28,759,857	9,659,858	34%

10/28/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 09/30/2021

Calculations as of 09/30/2021		2021-22	2021-22	2021-22	25%
Fund	DESCRIPTION	ORIGINAL BUDGET	AMENDED BUDGET	ACTIVITY	Percent of Amended Collected/Used
EXPENDITURES					
1001 - City Council		93,600	93,600	16,782	18%
1085 - City Council-Human Services		178,750	178,750	0	0%
1720 - City Manager		902,011	902,011	122,515	14%
2001 - Finance Accounting		313,466	313,466	23,856	8%
2002 - Finance & Budget		409,182	409,182	24,035	6%
2053 - Finance Treasury		176,897	176,897	13,797	8%
2110 - Technology Services		946,701	946,701	53,235	6%
2133 - Public Information		433,537	433,537	31,392	7%
2209 - Assessor		473,740	473,740	31,751	7%
2247 - Assessor Board Of Review		36,144	36,144	1,846	5%
2310 - Attorney		251,000	251,000	19,020	8%
2415 - City Clerk		169,161	169,161	10,813	6%
2416 - City Clerk Records Management		71,032	71,032	4,030	6%
2491 - City Clerk Elections		255,710	255,710	19,450	8%
2610 - Human Resources		700,204	700,204	56,551	8%
2733 - Purchasing		82,740	82,740	7,424	9%
2734 - Purchasing Risk Management		24,685	24,685	1,391	6%
2865 - Parks Maintenance		1,403,011	1,403,011	84,992	6%
2876 - Cemeteries		72,073	72,073	6,598	9%
2877 - Parks & Rec - Parks		700,618	700,618	42,100	6%
2878 - Parks & Rec - Kalamazoo In Bloom		17,000	17,000	0	0%
2880 - Parks & Rec - Rec Admin		221,286	221,286	17,025	8%
2881 - Parks & Rec - Farmers Market		21,360	21,360	2,134	10%
2882 - Parks & Rec - Team Sports		63,500	63,500	2,686	4%
2885 - Parks & Rec - Programs		42,650	42,650	1,517	4%
2886 - Parks & Rec - Ramona Park		194,472	194,472	14,402	7%
2887 - Parks & Rec - Special Events		149,574	149,574	6,862	5%
2888 - Parks & Rec - Millennium Park		86,275	86,275	1,783	2%
3005 - Police Administration		1,192,373	1,192,373	75,838	6%
3006 - Police Youth Services		510,066	510,066	38,882	8%
3007 - Police Investigation		710,665	710,665	56,521	8%
3010 - Police Patrol		5,948,325	5,948,325	434,306	7%

10/28/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 09/30/2021

		2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	2021-22 ACTIVITY	25% Percent of Amended Collected/Used
Fund	DESCRIPTION				
3020 - Police Training		296,634	296,634	32,761	11%
3021 - Police Training-Grant Funded		9,000	9,000	0	0%
3030 - Police Public Safety Dispatch/ts		60,619	60,619	3,952	7%
3031 - Police Emergency Sirens		38,676	38,676	0	0%
3040 - Police Records & PST		719,449	719,449	57,909	8%
3050 - Police Drug Law Enforcement		341,537	341,537	27,650	8%
3065 - Police Facility Management		415,420	415,420	11,698	3%
3090 - Police KCCDA support		0	0	0	0%
3310 - Fire Admin		1,049,432	1,049,432	50,192	5%
3320 - Fire Operations		3,860,709	3,860,709	302,402	8%
3330 - Fire On Call Firefighters		106,037	106,037	5,529	5%
3331 - Fire Emergency Operations		4,950	4,950	0	0%
3340 - Fire Prevention		139,711	139,711	11,298	8%
3350 - Fire Training		263,966	263,966	16,642	6%
3365 - Fire Facility Management		143,700	143,700	12,615	9%
3710 - Comm Dev Building Services		629,391	629,391	50,019	8%
3720 - Comm Dev Planning & Development		527,618	527,618	29,994	6%
3730 - Comm Dev Neighborhood Services		450,274	450,274	33,662	7%
3765 - Comm Dev Building Maintenance		232,761	232,761	22,892	10%
4210 - City-wide Services		696,100	696,100	49,226	7%
6050 - Contagious Diseases		0	0	98	0%
6720 - Senior Center		536,568	537,568	33,806	6%
6721 - Senior Center Trips		225,143	225,143	3,096	1%
6725 - Aging Mastery Program		0	0	0	0%
6740 - Senior Center Transition		0	0	0	0%
9610 - Transfers Out		1,159,354	1,159,354	0	0%
TOTAL EXPENDITURES - GENERAL FUND		28,758,857	28,759,857	1,978,972	7%
202	Major Street Fund- Revenues	5,413,589	5,413,589	935,179	17%
	Major Street Fund- Expenditures	5,413,589	5,413,589	520,079	10%
203	Local Street Fund- Revenues	1,945,952	1,945,952	287,976	15%
	Local Street Fund- Expenditures	1,945,952	1,945,952	237,629	12%

