

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Global Love Day

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Special Meeting of April 12, 2022
 - b. Regular Meeting of April 12, 2022
2. Approve the Accounts Payable Register of April 26, 2022 as presented.
3. Adopt the Resolution setting a public hearing on May 10, 2022 for the Fiscal Year 2022-2023 Proposed Budget and Proposed 2022 Tax Levy.
4. Adopt Resolution No. 4 for the West End Drive Sanitary Sewer Project #419-S, setting a public hearing on the assessment roll for May 10, 2022, and request preparation of Resolution No. 5.
5. Accept the application for an industrial tax abatement from Industrial Partners USA for property located at 801 East Milham Avenue, and adopt Resolution No. 1-22 to:
 - a. establish Industrial Development District No. 94, and
 - b. set a hearing for an Industrial Facilities Exemption Certificate at 801 East Milham Avenue on May 10, 2022.
6. Award contracts for:
 - a. the cleaning and inspection of the Davis Creek Trunk and Austin Lake Branch sewer pipelines to Plummers Environmental, Byron Center, Michigan at a total bid price of \$252,972;
 - b. the cleaning and inspection of the South Branch and West Fork Branch sewer pipelines to Pipeline Management Company, Inc., Milford, Michigan at a total bid price of \$200,320; andauthorize the Acting City Manager to execute all documents related to the contracts on behalf of the city.
7. Award a contract in the amount of \$474,559.03 to Balkema Construction, for construction services on the Dr. Martin Luther King Jr. Park project and authorize the Acting City Manager to execute all documents related to this action on behalf of the city.
8. Approve a one-year contract with the option for four one-year contract extensions to Preservation Tree Care, LLC, for professional arborist consulting services for Fiscal Year 2022-2023 and the four optional contract extensions in the amount of \$80,000, and authorize the Acting City Manager to execute all documents related to this action.
9. Accept Zoning Amendment #21/22-B (22-03) to add technology- and laboratory-related office uses to the B-3 General Business District under Special Land Uses for first reading and set a public hearing for May 24, 2022.
10. Adopt the Michigan Department of Transportation Performance Resolution for Municipalities (MDOT Form 2207B 5/21) and authorize the Acting City Manager to sign the form on behalf of the city.

11. Accept the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Planned Development, 3413 West Centre Avenue, and set a public hearing for May 24, 2022; and subsequent to the public hearing, consider approving the Tentative Plan Amendment for Greenspire Planned Development, 3413 West Centre Avenue.
12. Minutes of Boards & Commissions:
 - a. Zoning Board of Appeals for March 14, 2022.
 - b. Youth Advisory Committee of March 21, 2022.
 - c. Planning Commission of April 7, 2022.
13. Materials Transmitted.
14. Calendar of Meetings:
 - Historic District Commission, May 4, 2022 at 8:30 a.m., City Hall Room #2.
 - Park Board, May 4, 2022 at 6:30 p.m., Central Park.
 - Human Services Board, May 5, 2022 at 6:00 p.m., City Hall Room #1.
 - Planning Commission, May 5, 2022 at 7:00 p.m., Council Chambers.
 - Zoning Board of Appeals, May 9, 2022 at 7:00 p.m., Council Chambers.
 - Senior Citizens Advisory Board, May 18, 2022 -- CANCELLED.

NOTE: All above meetings are subject to cancellation or inclusion of a "virtual" aspect due to the on-going health crisis. Please monitor the City of Portage website at www.portagemi.gov for additional information. Major meetings may be viewed live on Charter channel 995 and AT&T channel 99.

- B. Petitions and Statements of Citizens:
- C. Communications:
 1. Refer the following letter from Tony and Molly Ettwein (5265 Bronson Blvd) to the City Administration.
- D. Public Hearings:
 1. Subsequent to the public hearing, consider adopting the 2022 sewer and water rate resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges as outlined in the 2022 Utility Rate Financial Study as recommended by the City Administration and the City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2022.
 2. Subsequent to the public hearing, consider approving Zoning Amendment #21/22-B (22-02) to add technology- and laboratory-related office uses to the OS-1 Office District under Special Land Uses.
 3. Subsequent to the public hearing, consider approving the FY2022-2023 CDBG Annual Action Plan.
- E. Regular Business Agenda:
 1. Select three City Manager candidates to be invited for a second interview beginning at 2:30 p.m. and to be held on May 5, 2022.
- F. Unfinished Business:
 1. Approve the recommended Fiscal Year 2022-23 human/public service funding allocations from the Human Services Board.
- G. Council Committee Reports:
- H. New Business:
- I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

GLOBAL LOVE DAY 2022

- WHEREAS,** The Love Foundation Inc., a non-profit organization, has announced GLOBAL LOVE DAY to facilitate in establishing LOVE & PEACE on our planet; and
- WHEREAS,** GLOBAL LOVE DAY will establish a worldwide focus towards “unconditionally loving each other as we love ourselves”; and
- WHEREAS,** We are One Humanity on this planet; and
- WHEREAS,** All life is interconnected and interdependent; and
- WHEREAS,** All share in the Universal bond of love; and
- WHEREAS,** Love begins with self-acceptance and forgiveness; and
- WHEREAS,** With respect and compassion we embrace diversity; and
- WHEREAS,** Together we make a difference through love; and
- WHEREAS,** The Love Foundation Inc., invites mankind to declare May 1, 2022 as GLOBAL LOVE DAY, a day of forgiveness and unconditional love. GLOBAL LOVE DAY will act as a model for all of us to follow, each and every day.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, as Mayor of Portage, hereby dedicate and proclaim May 1, 2022, as GLOBAL LOVE DAY in the City of Portage and invite all citizens to observe this day, which honors the public cause for Global Love, World Peace and Universal Joy.

Signed this 26th day of April, 2022.

Patricia M. Randall, Mayor

**MINUTES OF THE SPECIAL
CITY COUNCIL MEETING OF APRIL 12, 2022**

CALL TO ORDER: Mayor Patricia Randall called the Special Meeting to order at 05:00 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Lisa Brayton, Chris Burns, Lori Knapp, Vic Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: Acting City Manager Adam Herringa, Human Resources Director Shannon Hertz, City Clerk Erica Eklov, and Frank Walsh of Walsh Municipal Services, LLC.

CITY MANAGER SEARCH - NEXT STEPS:

Review the process by which Walsh Municipal Services narrowed down the number of applicants to those presented: At the invitation of the Mayor, Mr. Frank Walsh briefly explained that his firm had several candidates for the City Manager position to present to the City Council. He noted that the next steps included entering into a closed session to allow the Council to review the candidates' information confidentially. Mr. Walsh stated that he would then work with the Acting City Manager and City Clerk to coordinate the subsequent interviews once City Council had selected candidates to move forward.

Determine to go into closed session for the purposes of discussing candidates: Motion by Pearson, seconded by Brayton, to enter into closed session to review and consider the contents of applicants who have requested confidentiality as permitted under the Michigan Open Meetings Act MCL 15.268 Section 1(f) for the position of Portage City Manager. Before the vote, Councilmember Urban inquired whether all of the candidates had requested confidentiality. Mr. Walsh confirmed all had done so. Upon a roll call vote, motion carried 7 to 0.

-- Entered Closed Session at 5:03 p.m. --

-- Returned to Open Session at 7:01 p.m. --

Create a shortlist of five (5) candidates to invite for interviews: Mayor Randall explained that five candidates had been selected for public interviews. She stated that the formal motion with the noted candidates would be made at the Regular Meeting to begin after the current Special Meeting.

Setting a Special Meeting: Motion by Burns, seconded by Brayton, to set a special meeting on Saturday, April 23, 2022, from 9:00 a.m. to 3:00 p.m. to interview the five City Manager candidates. Upon a roll call vote, motion carried 7 to 0.

ADDITIONAL STATEMENTS:

From the Public: None.

From the City Council: None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 07:03 PM.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM APRIL 12, 2022

CALL TO ORDER: Mayor Patricia Randall called the Regular Meeting to order at 07:12 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Lisa Brayton, Chris Burns, Lori Knapp, Vic Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: Acting City Manager Adam Herringa, Deputy City Manager Michael Carroll, Assistant City Attorney Roxanne Seeber, and City Clerk Erica Eklov.

INVOCATION: At the request of Mayor Randall, the audience observed a moment of silence to reflect on peace in everyone and the world. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Public Works Director Rod Russell read the Proclamation for National Arbor Day. At the invitation of Mayor Randall, Director Russell then provided a brief summary of Portage's Tree City USA activities.

ADDITION OF NEW ITEM: Motion by Knapp, seconded by Urban, to formally add 'Extension of Interview Offers to City Manager Candidates' as Item H.1 to the April 12, 2022, Regular Meeting agenda per Section 4.6(m) of the City Charter. Councilmember Burns inquired whether the individual candidates required identification. Clerk Eklov clarified that the candidates would be named during the New Business portion of the agenda. Upon roll call vote, motion carried 7 to 0.

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 Urban requested clarification regarding the City Administration's notification to the City Council of a revision to the Action Recommended language of Item A.8 (Human Service Funds). Acting City Manager Herringa explained the change to simply receive the recommendations with the vote towards actual dollar amounts and organizations moved to the April 26th Regular Meeting. Mayor Pro Tem Pearson requested that the City Clerk provide a red-line/strikeout version when such changes are made in the future. Motion by Burns, seconded by Urban, to adopt the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

City Council Meeting Minutes: Motion by Burns, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of March 22, 2022. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Burns, seconded by Urban, to approve the Accounts Payable Register of April 12, 2022, as presented. Upon a roll call vote, motion carried 7 to 0.

2022 Utility Rate Financial Study: Motion by Burns, seconded by Urban, to establish a public hearing on April 26, 2022, to consider resolutions to adopt the: recommendation that the sewer commodity rate be increased from \$5.06 to \$5.33 per 1,000 gallons of metered water; recommendation that the water commodity rate be increased from \$3.14 to \$3.30 per 1,000 gallons of metered water; recommendation that the sewer and water base quarterly charges be adjusted as noted in the 2022 Utility Rate Financial Study; recommendation that the new rates become effective

on July 1, 2022; and, recommended water and sewer franchise area fees and other service fees and charges as outlined in the 2022 Utility Rate Financial Study. Upon a roll call vote, motion carried 7 to 0.

Department of Public Works Parking Lot Construction: Motion by Burns, seconded by Urban, to award a contract in the amount of \$236,800 to Lounsbury Excavating, Incorporated, for the construction of the Department of Public Works (DPW) north parking lot and authorize the Acting City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

South Westnedge Avenue Sidewalk Replacement: Motion by Burns, seconded by Urban, to award a construction contract to Lopez Concrete Construction, LLC, of Lansing, Michigan, for the South Westnedge Avenue Sidewalk Replacement project, in an amount not to exceed \$198,920 and authorize the Acting City Manager to execute all documents related to the contracts on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Department of Public Works Parking Lot Asphalt Overlay: Motion by Burns, seconded by Urban, to award a contract in the amount of \$102,750 to Michigan Paving & Materials Company for the Department of Public Works (DPW) parking lot asphalt overlay and authorize the Acting City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Community Development Block Grant (CDBG) Program – FY2022-23 Annual Action Plan: Motion by Burns, seconded by Urban, to accept the draft Community Development Block Grant (CDBG) Program Fiscal Year 2022-2023 Annual Action Plan and set a public hearing for April 26, 2022; and subsequent to the April 26, 2022, public hearing, consider approving the Fiscal Year 2022-2023 CDBG Annual Action Plan. Upon a roll call vote, motion carried 7 to 0.

FY 2022-23 Human/Public Service Funding Recommendations from the Human Services Board: Motion by Burns, seconded by Urban, to receive the recommended Fiscal Year 2022-23 human/public service funding allocations from the Human Services Board and consider approval following the planned April 26, 2022, Public Hearing on the Fiscal Year 2022-2023 CDBG Annual Action Plan. Upon a roll call vote, motion carried 7 to 0.

Resolution Accepting New Public Streets - Act 51 Mileage Certification: Motion by Burns, seconded by Urban, to adopt the Resolution Accepting Newly Constructed Dedicated Streets as Public Streets. Upon a roll call vote, motion carried 7 to 0.

Rezoning Application #21/22-1 - McConley Cove Housing Development: Motion by Burns, seconded by Urban, to accept Rezoning Application #21/22-1 from R-1C to Planned Development and Tentative Plan for McConley Cove housing development, 1075 Bacon Avenue, for first reading and set a public hearing for May 10, 2022; and subsequent to the public hearing, consider approving Rezoning Application #21/22-1 from R-1C to Planned Development and Tentative Plan for McConley Cove housing development, 1075 Bacon Avenue. Upon a roll call vote, motion carried 7 to 0.

Preliminary Condominium Plan for Wild Plum housing development: Motion by Burns, seconded by Urban, to provide tentative approval of the Preliminary Condominium Plan for Wild Plum housing development, 1109 West Osterhout Avenue subject to the completion of a traffic impact study. Upon a roll call vote, motion carried 7 to 0.

Deeding of city property at 7260 Montego Bay Street to the developer of The Oaks: Motion by Burns, seconded by Urban, to approve the deeding of city property at 7260 Montego Bay Street (commonly known as Public Infiltration Basin - Tax ID No: 00013-002-R) to the developer of The Oaks

(Westview Capital, LLC) for the purpose of allowing the developer to seek subdivision plat approval from the State of Michigan for The Oaks Phase 1. Upon a roll call vote, motion carried 7 to 0.

Reappointment of Adam Herringa to the position of Acting City Manager: Motion by Burns, seconded by Urban, to reappoint Adam Herringa to the position of Acting City Manager. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Burns, seconded by Urban, to receive the Materials Transmitted on March 28, 2022. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Burns, seconded by Urban, to receive the minutes of the Senior Citizen Advisory Board on February 16, 2022; Youth Advisory Committee on February 21, 2022; Historic District Commission on March 2, 2022; and Planning Commission of March 17, 2022. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Burns, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Robert "Bo" Snyder (1342 Lama Road, Kalamazoo) spoke on behalf of the Voters Not Politicians organization. He provided an explanation of a circulating petition regarding "Promote the Vote 2022" and its associated items. Mayor Randall thanked him for his comments and his work on the Portage Public School Board.

PUBLIC HEARINGS:

Accept Tentative Plan Amendment for Streamsong Phase 3 Planned Development: At the invitation of the Mayor, Acting City Manager Herringa and Community Development Director Kelly Peterson provided an overview of the Streamsong development project. Councilmember Knapp inquired about the City Administration's recommendation to split a 1.4-acre parcel from the original wetland/open space plan to allow for development. Director Peterson responded that the developer had worked with the Planning Commission and staff to find a suitable condition to alter the Planned Development.

The Mayor opened the public hearing at 7:31 p.m. Pat Flanagan of Monument Engineering spoke on behalf of the developer/applicant, noting that he had been working on the Streamsong Planned Development over the last five years. Seeing no other comments, motion by Burns, seconded by Brayton, to close the public hearing. Upon roll call vote, motion carried 7 to 0.

Motion by Burns, seconded by Brayton, to approve the Tentative Plan Amendment for Streamsong Phase 3 Planned Development, subject to the condition listed in the February 3, 2022, Planning Commission report. Upon a roll call vote, motion carried 5 to 2, with Councilmembers Knapp and Urban voting no.

West End Drive Sanitary Sewer Project #419-S At the invitation of the Mayor, Acting City Manager Herringa provided background regarding the special assessment proposal. Mayor Randall opened the public hearing at 7:48 p.m.

Acting City Manager Herringa stated the project was initiated by the property owners via a petition in July of 2021. He noted West End Drive is not the biggest street in the city and this project would only affect a few citizens, but the petition had received a majority of signatures of the property owners to proceed. Transportation and Utilities Director Kendra Gwin explained that the project entails a \$350,000 special assessment with \$39,892 covered by the property owners, which equates to 11.4% of the project cost, with the Sewer Fund bearing the remainder. Director Gwin detailed recent mailings provided by both the City Clerk's Office, as well as her department regarding the special assessment

proposal, with a start date of Fall 2022 to be included as part of the FY 2022-23 Capital Improvement Program.

Councilmember Urban asked if the percentage was less than normal. Director Gwin confirmed that the percentage is less as a result of the previously connected east lots. Councilmember Urban further inquired regarding the normal procedures and price for these types of projects, as well as whether these lots were buildable. Community Development Director Kelly Peterson responded that the majority were buildable.

Mayor Randall asked whether these lake lots had cottages in the original plat. Director Gwin responded that West End Drive was previously a private street as was common with early lake plats, and as such, the lots were nonconforming and grandfathered.

Mr. Larry Lutz (9103 West End Drive) stated he was not in favor of the project as it does not add value to his property, and he has no plans to build on the west side of the street. He explained that the other lots may benefit but noted 9001 West End Drive was not included in the original petition and other signatures, he believes, are no longer valid due to property transfers.

Mr. Bill Fries (9007 West End Drive) stated he hired his legal counsel to help with his proposal. He explained his history with the property and noted prior confusion in wanting to build on the west side, resulting in the discovery that sewer lead installation would be necessary. He stated the west side lots previously had a separate mailing address and were noted as distinct lots in the original plat. Mr. Fries stated outside counsel and Community Development opined that they are buildable, but nonconforming lots. Mr. Fries noted that the prior owner of 9033 West End Drive, Mr. Brian Caley, had started this process and then decided to move.

Councilmember Urban inquired what Mr. Fries intended to build on his west side lot. Mr. Fries responded that he was looking for a garage with living space above that Community Development had reviewed and approved, as it already had water, but needed sewer. Mr. Fries further noted that he would install the sewer himself should the project not be approved. He also noted several property owners were in favor of this project, including one that was not available to attend in person at the meeting.

Mayor Pro Tem Pearson asked Mr. Lutz to return and explain how the project was going to decrease the value of his property. Mr. Lutz responded that West End Drive is a unique and quiet street with only a few homes on one side. He stated that homes on the west side would only be income-producing and increase the density and traffic on the quiet street.

Mr. Mark Kragt (8108 East End Ave, Kalamazoo) spoke as the representative of 9025 West End Drive. He stated he was in favor of the project and would build a home on the west lot from that address.

Ms. Susie Suchyta (9033 West End Drive) stated she was not in favor of the project. She does not believe it will benefit the street, will devalue her property and will increase density on West End Drive. She stated she did not own her property at the time of the petition and stated it only seemed to favor one person.