10/28/2021

BUDGET REPORT FOR CITY OF PORTAGE
Calculations as of 09/30/2021

Fund	DESCRIPTION	2021-22 ORIGINAL BUDGET	2021-22 AMENDED BUDGET	2021-22 ACTIVITY	25% Percent of Amended Collected/Used
204	Municipal Street Fund- Revenues	1,421,060	1,421,060	722,419	51%
	Municipal Street Fund- Expenditures	1,421,060	1,421,060	0	0%
223	Curbside Recycling- Revenues	773,352	773,352	461,829	60%
	Curbside Recycling- Expenditures	772,732	772,732	58,245	8%
226	Leaf Pickup/Spring Cleanup- Revenues	879,375	879,375	405,488	46%
	Leaf Pickup/Spring Cleanup- Expenditures	878,236	878,236	17,016	2%
230	CDBG Program Income Fund- Revenues	175,000	175,000	9,900	6%
	CDBG Program Income Fund- Expenditures	175,000	175,000	0	0%
252	West Lake Weed Mgmt- Revenues	36,025	36,025	81	0%
	West Lake Weed Mgmt- Expenditures	32,500	32,500	1,625	5%
296	Community Development Block Grant- Rev	218,239	218,239	52,073	24%
	Community Development Block Grant- Exp	218,239	218,239	23,222	11%
298	Cable Television Fund- Revenues	749,400	749,400	0	0%
	Cable Television Fund- Expenditures	749,400	749,400	13,968	2%
400	Capital Improvement General- Revenues*	14,064,930	12,467,754	2,741,675	22%
	Capital Improvement General- Expenditures*	45,906,471	25,640,467	1,963,096	8%
490	Capital Improvement Sewer- Revenues*	5,205,000	5,205,000	0	0%
	Capital Improvement Sewer- Expenditures*	3,877,773	3,729,356	8,152	0%
491	Capital Improvement Water- Revenues*	11,301,974	11,301,974	0	0%
	Capital Improvement Water- Expenditures*	13,088,672	10,876,603	21,213	0%
590	Sewer Fund- Revenue	9,430,042	9,430,042	825,831	9%
	Sewer Fund- Expenditures	9,415,762	9,415,762	641,311	7%
591	Water Fund- Revenues	6,835,288	6,835,288	667,898	10%
	Water Fund- Expenditures	6,678,416	6,678,416	345,546	5%
TOTAL REVENUES - ALL FUNDS**		87,208,083	85,611,907	16,770,207	
TOTAL EXPENDITURE - ALL FUNDS**		119,332,659	96,707,168	5,830,073	

* The Capital Improvement Program uses project-length budgets, original is current fiscal year, amended budgets of prior year projects continued.

**Debt Service and Internal Service Funds not included.

Minutes of Boards & Commissions

City of Portage
Historic District Commission
Wednesday, April 7, 2021 – WebEx (Virtual) Meeting

Meeting Called to Order: 8:20 a.m. The meeting was held virtually in accordance with the County & State orders regarding the ongoing COVID-19 pandemic. The following members were present via WebEx meeting platform.