Mr. David Mayfield (9001 West End Drive) stated he was the new owner of the property and was not informed of the project at the time of purchase. He does not believe his property is buildable on the west side and is not in favor. He further stated his property was not on the original petition.

Mr. Tom VanderHoerst (9011 West End Drive) stated he has been the owner of the property for the last 30 years and uses his lot across the street for a small office in his garage and would like a bathroom. As such, he is in favor of the project and asked others to consider the potential of the installation of a bathroom in a building on the west side as opposed to a full house.

Councilmember Urban asked for an opinion regarding the validity of the petition. Acting City Manager Herring responded that the petition was verified at the time of submission in July 2021 and

became part of the official record when submitted. He noted City Council has the option to approve this project if there is majority owner approval, and stated projects could be multi-year endeavors where owners will change during that time.

Councilmember Burns asked for clarity regarding the buildable lots. He wants to know the options should the lot be deemed unbuildable. Acting City Manager Herringa responded that he would inquire with the City Attorney for an opinion and options in advance of the next City Council meeting.

Motion by Pearson, seconded by Burns, to close the public hearing. Upon a roll call vote, motion carried 7 to 0. The hearing was closed at 8:23 p.m.

Councilmember Urban commented regarding the buildable lots and plat history, believing lots should have had sewer installed at the time of development.

Councilmember Burns asked about the cost to individual owners if they desire to install the sewer personally. Director Gwin responded that they would still need to pay the frontage charge and approximately \$5,000 to \$10,000 depending on the contractor the owner selected.

Councilmember Ledbetter asked if the individual property owner did the work, whether it would inconvenience or cost neighbors on the street. Director Gwin responded that there would be no cost to the neighbors but that they would be inconvenienced due to road access. She stated that the current project proposal allowed the city to use the adjacent city park trail for alternate access during the project, which would not be a possibility if the private property owner were to do the work.

Councilmember Knapp asked for an explanation regarding the \$5,000-\$10,000 cost and how the city remained involved. Director Gwin responded that the city plumbing inspector would still be required to complete a site visit and inspection review, in addition to a paving permit review.

Mayor Randall asked whether the city had other examples of private citizens re-paving city roads. Director Gwin responded that such work is part of the existing Right-of-Way permit including stipulated standards for the type of asphalt and work quality.

Mayor Pro Tem Pearson stated he was in favor of this project for four reasons. First, the petition had a majority of property owners in July of 2021. Second, the history of such resolutions being approved. Third, the lots originally had two different mailing addresses, and fourth, the existing lots were non-conforming, which were handled differently by the city.

Motion by Pearson, seconded by Brayton, to adopt Resolution No. 3 for West End Drive Sanitary Sewer Project #419-S, directing the preparation of the special assessment roll. Upon a roll call vote, motion carried 7 to 0. Mayor Randall noted she supported this item due to the value it would provide to the properties, stating it was safer for citizens to be on city water and sewer.

REGULAR BUSINESS AGENDA:

Presentation of the Proposed Fiscal Year 2022-2023 Budget: Acting City Manager Herringa presented the proposed Fiscal Year 2022-2023 Budget, noting it was his first budget creation. Mr. Herringa then explained the new online format of the budget document, presented through OpenGov, as part of an effort to meet the updated requirements of the Government Finance Officers Association (GFOA). Finance Director Lauren VanderVeen provided a brief presentation of the OpenGov budget format, highlighting the interactive comparison chart functions. Mayor Pro Tem Pearson stated he was pleased with the innovation provided by Director VanderVeen and the Finance Department. Motion by Knapp, seconded by Burns, to receive the proposed Fiscal Year 2022-2023 Budget. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided an update regarding the Central County Transportation Authority (CCTA) and its April 11th meeting. He stated the CCTA approved the upcoming millage rates within the 2019 voter-approved range. Councilmember Burns noted the Kalamazoo County Transit Authority rate would remain the same but relayed that the CCTA rate would

be increasing from 0.75 to 0.9 mills to cover the associated fuel and employment costs from inflation.

Motion by Knapp, seconded by Urban, to receive the Council Committee Reports as presented. Upon a roll call vote, motion carried 7 to 0.

NEW BUSINESS:

Offers to Interview Candidates for the position of City Manager: Mayor Randall introduced the New Business item, noting the City Council had reviewed candidates at a Special Meeting earlier in the evening. She noted the selected candidates would be interviewed at a special session set for Saturday, April 23rd.

Motion by Knapp, seconded by Burns, to offer Candidates Number 13, 15, 28, 29, and 32 an opportunity to interview on Saturday, April 23, 2022, for the position of Portage City Manager. Upon a roll call vote, motion carried 7 to 0.

Councilmember Urban noted the reasoning for stating numbered candidates as opposed to names as part of a temporary confidential aspect of the recruitment process.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Brayton wished everyone a Happy Holy Week and Easter holiday. She encouraged citizens to get outside and be active, highlighting the re-opened city bike-share program at Celery Flats.

Councilmember Burns highlighted Item A.3 from the Consent Agenda regarding the Utility Rate Study Committee and utility rates. He commended the Committee's citizen members, Alma Pat Maye and Randy Orwig, who both assisted in vetting the proposed rate increases due to inflation.

Councilmember Ledbetter had no comment.

Councilmember Knapp noted the Arbor Day Proclamation and the associated sustainable measures citywide. She stressed the inclusion of those measures in the update of the Master Plan.

Councilmember Urban spoke regarding the West End Drive special assessment. He noted the age of the neighborhood plat and how such a situation with the utility extension was previously commonplace but had become rare as the city grew and progressed. Councilmember Urban highlighted the Council's responsibility to the city overall, as well as fiscal responsibility.

Acting City Manager Herringa noted recent City Hall upgrades to LED lighting and digital thermostats. He then stated the city-facilitated Spring Cleanup Program was on schedule.

Mayor Pro Tem Pearson relayed the efforts of the Kalamazoo transit system by incorporating green and sustainable measures.

Mayor Randall thanked the City Council for their efforts with the City Manager search process alongside the budget review process scheduled for the next few meetings. She also commended Adam Herringa for continuing his role as Acting City Manager during the new City Manager search process.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:58 PM.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve the Accounts Payable Register of April 26, 2022 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 April 3, 2022 through April 16, 2022 and notes \$389,712.23 in automated clearing house payments, \$1,865,607.59 in paper checks, \$105,848.04 in auto-pay payments, \$936,046.65 in electronic payments and \$8,333.89 in credit card payments (March) for a grand total of \$3,305,548.40.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of April 26, 2022

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/03/22 to 4/16/2022

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
04/08/2022	16925(A)	C T S TELECOM, INC.	TELEPHONE SERVICE	2,325.30
04/08/2022	16926(A)	CHARTER COMMUNICATIONS	CABLE TV	345.19
04/08/2022	16927(A)	OFF THE CUFF CATERING	FIRE CHIEF MEETING	917.50
04/08/2022	16928(A)	TMK WORLWIDE, LLC	METER SERVICE	273.00
04/15/2022	16929(A)	A I S CONSTRUCTION EQUIP. CO.	EQUIPMENT REPAIR/MAINTENANCE	582.95
04/15/2022	16930(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES - MULTIPLE LOCATIONS	31,843.75
04/15/2022	16931(A)	AIRGAS USA LLC	JERSEY GLOVES/WELDING SUPPLIES	379.72
04/15/2022	16932(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	3,453.45
04/15/2022	16933(A)	AMAZON.COM SALES, INC.	PICKLEBALL EQUIP-PSC, SHOP SUPPLIES-FLEET	774.31
04/15/2022	16934(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,270.00
04/15/2022	16935(A)	AUNALYTICS INC	DISASTER RECOVERY SERVICES	2,114.70
04/15/2022	16936(A)	BASIC BENEFITS LLC	1095-C FILING AND MAILING	2,084.83
04/15/2022	16937(A)	BCHS-HELPNET	EMPLOYEE ASSIST PROG SERVICES	1,677.60
04/15/2022	16938(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROGRAM	57,374.37
04/15/2022	16939(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	156,928.27
04/15/2022	16940(A)	BRYANT, JERMAINE	COMMAND LEVEL 1 TRAINING - WK 4 PER DIEM	160.00
04/15/2022	16941(A)	BYHOLT INC.	SAND DELIVERY	436.38
04/15/2022	16942(A)	C T S TELECOM, INC.	DEDICATED FIBER OPTIC CIRCUIT	1,243.90
04/15/2022	16943(A)	CARDINAL BUS, INC.	TRIP VENDOR PMT 220402 AINT TOO PROUD	933.50
04/15/2022	16944(A)	CARLETON EQUIPMENT CO.	REPAIR AND MAINTENANCE SUPPLIES	1,515.15
04/15/2022	16945(A)	CLEARNETWORK, INC.	UNIFIED SECURITY FEB-MARCH	3,900.00
04/15/2022	16946(A)	DIESEL INJECTION SERVICE, LLC	DIESEL INJECTION TESTING	105.47
04/15/2022	16947(A)	DIVE RESCUE INTERNATIONAL INC	FIRE OPERATING SUPPLIES	2,175.00
04/15/2022	16948(A)	E J USA, INC.	ADA SIDEWALK PLATES	3,984.40
04/15/2022	16949(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	385.00
04/15/2022	16950(A)	ENGINEERED PROTECTION SYSTEMS, INC.	VIDEO SERVICE AGREEMENT	1,126.50
04/15/2022	16951(A)	ENTENMANN-ROVIN CO.	FIRE UNIFORMS	453.50
04/15/2022	16952(A)	EXTREME POWER EQUIPMENT, INC.	SMALL EQUIP REPAIR/MAINT	83.22
04/15/2022	16953(A)	FARM N GARDEN	FIRE STATION 2-DEDUCTIBLE FOR FENCE REPAIR	1,000.00
04/15/2022	16954(A)	FISHBECK THOMPSON CARR & HUBER, INC	HYDRANT FLOW MODELING	280.00
04/15/2022	16955(A)	FOREMOST SALES COMPANY LLC	PARK FACILITY CLEANING SERVICES	1,745.00
04/15/2022	16956(A)	FURRY, WILLIAM	FINANCE CONSULTANT SERVICES	765.00

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04/15/2022	16957(A)	GORDON WATER SYSTEMS	WATER SERVICE	447.82
04/15/2022	16958(A)	GRAINGER INC	BUILDING REPAIR/MAINT	846.96
04/15/2022	16959(A)	GREAT LAKES CHLORIDE, INC.	TANKER RENTAL - BOOST TANKER	400.00
04/15/2022	16960(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	111.00
04/15/2022	16961(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	10,038.95
04/15/2022	16962(A)	INDUSCO SUPPLY CO., INC.	CLEANING & RESTROOM SUPPLIES	701.01
04/15/2022	16963(A)	INSIGHT PUBLIC SECTOR, INC.	SERVER INSTALL SERVICES	450.00
04/15/2022	16964(A)	J + H OIL CO.	BULK DIESEL DELIVERY	27,836.16
04/15/2022	16965(A)	JB PRINTING	PORTAGER PRODUCTION	4,422.05
04/15/2022	16966(A)	KUSHNER & COMPANY, INC.	COBRA & FSA ADMINISTRATION	359.78
04/15/2022	16967(A)	LAWSON PRODUCTS, INC	REPAIR AND MAINTENANCE SUPPLIES	534.68
04/15/2022	16968(A)	MACQUEEN EQUIPMENT LLC	TRACKLESS-MAINTENANCE SUPPLIES	388.94
04/15/2022	16969(A)	MARTIN SPRING & DRIVE, INC.	REPAIRS-STEERING GEAR BOX & COMPONENTS	2,644.63
04/15/2022	16970(A)	MATTSON, NICHOLAS	FIRST LINE SUPERVISION TRAINING-PER DIEM	167.50
04/15/2022	16971(A)	MCGUIRE, INGRID	REIMB CLOROX WIPES FOR TREASURY	13.38
04/15/2022	16972(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	150.05
04/15/2022	16973(A)	MICROSYSTEMS, INC.	PAPERVISION ENTERPRISE RENEWAL	1,257.00
04/15/2022	16974(A)	MULDERS LANDSCAPE SUPPLIES INC	RESTORATIONS - TOP DIRT AND SEED	906.25
04/15/2022	16975(A)	NASON, RICHARD	REIMB FOR FIRE MEETING SUPPLIES	36.36
04/15/2022	16976(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVCS	16,860.11
04/15/2022	16977(A)	PECKELS, CHRISTINE	FITNESS INSTRUCTION YOGA	400.00
04/15/2022	16978(A)	PEOPLEFACTS, LLC	EMPLOYEE BACKGROUND CHECKS	69.09
04/15/2022	16979(A)	PETERS CONSTRUCTION CO.	EMERGENCY SEWER LEAD REPAIR	13,642.00
04/15/2022	16980(A)	PHELPS, MICHAEL	REIMB FOR FIRE TRAINING SUPPLIES	58.69
04/15/2022	16981(A)	PHILLIPS, KIMBERLY	REIMB-FIXTURE DISPLAY FOR RECYCLED CARDS	161.37
04/15/2022	16982(A)	PREMIER TRUCK SALES & RENTAL, INC.	PACKER RENTALS FOR SPRING PROGRAMS	2,200.00
04/15/2022	16983(A)	PRINTING SERVICES INC	PRINTING SERVICES	48.25
04/15/2022	16984(A)	QUADIENT LEASING USA, INC	LEASE PAYMENT	733.77
04/15/2022	16985(A)	RIDGE AUTO NAPA	EQUIPMENT & MAINTENANCE SUPP	661.85
04/15/2022	16986(A)	ROACH HOME IMPROVEMENT	CDBG FLAT ROOF REPLACEMENT	5,432.00
04/15/2022	16987(A)	ROBERT LAMSON, LLC	POST OFFER CONDITION PSYCH EVALS	615.00
04/15/2022	16988(A)	ROE-COMM, INC.	MISC RADIO SERVICES	39.99
04/15/2022	16989(A)	S B F ENTERPRISES, INC.	PRINT/PROCESS WATER AND SEWER BILLS	671.82

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04/15/2022	16990(A)	SEVERANCE ELECTRIC COMPANY,INC	TRAFFIC/PEDESTRIAN SIGNAL REPAIRS	3,002.92
04/15/2022	16991(A)	SIMPLIFILE LLC	DOCUMENT RECORDING	266.00
04/15/2022	16992(A)	SNELL, DEBRA	FITNESS INSTRUCTION BODY REBOUND	390.00
04/15/2022	16993(A)	SUEZ WATER ENVIRONMENTAL SERVICES	REIMBURSEMENT FOR HYDRANT REPAIR	498.76
04/15/2022	16994(A)	TRUCK & TRAILER SPECIALTIES	REPAIR/MAINTENANCE SUPPLIES	354.63
04/15/2022	16995(A)	UNITED PETROLEUM	SENSOR DIESEL TANK FAULT	283.00
04/15/2022	16996(A)	VANCE OUTDOORS, INC.	FIELD LOCKER & MAGPULS	722.22
04/15/2022	16997(A)	VANDERWIJERE, JEFFREY P.	RENEWED LEADERSHIP SYMPOSIUM TR-PER DIEM	206.50
04/15/2022	16998(A)	VERPLANK TRUCKING CO.	LIMESTONE FOR DURAPATCHER	1,622.80
04/15/2022	16999(A)	WEST MICHIGAN INT'L LLC	EQUIPMENT REPAIR SERVICES	323.73
04/15/2022	17000(A)	WOLVERINE LAWN SERVICE, INC.	SNOWPLOWING/CROSSWALK SERVICES	6,098.25
Total ACH				389,712.23

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04/08/2022	320096	BOSSLEY, SAM	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
04/08/2022	320097	Q3 TECHNOLOGIES LLC	SENIOR CENTER - NETWORK FIBER CONNECTIVITY	8,420.10
04/08/2022	320098	STATE OF MICHIGAN (TREASURY)	2021 IFT DISBURSEMENT TO STATE OF MICH	1,029,086.61
04/08/2022	320099	VERIZON WIRELESS	WIRELESS SERVICE	48.10
04/15/2022	320100	4TH DISTRICT COURT	OUT OF COUNTY BOND	300.00
04/15/2022	320101	A BETTER WAY TREE CARE LLC	SCHRIER PARK TREE REMOVAL & TRIMMING	2,700.00
04/15/2022	320102	ADRIAN J KOOPSEN BUILDER, INC.	DOOR TRIMMING	215.00
04/15/2022	320103	ADVANCE II LLC	TEMPORARY STAFF-MAY 2022 SPECIAL ELECTION	490.77
04/15/2022	320104	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	477.00
04/15/2022	320105	AMERICAN ARBOR LLC	ARBORIST SERVICES	2,160.00
04/15/2022	320106	ARTWEAR APPAREL GRAPHICS, INC.	EMBROIDERED RANGER HATS	456.00
04/15/2022	320107	ATLAS BUSINESS SOLUTIONS, INC.	SCHEDULE ANYWHERE LICENSE	1,684.80
04/15/2022	320108	BAREITHER, CHAD	STRATEGY DEPLOYMENT CONSULTING	1,500.00
04/15/2022	320109	BARTHOLOMEW, JUDY	TRIP REFUND 221128 SMOKEY MOUNTAIN	50.00
04/15/2022	320110	BLUE CROSS/BLUE SHIELD OF MICH	HEALTH INSURANCE	17,370.26
04/15/2022	320111	BREMER, TOM & JANET	TRIP REFUND 220820 NEW YORK	100.00
04/15/2022	320112	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	600.00
04/15/2022	320113	BUSINESS SPEAKERS BUREAU LLC	J. CAVATIO SUMMER CONCERT SERIES-AUGUST	1,425.00
04/15/2022	320114	C&C PROFESSIONAL CLEANING SERVICE	JANITORIAL SERVICES	2,602.14