Members Present: Duniphin, Lopez, vanLonkhuyzen, Meyle, Nemeth, Maytnier

Members Absent (unexcused): Custer & Amarasinghe.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): Melissa & Scott Powell, 7706 Innisbrook Drive.

Approval of Minutes: Lopez made a motion, supported by Meyle, to approve the August 5, 2020 meeting minutes as submitted; motion approved 6-0 upon voice vote.

Announcement:

Old Business:

New Business:

- a. 7706 Innisbrook Drive – Melissa & Scott Powell: Pool. Melissa and Scott Powell were present via webex to discuss their application for the installation of an in-ground pool at their property, 7706 Innisbrook Drive. The applicants indicated they are seeking approval to install an 18' x 40' pool, to be located in the rear yard. Chairperson vanLonkhuyzen inquired about materials for the pool area. Ms. Powell responded that brick and concrete around the pool will be aesthetically tied to the home. Vice Chairperson Nemeth inquired about fencing around the pool and rear yard. Ms. Powell responded that a black aluminum is being considered. Commissioner Maytnier inquired about the style of the pool. Ms. Powell responded that the coating will be done to make the salt-water style pool appear natural. Commissioner Meyle informed the applicants that there may be additional information relating to the former/original design of the home in the Portage District Library Heritage Room that could assist the applicant with future design considerations. Commissioner Duniphin thanked the applicants for the thorough application and level of detail brought before the Historic District Commission for review. Commissioner Meyle made a motion, supported by Commissioner Duniphin, to approve the application as submitted regarding pool installation at 7706 Innisbrook. Upon voice vote, motion passed 6-0.
- b. 6638 Angling Road – Katie vanLonkhuyzen: Pool. Chairperson vanLonkhuyzen, representing herself as the applicant, summarized the application for the installation of an in-ground pool. The applicant indicated that the pool will have a naturalized look and be in harmony with the property to the extent that is attainable. A motion was made by Commission Lopez, supported by Commission Duniphin, to approve the application as submitted for the installation of an in-ground pool at 6638 Angling Road. Upon voice vote, motion passed 5-0. Chairperson vanLonkhuyzen abstained from the vote.
- c. 6638 Angling Road – Katie vanLonkhuyzen: Roof. Chairperson vanLonkhuyzen, representing herself as the applicant, summarized the application to install a new roof on the historic home located at 6638 Angling Road. Ms. vanLonkhuyzen indicated a metal roof was chosen to increase the durability and longevity of the structure. Ms. vanLonkhuyzen stated that the roof will complement the brick of the home as best as possible, while avoiding a bare metal look. Commissioner Duniphin and Vice

Chairperson requested that the applicant provide feedback to the Commission regarding the roof color upon final selection. A motion was made by Commissioner Meyle, supported by Commissioner Maytnier, to approve the application as submitted regarding the new roof. Upon voice vote, motion passed 5-0. Chairperson vanLonkhuyzen abstained from the vote.

Public Comments:

Member Comments:

- a. Commissioner Dunipin indicated to the Commission that no May 2021 Preservation Month event is scheduled at this time, due in part to social distancing guidelines as set by Kalamazoo County and the State of Michigan. Commissioner Dunipin inquired with members of the Commission if there is interest in opening up the School House, located in Celery Flats during the month of May. Commissioners Meyle, Maytnier & Lopez expressed interest. Commissioner Dunipin indicated that further follow up will take place with Portage Department of Parks & Recreation regarding the feasibility of opening up the School House.

Adjournment: There being no further comments or business, Chairperson vanLonkhuyzen adjourned the meeting at 9:20 a.m.

Respectfully submitted,



Kyle Mucha
Zoning & Codes Administrator

PLANNING COMMISSION

August 5, 2021

The City of Portage Planning Commission workshop meeting of August 5, 2021 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Christopher Forth, Deputy Director of Planning and Development Services; Kelly Peterson, Director of Community Development; Biqi Zhao, Senior City Planner; Eric Feldt, City Planner; and Catherine Kaufman, City Attorney.