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04/15/2022	320115	CARDNO, INC.	INVASIVE SPECIES REMOVAL SERVICES	16,052.02
04/15/2022	320116	CHICAGO TITLE OF MICHIGAN, INC.	CDBG TITLE SEARCH	150.00
04/15/2022	320117	CINTAS CORP.	UNIFORM RENTAL FOR INSPECTORS	26.43
04/15/2022	320118	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	329,666.40
04/15/2022	320119	COOK, THOMAS	TRIP REFUND 200402 AINT TOO PROUD	118.00
04/15/2022	320120	COSTAR REALTY INFORMATION, INC.	COMM REAL ESTATE DATABASE	396.61
04/15/2022	320121	CT ELECTRICAL SERVICES, INC.	BLOCK STATION MAINT-E OSTERHOUT	3,400.00
04/15/2022	320122	D L GALLIVAN INC.	CONTRACT BASE RATE USAGE	186.68
04/15/2022	320123	DECKER, DAVID	REFUND CREDIT BAL ON FINAL WATER BILL	125.50
04/15/2022	320124	DETROIT SALT CO.	ICE CONTROL SALT-SEASONAL BACKUP	72,291.30
04/15/2022	320125	DEVON TITLE AGENCY	TITLE SEARCH FEE - SHAVER ROAD	250.00
04/15/2022	320126	DIVISION 7 BUILDING CONTRACTORS INC	PUB WORKS ROOF-RELEASE RETAINAGE	7,309.75
04/15/2022	320127	DOG WASTE DEPOT	DOG WASTE STATIONS	1,899.92
04/15/2022	320128	DRIESEN & ASSOCIATES INC	MATERIALS TESTING SVCS - COMMUNITY SR CENTER	243.75
04/15/2022	320129	DURIAN, TAMMY	REIMBURSEMENT FOR CONFERENCE EXPENSES	847.07
04/15/2022	320130	ED DRESLINSKI CONSULTING INC	REGISTRATION-BASIC FIELD TR OFFICER SEM	795.00
04/15/2022	320131	EMERGENCY VEHICLE PRODUCTS	FIRE EMS VEHICLES RETROFITTING	11,434.14
04/15/2022	320132	FILETECH SYSTEMS, INC	ROLLING SHELVING UNITS	9,984.02
04/15/2022	320133	FLEIS & VANDENBRINK ENGINEERING	LEXINGTON-GREEN RENO A & E SERVICE	20,697.00
04/15/2022	320134	FLIERS UNDERGROUND SPRINKLING	SERVICE POND FOUNTAIN PUMP	1,463.40
04/15/2022	320135	FRANK, KAREN	TRIP REFUND 220513 DUTCH TREAT	145.00
04/15/2022	320136	FRIENDS OF PORTAGE SENIOR CENTER	REIMB FOR DONATIONS MADE W/MEMBERSHP PMTS	550.00
04/15/2022	320137	GERSTNER, BETHANY OR DAVID	OVERPAYMENT FINAL WATER BILL	14.80
04/15/2022	320138	GREAT LAKES WATERPROOFING SOLUTIONS	CDBG FOUNDATION WATERPROOFING	2,090.00
04/15/2022	320139	HEALTHSOURCE SOLUTIONS, LLC	WELLRIGHT PORTAL FEES	1,850.45
04/15/2022	320140	HILL, GREG	ENGINE COMPANY OPS TRAINING-PER DIEM	258.75
04/15/2022	320141	HOME DEPOT	REPAIR/MAINTENANCE SUPPLIES	1,222.75
04/15/2022	320142	VOID		0.00
04/15/2022	320143	HPT INVESTMENTS LLC	CDBG SEWER LINE REPLACEMENT & PLUMBING REPAIRS	4,225.00
04/15/2022	320144	J & J LOCKSMITHS	PARKS LOCK REPAIRS	325.38
04/15/2022	320145	JOHN E REID & ASSOCIATES INC.	INTERVIEWING AND ADVANCED INTERROGATIONS	600.00
04/15/2022	320146	JULIEN, CAROLYN & JOSEPH	REFUND FOR OVERBILLED WATER ACCT	610.88
04/15/2022	320147	KALAMAZOO COUNTY HEALTH & COMMUNITY	HAZARDOUS WASTE DISPOSAL	3,610.88

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04/15/2022	320148	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES MARCH MOBILE HOME TAXES	770.00
04/15/2022	320149	KALAMAZOO FLAG COMPANY, LLC	6X10 FLAGS, 5X8 STATE OF MI FLAGS	350.00
04/15/2022	320150	KALAMAZOO IN BLOOM, INC.	FLOWER PLANTING & MAINTENANCE	17,000.00
04/15/2022	320151	KAUPA, CAROLE	TRIP REFUND 220619 MAINE	50.00
04/15/2022	320152	KAUPA, DELORES	TRIP REFUND 220619 MAINE	50.00
04/15/2022	320153	KERSJES, JAMIE	RENTAL DAMAGE DEPOSIT RETURN	100.00
04/15/2022	320154	KIDNEY, MATTHEW	GRAIN ELEVATOR DEPOSIT REFUND	150.00
04/15/2022	320155	KONICA MINOLTA BUSINESS SOLUTIONS	PRINTER MAINTENANCE AGREEMENT	180.00
04/15/2022	320156	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	18.50
04/15/2022	320157	LEATHERMAN, ROB	ENGINE COMPANY OPS TRAINING-PER DIEM	258.75
04/15/2022	320158	LEWIS, DAWN	GRAIN ELEVATOR DEPOSIT REFUND	150.00
04/15/2022	320159	MCPHERSON, CAROL	TRIP REFUND 220619 MAINE	50.00
04/15/2022	320160	MENARDS	RAMONA PARK BUILDING SUPPLIES	1,058.50
04/15/2022	320161	METRO CONSULTING ASSOCIATES, LLC	EASEMENT ACQUISITION SERVICES	870.00
04/15/2022	320162	METTLER, TRILBY	TRIP REFUND 220619 MAINE	50.00
04/15/2022	320163	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	467.73
04/15/2022	320164	MILLER ROAD TRANSFER STATION	DISPOSAL OF MATERIALS	485.20
04/15/2022	320165	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	585.00
04/15/2022	320166	MLIVE MEDIA GROUP	MARCH LEGAL NOTICES	2,364.05
04/15/2022	320167	MML UNEMPLOYMENT FUND	UNEMPLOYMENT FUND CONTRIBUTION	5,736.11
04/15/2022	320168	MOHNEY, DIANE	TRIP REFUND 220323 FOUR WINDS CASINO	35.00
04/15/2022	320169	NANCY L HYET TTEE	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
04/15/2022	320170	NATIONWIDE POWER SOLUTIONS, INC.	ANNUAL SERVICE CONTRACT FOR UPS	3,050.14
04/15/2022	320171	NICHOLS, TAMARA	TRIP REFUND 220513 DUTCH TREAT	155.00
04/15/2022	320172	NORESCO LLC	FACILITIES ENERGY EFFICIENCY PROJECT	174,812.58
04/15/2022	320173	OAKLAND COMMUNITY COLLEGE/CREST	BASIC EVIDENCE COLLECTION TR-REGISTRATION	695.00
04/15/2022	320174	OFFICE DEPOT, INC.	OFFICE SUPPLIES	1,647.91
04/15/2022	320175	VOID		0.00
04/15/2022	320176	OSTIGUIN, RAUL	REIMBURSEMENT POLICE EXAM STUDY GUIDE	20.00
04/15/2022	320177	PENCHURA, LLC	REPAIR PARTS FOR RAMONA PARK	836.59
04/15/2022	320178	PETTO, CAROL	REFUND OVERBILLED BASE WATER CHARGES	148.55
04/15/2022	320179	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	424.65
04/15/2022	320180	PICKLEBALLCENTRAL INC.	PICKLEBALL POSTS & SLEEVES	3,191.34

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04/15/2022	320181	Q3 TECHNOLOGIES LLC	SENIOR CENTER - NETWORK FIBER CONNECTIVITY	4,533.90
04/15/2022	320182	QUADMED, INC.	FIRE EMS SUPPLIES	17.83
04/15/2022	320183	RAFFERTY, DEREK	2022 SUMMER CONCERT SERIES FIRST CALL	2,500.00
04/15/2022	320184	RATHCO SAFETY SUPPLY, INC.	TRAFFIC CONTROL SERVICES	173.43
04/15/2022	320185	ROSE, KENNETH L & TRUDY L	AUSTIN LAKE SPECIAL ASSESSMENT REIMBURSE	60.30
04/15/2022	320186	ROWLEY BROTHERS, INC.	BULK HYDRAULIC FLUID	1,562.75
04/15/2022	320187	SACKETT, SHARRI	REFUND CREDIT BAL ON FINAL WATER BILL	39.92
04/15/2022	320188	SCHINDERLE, MARTHA	TRIP REFUND SMOKEY MOUNTAIN 221128	50.00
04/15/2022	320189	SCHULTZ, GREGORY, KATHERINE M	BD BOND REFUND	450.00
04/15/2022	320190	SEELYE FORD, INC.	VEHICLE REPAIR/MAINTENANCE	291.14
04/15/2022	320191	SEMI U INC.	CDL TRAINING & TESTING APPOINTMENTS	960.00
04/15/2022	320192	SHAFFER, BREANNA	STUART MANOR DEPOSIT REFUND	150.00
04/15/2022	320193	SHERMAN TOOL / CORNWELL TOOLS	REPLACEMENT TOOL	153.97
04/15/2022	320194	SHI INTERNATIONAL CORP.	REPLACEMENT - ELECTION PRECINCT LAPTOPS	24,472.62
04/15/2022	320195	SMEMSIC	FIRE MEMBERSHIP	75.00
04/15/2022	320196	SOCIETY FOR HUMAN RESOURCE MGMT	SHRM MEMBERSHIP	229.00
04/15/2022	320197	SPC SPECIALTY PRODUCTS, LLC	AQUAPATCH & AQUAPHALT	6,228.00
04/15/2022	320198	STAR TITLE AGENCY	OVERPAYMENT SEWER BILL	75.18
04/15/2022	320199	STATE OF MICHIGAN	SOR FEES PAYABLE TO THE STATE OF MI	420.00
04/15/2022	320200	STATE SYSTEMS RADIO, INC	ANNUAL TOWER LEASE, RADIO SERVICES	2,584.52
04/15/2022	320201	STEENSMA LAWN & POWER EQUIPMENT	CHAINSAW, PUSH MOWER ANNUAL MAINT	1,341.33
04/15/2022	320202	SYMPRO INC.	DEBT & INVESTMENT MODS ANNUAL MAINT	8,652.84
04/15/2022	320203	THAD REEDER AUTOMOTIVE LLC	VEHICLE REPAIRS/ALIGNMENTS	809.11
04/15/2022	320204	TRACKER SOFTWARE CORP	ANNUAL SOFTWARE SUPPORT	5,308.00
04/15/2022	320205	UNITED PARCEL SERVICE	UPS WEEKLY	12.00
04/15/2022	320206	USPS	PORTAGER POSTAGE, 3 MOS	13,500.00
04/15/2022	320207	VANGUARD FIRE & SUPPLY CO., INC.	REPLACE VEHICLE FIRE EXTINGUISHERS	49.50
04/15/2022	320208	VERIZON CONNECT NWF, INC.	FLEET GPS SERVICES	757.36
04/15/2022	320209	VICKSBURG HARDWARE	SMALL EQUIPMENT REPAIR/MAINTENANCE	497.03
04/15/2022	320210	VK ENDEAVOURS LLC	CITY HALL PARKING LOT AND LANDSCAPE	10,885.00
04/15/2022	320211	WHENTOWORK, INC.	ONLINE SCHEDULING SOFTWARE	360.00
			Total Paper Checks	1,865,607.59

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Check Type: Auto-Pay Payments				
04/04/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	9,514.18
04/06/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	6,728.06
04/07/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	8,382.23
04/08/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	26,277.19
04/11/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	40,569.87
04/12/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	1,022.72
04/13/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	8,128.91
04/14/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	494.06
04/15/2022		CONSUMERS AUTOPAY	GAS-ELECTRIC	4,730.82
Total Auto-Pay Payments				105,848.04
Check Type: Electronic Payments				
04/06/2022		ARBOR FINANCIAL CREDIT UNION	INVESTMENT PURCHASE	250,005.00
04/08/2022		ICMA	PENSION WITHHOLDINGS	41,689.98
04/13/2022		FIFTH THIRD	INVESTMENT PURCHASE	487,812.44
04/15/2022		ATTORNEY	LEGAL & ARBITRATION	18,810.00
04/15/2022		MULTIPLE	NU, IAFF, PPOA, PPCOA, UAW PENSION PMTS	95,740.44
04/15/2022		MULTIPLE	RETIRE HEALTH SAVINGS	41,988.79
Total Electronic Payments				936,046.65
Check Type: Credit Card				
03/01/2022		BUZZSPROUT.COM PODCAST	MONTHLY PODCAST SUBSCRIPTION	24.00
03/02/2022		PSI SERVICES LLC	POLICE TRAINING/EXAM	175.00
03/03/2022		EB MICHIGAN PUBLIC SE	T&U TRAINING REGISTRATION	725.00
03/03/2022		PAYPAL BWMSTRRAININ	T&U TRAINING REGISTRATION	165.00
03/09/2022		MI STATE POLICE PMTS	GREAT LAKES HOMELAND SECURITY TRAINING	350.00
03/09/2022		MICHIGAN ECONOMIC DEV	PURE MICHIGAN TOURISM CONFERENCE	399.00
03/10/2022		FRANCOS SUB STATION & ITAL	VETERAN'S LUNCHEON	327.16
03/10/2022		KHRMA PAYMENT	HR MEMBERSHIP	100.00
03/10/2022		GRAND TRAV RESORT	PARKS CONFERENCE HOTEL	139.00
03/10/2022		SPRINGHILL SUITES SAGI	POLICE TRAINING HOTEL	94.35

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03/11/2022		ASSOC CAREER CENTER	JOB POSTING	199.00
03/11/2022		AMERICAN PLANNING A	JOB POSTING	395.00
03/16/2022		GLOCK PROFESSIONAL INC	POLICE TRAINING REGISTRATION	250.00
03/17/2022		PANERA BREAD	MARCH BOARD OF REVIEW MEAL	155.95
03/17/2022		PICKLEBALLCENTRAL	ADULT PICKLEBALL LEAGUE SUPPLIES	119.97
03/18/2022		JIMMY JOHNS	MARCH BOARD OF REVIEW MEAL	72.54
03/21/2022		BLN MONDAY.COM	PROJECT MGMT SOFTWARE ANNUAL CHARGE	1,004.88
03/21/2022		SONESTA ES SUITES AUBU	POLICE TRAINING HOTEL	640.60
03/22/2022		CULINARY CULTIVATIONSLLC	SERVSAFE KITCHEN MANAGER TRAINING	215.00
03/23/2022		WWW.GOODWORKSTRACTORS	TRACTOR HITCH ATTACHMENTS	790.00
03/28/2022		HAMPTON INN SUITES	POLICE TRAINING HOTEL	317.14
03/28/2022		SONESTA ES SUITES AUBU	POLICE TRAINING HOTEL	640.60
03/30/2022		KHRMA PAYMENT	HR CONFERENCE REGISTRATION	100.00
03/30/2022		AMERICAN PLANNING A	PLANNING CONFERENCE REGISTRATION	350.00
03/31/2022		HAMPTON INN SUITES	SALES TAX REFUND - POLICE TRAINING HOTEL	(17.22)
03/31/2022		SONESTA ES SUITES AUBU	SALES TAX REFUND - POLICE TRAINING HOTEL	(35.10)
03/31/2022		BUZZSPROUT.COM PODCAST	MONTHLY PODCAST SUBSCRIPTION	24.00
03/31/2022		SONESTA ES SUITES AUBU	SALES TAX REFUND - POLICE TRAINING HOTEL	(35.10)
03/31/2022		ZOOM.US	VIDEO CONFERENCING ANNUAL SERVICE	299.80
03/31/2022		SHANTY CREEK RESORTS	POLICE TRAINING HOTEL DEPOSIT	174.16
03/31/2022		SHANTY CREEK RESORTS	POLICE TRAINING HOTEL DEPOSIT	174.16
			Total Credit Card Payments	8,333.89
			Grand Total	3,305,548.40

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Public Hearing on Fiscal Year 2022-2023 Budget

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Adopt the Resolution setting a public hearing on May 10, 2022 for the Fiscal Year 2022-2023 Proposed Budget and Proposed 2022 Tax Levy.

To permit the adoption of the Fiscal Year 2022-2023 Proposed Budget on May 24, 2022, and satisfy the requirements of the City Charter and Public Act 5 of 1982, known as the Truth in Taxation Act, a public hearing must be held at the regular City Council meeting of May 10, 2022.

Public Act 5 of 1982 requires that any millage rate above the “base tax rate” be identified separately in the Notice of Public Hearing on the proposed 2022 tax levy. The “base tax rate” as defined by Public Act 5 of 1982 is the prior year's operating millage adjusted for the inflationary growth in the taxable value of property in the city. Adopting the millage rate through the budget hearing precludes the need for a Truth In Taxation hearing. The proposed millage rate for 2022 is 10.6400.

It is recommended that City Council adopt the Resolution setting a public hearing on May 10, 2022, for the Fiscal Year 2022-2023 Proposed Budget.

FUNDING: N/A

Attachments: 1. Resolution for 2022-2023 Proposed Budget Hearing

CITY OF PORTAGE
RESOLUTION OF CITY OF PORTAGE

At a regular meeting of the City Council for the City of Portage, Michigan, held in conformance with the Open Meetings Act (Act No. 267) as amended, on April 26, 2022, beginning at 7:00 p.m., local time, there were

Present: _____

Absent: _____

The following resolution was offered by:

Council member _____, and supported by:

Council member _____

NOW THEREFORE, BE IT RESOLVED:

That the City of Portage set a public hearing for 7:00 p.m., or as soon thereafter as may be heard, on May 10, 2022, on the proposed 2022-2023 City budget as required by Chapter Seven of the City Charter and state law.

Be it further resolved:

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

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

The City Council of the City of Portage will hold a public hearing at 7:00 p.m., or as soon thereafter as may be heard, on May 10, 2022 in a regular meeting on the proposed 2022-2023 City budget and on the proposed 2022 City tax levy. Copies of the proposed budget are available for public inspection during regular business hours in the offices of the City Clerk and the Director of Finance and Purchasing.

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

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

This notice published by:

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

Dated: _____, 2022

City Clerk

AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

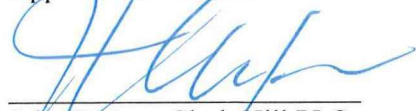
RESOLUTION DECLARED ADOPTED _____

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on April 26, 2022, the original of which is in the official proceedings of the City Council.

The undersigned, being the duly qualified and acting Clerk of the City of Portage, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the City Council at a regular meeting held on April 26, 2022, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267), as the same may be or has been expanded, extended, supplemented or replaced from time to time., Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

City Clerk

Approved as to form:



John R. Axe, Clark Hill PLC

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: West End Drive Sanitary Sewer Project #419-S

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities
Erica Eklov, City Clerk

ACTION RECOMMENDED: Adopt Resolution No. 4 for the West End Drive Sanitary Sewer Project #419-S, setting a public hearing on the assessment roll for May 10, 2022, and request preparation of Resolution No. 5.