ROLL CALL

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

NEW BUSINESS:

Planning Commission Workshop Session. Mr. Forth and City Attorney Kaufman conducted a training session that included an overview of Michigan Planning and Zoning enabling legislation, development and implementation of the Master Plan, Capital Improvement Program, site plan review, access management and storm water management principles and design alternatives.

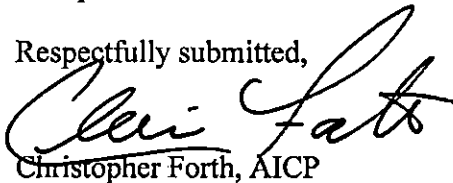
STATEMENT OF CITIZENS/COMMISSIONERS

None.

ADJOURNMENT:

There being no further business to come before the Commission, the workshop meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Christopher Forth, AICP

Interim Director of Community Development

Portage Senior Citizens (PSC) Advisory Board

Minutes: Sept 15, 2021

Call to order:

Chairperson Doug Gilchrist called the meeting to order at 2:37 PM.

In Attendance:

Doug Gilchrist (Chairperson)
Larry Smith (Vice Chairperson)
Joe Magalski (Secretary)
Trudy Riker
Bill Wieringa
Art Roberts
Sharon White
John Lobo

Absent:

Linda Zoeller - Excused
Genevieve Kim (Youth Advisory Committee) - Excused

Senior Center Staff Present:

Kim Phillips
Claire Vandervelden

Guests: None

The minutes for the July 21, 2021 meeting were approved with no corrections with Art moving and Larry seconding.

Travel Program, Art:

- Day trips have started back up. Masks are required to be worn on the bus. Art and Trudy are going on the trip to see the Tigers on Sept 22. The next travel meeting is Sept 20.

Legislative Update, Art:

- The Kalamazoo County Advocates for Senior Issues (KCASI - kcasi.net) discussed how the redistricting within the state will impact Kalamazoo, they are uncertain right now. Their next meeting is Sept 20.

Friends of PSC Board Update, Kim:

- The purse sale is all set for Sept 18. Bill asked how the prices are determined and Kim explained the process.

- The Friends of PSC has purchased a new Donor Management software program which makes it much easier to keep track of donations.
- There will be a donor appreciation get-together on Sept 29 at the PSC.

Youth Advisory Board:

- No report

Managers Report, Kim:

- The Monthly Operations Reports for August was provided.
- Kim introduced the new Health and Wellness coordinator; Claire Vandervelden. This is a new part time position that was funded by the Kalamazoo County Senior Mileage. Welcome Claire!
- The PSC is working on the required write-ups to obtain funding from the Senior Mileage for next year.

Old Business, Kim:

- Update on current status of Senior Center
 - On-site fitness classes have started back up.
 - Most of the club groups have been meeting onsite.
 - With the exception of the purse sale, there will be no special events due to limited parking and covid.
 - Masks are required for PSC staff and strongly recommended for visitors.
 - Transportation to Meijer for shopping and activities at the PSC has started back up. It was noted that a member must be at least 60 years old to ride in the van and also live in Portage.
- Accreditation Update
 - We are still waiting on the national team to review our documents. The application was submitted in April. Kim has contacted them several times. She has been told we are at the top of the list and they are close to assigning a lead reviewer. She doesn't expect formal review to be completed until December or January. The expectation is that we will be approved.
- PSC Construction Update
 - Construction is going well on the new building. The project is on time and on budget. The expected completion is still the end of February.
 - Many details are being worked out such as furniture selection, naming of rooms, etc.
 - There will be a recognition wall for large donors.
 - Once the new building is ready, Kim would like to shut down the PSC for two weeks and then have the grand opening.
 - The existing building will most likely be used by another city department .
 - Thanks to Kim for arranging the tour of the new building for the advisory board on August 25.

New Business:

- Kim would like to review the budget at the October meeting. There was no objection to that.
- Sharon asked if we could have some type of food at our meetings. Kim said due to covid, it would have to be individually wrapped.
- Kim encouraged the advisory board members to consider serving on the Kalamazoo County Older Adult Services Advisory Council. Currently, Kim and Dawn serve on this council but they will be getting off it.

Activity Reminders - no report

Citizen comments: None

Advisory Board Comments:

- Art commended Doug and Linda for the Senior presentation to city council on Sept 7.