The proposed 2022-2023 Capital Improvement Program budget includes the West End Sanitary Sewer project. This project is in response to a petition from property owners that was accepted by City Council on July 27, 2021. The project will promote development of undeveloped properties in the West End neighborhood. City Council is asked to adopt the fourth resolution in the special assessment process setting a public hearing on the Assessment Roll.

The project includes the installation of sanitary sewer leads to vacant properties on the west side of West End Drive. As part of the sanitary sewer lead installation, the street will be resurfaced. Front footage benefit charges will also be included in the assessment at a maximum of 80 feet per benefitting lot. This project is in accordance with City Council Goals and Objectives (Neighborhoods) to “provide a mixture of housing for all income levels” and (Environment) to “promote a healthy and sustainable environment and local ecology.” The estimated cost for this project is \$350,000, of which \$39,982 will be assessed. The 9001 West End Drive (Lot 38) has been verified to be a buildable lot. However, the allowable setbacks and buildable envelopes on the property differ based on the City's determination regarding the status of the east-west street segment directly north of Lot 38.

Attached is Special Assessment Resolution No. 4 for the West End Drive Sanitary Sewer Project #419-S. Previous Council action relating to this project includes:

- On March 8, 2022, City Council adopted Resolution No. 1 on this project, accepted the City Manager report, and requested the preparation of Resolution No. 2.
- On March 22, 2022, City Council adopted Resolution No. 2 for the West End Drive Sanitary Sewer Project #419-S and set a public hearing of necessity on April 12, 2022.
- On April 12, 2022, City Council held the public hearing for the West End Drive Sanitary Sewer Project #419-S, adopted Resolution No. 3 on the necessity of the project, and requested preparation of the special assessment roll.

It is recommended that City Council adopt Resolution No. 4 for the West End Drive Sanitary Sewer Project #419-S, set a public hearing on May 10, 2022 for the special assessment roll, and request preparation of Resolution No. 5.

FUNDING: Funding is included in the FY 2022-2023 Capital Improvement Project budget.

- Attachments:**
1. Special Assessment Resolution 4 - West End Drive
 2. West End Drive Map
 3. West End Drive Special Assessment Roll with Public Position
 4. 2021 06 21 West End Drive - Citizen Petition (water-sewer)
 5. Property Owner Statements
 6. 9001 West End Drive - Buildable Lot Interpretations 04-20-2022

**CITY OF PORTAGE
SPECIAL ASSESSMENT RESOLUTION NO. 4
WEST END DRIVE SANITARY SEWER PROJECT
DISTRICT #419-S**

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan held at the City Hall in said City on the _____ day of _____, 2022 at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and seconded by:

Councilmember: _____.

WHEREAS, the City Assessor has, pursuant to resolution of the City Council, and in accordance with the provisions of the Special Assessment Ordinance of the City, prepared a Special Assessment Roll and has filed the same with the City Clerk for presentation to the City Council for review and certification for the hereinafter described public improvement:

Install sanitary sewer leads and appurtenances to properties on the west side of West End Drive from South Shore Drive to the north end to serve vacant properties on West End Drive. Front footage benefit charges will also be included in the assessment at a maximum of 80 feet per benefitting lot.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll shall be filed with the office of the City Clerk and shall be available for public inspection during regular working hours on regular working days.
2. The City Council shall meet on the 10th day of May, 2022 at 7:00 p.m., local time, or as soon thereafter as may be heard, in the City Hall in said City to review said Special Assessment Roll and hear any objections thereto.
3. The City Clerk shall cause notice of the filing of said Special Assessment Roll and of the time and place of said meeting to be mailed and published in accordance with the

requirements of the Charter and the Special Assessment Ordinance of the City of Portage; said notice shall be in substantially the form attached hereto as Exhibit "A".

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

YEAS:

Councilmember: _____

NAYS:

Councilmember: _____

ABSENT:

Councilmember: _____

RESOLUTION DECLARED ADOPTED:

ERICA EKLOV, City Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF KALAMAZOO)

I, the undersigned duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ____ day of _____, 2022, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this ____ day of _____, 2022.

ERICA ELKOV, City Clerk

APPROVED AS TO FORM FOR CITY OF PORTAGE
BAUCKHAM, SPARKS, THALL,
SEEBER, & KAUFMAN, PC
Catherine P. Kaufman
By: CATHERINE P. KAUFMAN
Date: 3/14/2022

EXHIBIT "A"

**CITY OF PORTAGE, MICHIGAN
NOTICE OF PUBLIC HEARING TO REVIEW SPECIAL ASSESSMENT ROLL FOR
WEST END DRIVE SANITARY SEWER PROJECT
DISTRICT #419-S**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

PLEASE TAKE NOTICE that the City Council of the City of Portage has declared its intention to proceed with the following described public improvement:

Install sanitary sewer leads and appurtenances to properties on the west side of West End Drive from South Shore Drive to the north end to serve vacant properties on West End Drive. Front footage benefit charges will also be included in the assessment at a maximum of 80 feet per benefitting lot.

and has designated the Special Assessment District against which all or a part of the cost of said improvement is to be assessed as consisting of all the following described land, to wit:

Platted Land: Lots 38 through 48 inclusive as originally recorded in the Assessor's Plat of Matteson's Park.

PLEASE TAKE NOTICE that a Special Assessment Roll has been prepared and is on file in the office of the City Clerk for public examination during regular working hours on regular working days; said Special Assessment Roll has been prepared for the purpose of defraying that part of the cost which the City Council has decided should be paid and borne by the Special Assessment for the above described public improvement project in the City of Portage.

PLEASE TAKE NOTICE that the City Council will meet on the 10th day of May, 2022 at 7:00 p.m., local time, or as soon thereafter as may be heard, in the City Hall in said City for the purpose of reviewing the Special Assessment Roll, at which time and place an opportunity will be given to all persons interested to be heard.

PLEASE TAKE FURTHER NOTICE that the owner or any person having an interest in property that is specially assessed may file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the special assessment roll. However, appearance and protest at the public hearing are required in order to appeal the special assessment to the Michigan Tax

Tribunal. An owner or other party in interest or his or her agent may (1) appear in person at the hearing to protest the special assessment or (2) file his or her appearance or protest by letter before the close of the hearing. The City Council shall maintain a record of parties who appear to protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was recorded shall be considered to have protested the special assessment in person.

Dated: _____, 2022

ERICA EKLOV, City Clerk

Special Assessment District 419-S

West End Drive Sanitary Sewer



-  Special Assessment District 419-S
-  Water body
-  City park



1 inch equals 200 feet

1/31/2022

The purpose of this map is to show the location of Special Assessment District 419-S. This creation of this district is for the installation of sewer leads for the properties located on the west side of West End Drive.

West End Drive
City of Portage, Kalamazoo County, Michigan
Sewer and Lead Installation
2022 Special Assessment Roll- Pending Resolution and Public Hearing

Parcel Number	Property Address	Owner (as of 7/21)	Owner (current)	Petition Signer	Current Owner Position (as of 4/12/21)	Total Frontage	Previously Paid	Frontage Charged	Frontage Charge	Sewer Lead	Total
04980-005-O	9001 WEST END DR	HUDSON, JAMES & KARIN	MAYFIELD, DAVID & IRENE	no	opposed	90	80	10	\$ 842.70	\$ 1,765.00	\$ 2,608
04980-006-O	9007 WEST END DR	FRIES JR, WILLIAM & GLEASON, CATHER	FRIES JR, WILLIAM & GLEASON, CATHER	yes	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-007-O	9011 WEST END DR	VANDERHORST, TOM & J L	VANDERHORST, TOM & J L	yes	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-008-O	9015 WEST END DR	KUIPER, DONALD L & JANE	KUIPER, DONALD L & JANE	yes	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-009-O	9019 WEST END DR	WARNER, CAROL L	WARNER, CAROL L	yes	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-010-O	9025 WEST END DR	PELC, DIANE B	PELC, DIANE B (Mark Kragt - rep)	no	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-011-O	9029 WEST END DR	BASTIAN, JODIE L	BASTIAN, JODIE L	yes	favor	100	80	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
04980-012-A	9033 WEST END DR	CALEY, MARK	SPANGENBERG, DAVID (SUCHYTA, SUZANNE)	yes	opposed	115	70	45	\$ 3,792.15	\$ 1,765.00	\$ 5,557
04980-012-B	9039 WEST END DR	PAYNE, CHRISTOPHER W	PAYNE, CHRISTOPHER W	yes	favor	185	90	70	\$ 5,898.90	\$ 1,765.00	\$ 7,664
04980-016-A	9103 WEST END DR	LUTZ, LARRY & PATRICIA TRUST	LUTZ, LARRY & PATRICIA TRUST	no	opposed	150	130	20	\$ 1,685.40	\$ 1,765.00	\$ 3,450
Total		10	10	7 favor / 3 opposed	7 favor / 3 opposed						\$ 39,982

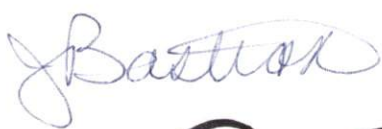
Dear Mr. Mike Carroll and Mr. Joe LaMargo

This document has the seven (7) required property owners and addresses on West End Drive along with their signatures.