Bill made a motion to adjourn the meeting and Art seconded. The motion passed and the meeting ended at 3:21 PM

Next meeting: Wednesday, October 20, 2021 at 2:30 PM.

PLANNING COMMISSION

October 7, 2021

The City of Portage Planning Commission meeting of October 7, 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: Chairman Corradini (yes); Vice Chairman Joshi (yes); Fries (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 Pezzoli to approve the July 22, 2021 meeting minutes. The motion was approved by all except Commissioner Joshi who abstains.

A motion was made by Commissioner Baldwin, supported by Vice Chairman Joshi to approve the September 16, 2021 meeting minutes. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Special Land Use Permit RNR Tire Express 6929 S Westnedge Ave. Mr. Feldt explained a Special Land Use Permit application has been submitted by BCP Development LP to establish an automobile repair business at 6929 S. Westnedge Avenue. The 1.2-acre subject property is zoned B-2 Community Business and contains a 12,460 square foot two-tenant commercial building and associated site improvements. As of the date of this memorandum, both tenant spaces are vacant and the applicant is proposing to occupy one tenant space with a tire repair business with three new service garage bays.

Chairman Corradini asked why the applicant applied for a variance. Mr. Feldt explained the ordinance that prohibits automobile service entrances facing public streets. Chairman Corradini asked about the condition on the hours of operations. Mr. Feldt stated the condition associated with hours of operation can be adjusted or removed, if desired. Commissioner Fries dissented to the idea of conditions. Mr. Forth stated the origins of the automobile entrance ordinance for B-2 zoning requirements in the heart of the Portage commercial district. Commissioner Fries asked about cars sitting in parking lots overnight. Mr. Forth stated there is an ordinance for B-2 zoning to avoid car parking overnight. Vice Chairman Joshi asked why it is a condition for this permit if there is an ordinance. Mr. Forth said it reaffirms the ordinance. Chairman Corradini asked for the definition of 'overnight'. Mr. Forth stated reasonableness is important in implementing the condition. Mr. Adams stated the hours are limiting but the condition is good. Chairman Corradini asked about S. Westnedge Avenue and left turns out of the site. Mr. Feldt said left turns will not be prohibited but a condition could be established to restrict left turns onto S. Westnedge Avenue.

Chairman Corradini asked if the applicant would like to come forward. Scott Robinson with RNR Tire Express came forward. He stated he has nothing to add and that he would be happy to answer any questions. Commissioner Youngs asked if the used tires will be stored in the building. Applicant confirmed this as true. Commissioner Fries asked if the applicant is comfortable with the business hours. Applicant stated he is happy with the condition limiting hours.

Chairman Corradini opened the public hearing. No public testimony was heard. Vice Chairman Joshi moved to close the public hearing and Commissioner Baldwin supported.

MOTION MADE BY VICE CHAIRMAN JOSHI AND SECONDED BY COMMISSIONER YOUNGS: Approve the Special Land Use Permit for BCP Development LP; 6929 S. Westnedge Avenue; with the following conditions:

1. All services shall be performed within a completely enclosed building.
2. No auto collision/body shop activities shall be permitted.
3. No overnight outdoor storage/parking of automobiles that have been or are awaiting service or parts is permitted.
4. Per approved ZBA 21-01 Condition: A maximum of three garage service bay doors are permitted for this proposed use.
5. Right-turns only at both exits.

Chairman Corradini asked Mr. Feldt for a roll call vote: Chairman Corradini (Yes), Vice Chairman Joshi (Yes), Commissioner Adams (Yes), Commissioner Pezzoli (No), Commissioner Baldwin (Yes), Commissioner Fries (Yes), Commissioner Youngs (Yes), and Commissioner Frieman (Yes).

SITE/FINAL PLANS:

1. Final Plan for Pennridge Trail Planned Development (Ph. 2 North); 1800 W Osterhout Ave. Mr. Feldt explained a final plan has been submitted by Westview Capital, LLC to construct Phase 2 North of the Pennridge Trail Planned Development (PD). The first part of Phase 1 involved the development of 22 single family detached units and construction of a new public street (Pennridge Drive) from West Osterhout Avenue. The second part of Phase 1 (Phase 1 North) involved the development of 11 duplex dwellings (22 units total) and construction of a private street extension of Pennridge Trail, north of Phase 1. The first part of Phase 2 involved 23 single family detached units and construction of a new public street (Alder Avenue and Schrier Lane). The second part of Phase 2 (Phase 2 North) was the subject proposal.

Mr. Feldt explained the background of the overall multiphase Pennridge Trail Planned Development condominium which was approved by Council in 2018 (case # 17/18-3) to allow a total of 137 homes on 46.54 acres consisting of a mix of single family detached and attached housing units served by new roads and utilities, new internal sidewalks, new emergency access drive, and other various site improvements such as stormwater facilities. Commissioner Pezzoli asked about additional access roads for the plan. Mr. Feldt said the issue is addressed in the report. Commissioner Fries asked about setbacks. Mr. Feldt clarified the setback requirements for the development. Commissioner Youngs asked about emergency exits. Mr. Feldt mentioned that an emergency exit gate will be managed by the city.

Chairman Corradini called the applicant forward. Applicant Brian Wood with Allen Homes introduced himself. Commissioner Adams asked the applicant why duplexes were selected as oppose to single family. Applicant responded that there is a large demand for duplexes. Commissioner Baldwin asked if trees will be planted on the site. Applicant described the berms and buffers that are part of the site. Commissioner Adams asked about the cost of units. Applicant stated they are unsure about the exact sale prices. Commissioner Youngs asked if the standards of the private road is the same as public roads. Applicant confirmed the question.

MOTION MADE BY COMMISSION ADAMS AND SECONDED BY COMMISSION YOUNGS to recommend to City Council that the Final Site Plan for Pennridge Trail Planned Development (Ph. 2 North) Units 23-74, 1800 W Osterhout Avenue, be approved.

Chairman Corroadini asked for Commission vote. The motion was unanimously approved.

Old Business:

1. Zoning Amendment for VCA Veterinary Animal Hospital, 5348 S. Westnedge Ave. Mr. Feldt stated the additional information requested from applicant was received but not with enough time for staff analysis. He continued to recommend moving the item to the next planning commission meeting.

MOTION MADE BY CHAIRMAN CORRADINIA AND SECONDED BY COMMISSION ADAMS TO CONTINUE THE ADJOURNMENT TO THE NEXT MEETING (OCTOBER 21, 2021).

Chairman Corroadini asked for Commission vote. The motion was unanimously approved.

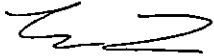
STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Frieman stated he will not be at the October 21 planning commission meeting. Commissioner Pezzoli stated he will be out in November. Vice Chair Joshi congratulated Mr. Feldt on serving as board liaison. Chairman Corradini also congratulated Mr. Feldt, commended the City's spotless election audit, expressed appreciation for the MAP workshop, stated this is the last meeting with printed materials, and acknowledged there was a new commissioner appointed.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 8:22 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – October 11, 2021

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Haddow at 7:00 p.m. 12 people were in the audience.

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

MEMBERS EXCUSED: Jay Eichstaedt

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator; Assistant City Attorney, Seth Koches; Daniel Harrington, City Planner.

APPROVAL OF THE MINUTES: Finch motioned and Philipp seconded a motion to approve the September 13, 2021 minutes as submitted. Upon voice vote, the motion was approved 7-0.

NEW BUSINESS:

ZBA #21-02; 10824 South Westnedge Ave: Mais summarized the request to operate an ammunition loading business as a home occupation that will: a) be located in an accessory building, and b) involve the use, storage and manufacture of hazardous materials in excess of quantities permitted in residential structures. Jomaa asked if the accessory building conforms. Mais responded yes. Applicant Justin Comer explained he wishes to start a small business and needs to get local zoning approval for the Bureau of Alcohol, Tobacco, and Firearms license requirements. Jomaa asked if measures for security will be taken. Applicant stated there are locks on the doors. Finch asked if the applicant will be selling ammunition at the site. Applicant said that he will sell to distributors. Finch questioned if applicant has contracts set up for the sale of ammo. Applicant stated no. Kurtz asked if the applicant is licensed for ammunition reloading. Applicant stated he is willing to provide a copy of his ATF license. Finch asked about limits for loaded ammo on site. Applicant stated there is no limit for ammunition. Jomaa asked if fire arms will be on site. Applicant states he will not have fire arms on site and no testing of rounds will occur on the property. Kurtz asked if applicant has consulted with his neighbors. Applicant stated he had.

A public hearing was opened. Neighbor Fran Lubic was opposed to the variance due to lack of continuous over sight and negative property value impacts. Valerie Rinevelt, 10624 South Westnedge Avenue asked about the disposal of hazardous materials. Applicant stated disposal will occur at disposal facilities and not on site. She also asked about maximums for storage. Mais answered that if the variance is granted, the commercial standard is 100 pounds black powder, but other materials might not have a limit under ATF guidelines. She inquired if the variance would stay with the land or stay with the applicant. Mais stated variances stay with the land. Katie Warner at 10650 South Westnedge Avenue stated that she is concerned about rising theft in Portage and thieves possibly seeking out the applicant's home for ammunition. Applicant interjected that there will be no signage and advertisement of his building on the premise, and intends to implement cameras and proper security. A letter of opposition from Kent and Laura Williams 10805 South Westnedge Avenue was read. The public hearing was closed.

After additional discussion, Finch made a motion, and Jomaa seconded, to deny the applications because there are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district, the variance is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district in the vicinity because there are conforming alternatives available, such as renting a commercial space to start his ammunition loading business, the immediate practical difficulty causing the need for the variance request was created by the applicant, the variance would be detrimental to adjacent property and the surrounding neighborhood, and the variance would materially impair the intent and purpose of the zoning ordinance. Upon roll call vote: Philipp-Yes, Haddow-Yes, Finch-Yes, Kurtz-Yes, Fry-Yes, Jomaa-Yes, Platt-Yes. Motion to deny passed 7-0.

ZBA #21-06; 5220 South Westnedge Ave: Mais summarized applicant is requesting a variance from the requirement that a marihuana retailer be allowed to locate within 941 feet from a church/school where a minimum 1,000 feet separation distance is required. Finch asked about the loss of eligibility. Mais stated that there are three other eligible properties in the area that would become ineligible if a variance is approved. Jim Pollock was present to answer questions on behalf of the Hinman company. Kurtz asked if the applicant plans to expand in the future and if any odor will result from the business. Jevin Weyenburg with Lake Effect Group said no. Jomaa asked if the variance is suite specific. Mais stated that it can be placed as a condition. Finch asked if other properties have been examined. Applicant stated the other properties in the vicinity have been examined and owners are established and not anticipating a change to a cannabis dispensary. Finch asked if the measurement from the school to the property was taken from the property line and not from the suite. Mais confirmed that the measurement is taken from property line to property line.

A public hearing was opened. A letter from Jim Merkle from Lowes was read stating opposition to the business. Mais stated the business can operate in a properly zoned district. The public hearing was closed.

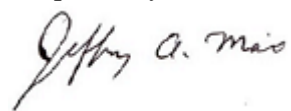
A motion was made by Finch, seconded by Haddow, to grant a variance to allow a marihuana retailer to located within 941 feet from a church/school where a minimum 1,000 feet separation distance is required, with the condition that the variance is specific to the northernmost suite of the southern building, for the following reasons: There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district, which include leasing a suite to run a business on a large parcel that does reach into the minimum thousand foot separation distance, the variance is necessary for the preservation and enjoyment of a substantial property right to open a business in a high traffic area which is similar to that possessed by other properties in the same zoning district and in the vicinity, 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. Upon roll call vote: Platt-Yes, Phillip-Yes, Finch-Yes, Haddow-Yes, Kurtz-Yes, Fry-No, Jomaa-Yes. Motion passed 6-1.

OTHER BUSINESS: None.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: The meeting was adjourned at 8:19 pm.

Respectfully submitted,



Jeff Mais
Zoning & Codes Administrator