Per our meeting last fall we are required to have 7 owners agree to paying the eighty some dollars per foot located on the west side of West End Drive for sewer leads for those lots. All lots have 50 foot of road frontage with the exception of Chris Payne's.....his being 100 feet.

The fees, as we were told, could be amortized over a period of time or paid in one payment.

FYI the water service is already on the west side of the street.

<u>Address</u>	<u>Owners Name</u>	<u>Signature</u>
9007	William Fries	
9011	Tom & Janie Vanderhorst	
9015	Jane Kuiper	
9019	Carol Warner	
9025	Diane Pelc	
⁹⁰²⁹ 9025-3CB	Jodie Bastian	
9033	Mark Caley	
9039	Chris Payne	
9043	Larry & Patricia Lutz	



From: [Bastian, Jodie](#)
To: [Erica Eklov](#)
Subject: Support of West End sewer and water extension
Date: Tuesday, March 8, 2022 5:35:21 PM

I support the ask to extend utilities to the West end lots of our street!

Jodie Bastian
9029 W End Drive

Sent from my iPhone

Follow this link to read our Privacy Statement<<https://www.stryker.com/content/stryker/gb/en/legal/global-policy-statement.html/>>

From: [Chris Payne](#)
To: [Erica Eklov](#)
Subject: West End Drive Sanitary Sewer Project #419-S
Date: Tuesday, March 8, 2022 4:30:23 PM

To the Mayor and City Council,

My name is Chris Payne, I own the property located at 9039 West End Dr.

I support the Sewer Lead and the Repair/Repaving of the road which will add value to the back lots of my property. Also, with putting in a new road, I would hope that the road will be better designed to keep some of the water that comes down the hill out of my house driveway which is located on the East and keep the water that currently floods my barn/parking area and yard that is located on the West side of the road. Currently all the water that comes down the hill stops in these two areas and creates large pools of water and floods my driveways/parking areas along with my yard and barn. The water issue wasn't a problem prior to the current road being installed.

Thank you,

Chris Payne

From: [david.spangenberg](#)
To: [City Clerk](#)
Subject: West End Drive Sanitary Sewer Improvements
Date: Wednesday, April 13, 2022 9:07:38 AM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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

The West End Drive Sanitary Sewer Improvement proposal is due to be discussed at the public hearing on April 12, 2022. I am a property owner at 9033 West End Drive . I am not in support this project. I believe that this project and adding sewer leads will not add value to my property as I do not plan to build a house to the west side of the road, and therefore do not want to be assessed the money it takes to complete this project.

I also feel that adding sewer leads where there currently are none will drastically change the current and past aesthetics of the West End Drive community.

I do not support this project.

David W Spangenberg
9033 West End Drive
Portage, MI 49002

TO: Kendra Gwin, Director of Transportation & Utilities

DATE: April 20, 2022

CC: Michael Carroll, Deputy City Manager
Biqi Zhao, Deputy Director of Planning and Zoning

FROM: Kelly Peterson, Director of Community Development

SUBJECT: Buildability of the substandard lot at 9001 West End Drive (Lot 38)

The Community Development Department researched the buildability of substandard 40'x100' lot located at 9001 West End Drive (Lot 38). There are two potential interpretations of the street segment on the north side of 9001 West End Drive (dog leg portion of West End Drive) that may inform whether it is public street or not. In both interpretations, the subject lot is found to be buildable; however, the determination of the street segment as public or private informs different setbacks and buildable envelopes on the lot.

1. Interpretation 1: the street segment serves functionally as a public street due to the fact that the City has been maintaining it and it is in the City's street maintenance inventory:
 - In your April 19 correspondence, you conveyed that this segment may have been paved in 2016 as part of the West End Drive paving contract, and that DPW utilizes this segment as a plow vehicle turnaround, but that the segment has never been accepted by Council as a public street.
 - This lot is Zoned R-1A and is a substandard corner lot.
 - The buildable envelope (see the attached illustration) of this substandard lot is 20'x43' (860 square feet) calculated per [Sec. 42-350. -Schedule of regulations. B](#)
 - Within this buildable envelope, a 1-1/2 story residence meeting minimum floor area requirement 1,100 square feet or a 2-story residence meeting minimum floor area requirement 1,440 square feet with basement of at least 440 square feet can be built;
 - Or a 1-1/2 story residence meeting minimum floor area requirement 1,180 or a 2-story residence meeting minimum floor area requirement 1,520 square feet with basement of less than 440 square feet can be built.
 - A land division is necessary to split the original platted lots from one parcel ID to separate parcel ID's.
 - If this determination is made, it is recommended that the Council adopt this street segment formally prior to commencement of the sanitary sewer project on West End Drive.
2. Interpretation 2: the street segment is a private driveway as shown on 1934 plat:
 - This lot is Zoned R-1A and is a substandard non-corner lot.
 - The buildable envelope of this substandard lot is 30'x43' (1290 square feet) and the maximum lot coverage is 30% x40,000 (1,200 square feet) calculated per [Sec. 42-350. -Schedule of regulations. B](#)
 - Within this maximum lot coverage, a 1 story residence meeting minimum floor area requirement 1,040 square feet, or a 1-1/2 story residence meeting minimum floor area requirement 1,100 square feet or a 2-story residence meeting minimum floor area requirement 1,440 square feet with basement of at least 440 square feet can be built;
 - Or a 1 story residence meeting minimum floor area requirement 1,120 square feet, or a 1-1/2 story

residence meeting minimum floor area requirement 1,180 square feet, or a 2-story residence meeting minimum floor area requirement 1,520 square feet with basement of less than 440 square feet can be built.

- A land division is necessary to split the original platted lots from one parcel ID to separate parcel ID's.

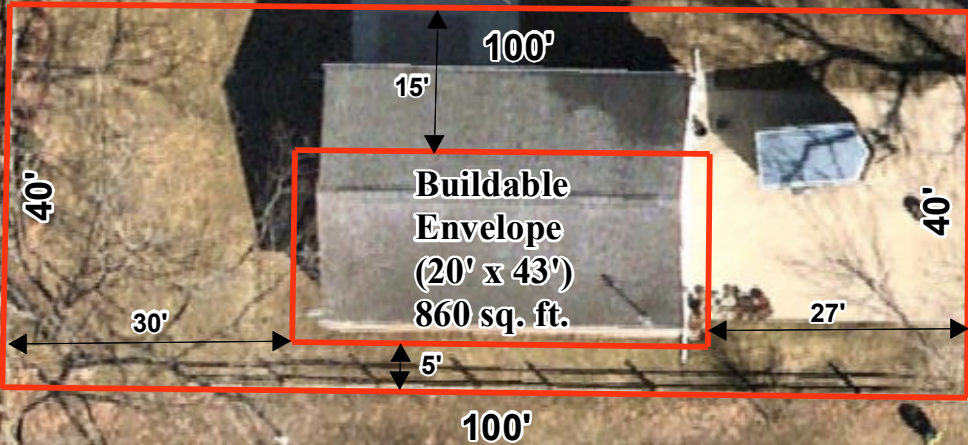
Related to your request for a reference of 50'x100' lot, a building permit and land division were recently granted at 9006 West End Drive for building a residence of total living area of 1545.70 square feet with an attached garage.

Please contact me if you have any questions or wish to discuss.

Attachments: 9001 West End Drive Buildable Envelope Illustration
1934 Plat Map



Approximate Lot 38 parcel boundaries
40'x100'



West End Drive

The purpose of this map is to illustrate the buildable envelope for Lot 38 of Assessors Plat of Mattessons Park. The parcel is zoned R-1A, substandard in width and area, therefore it is eligible for reduced setbacks of 5' for side and 30' rear, and 15' for the long side of the corner lot. The total area of the parcel is 4000 sq. feet, and with a maximum lot cover allowance of 1200 sq. feet. The minimum 2 story single family residence type assuming no basement is 520 sq. feet (760 sq. feet per level). This could potentially fit within the buildable envelope of 860 sq. feet.

COPY
Register's Office
Kalamazoo County, } ss.
Plat of Assessor's Plat of
Matteson's Park
was Recorded this 24th day of
May A.D., 1934, At 10-31 O'Clock
A.M. in Liber 14 of Plats
in Page 2
Flora Harrison
Register of Deeds

Examined and Approved

5-14-34
Lydia L. Ray
Deputy Auditor General

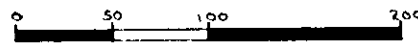
ASSESSOR'S PLAT OF

MATTESON'S PARK

Sections 22 and 27, T. 3 S., R. 11 W.
KALAMAZOO COUNTY, MICHIGAN

GLEN C. WHEATON, Registered Civil Engineer and Surveyor

Scale, 100 feet per inch.



DESCRIPTION

The land embraced in the annexed plat is located in sections 22 and 27 T. 3 S., R. 11 W. and is more particularly described as follows; commencing at the west 1/4 post of said section 27 and running thence N. 0° 07' W., along the west line of said section 27, 1650.0 feet; thence N. 89° 40' E., 33.0 feet for the place of beginning of the following described land and running thence N. 89° 40' E., 1353.05 feet; thence southeasterly along a curve to the right with a radius of 206.25 feet a distance of 186.35 feet; thence S. 38° 36' E., 573.63 feet; thence east, 310.5 feet; thence north, 11.56 feet to the shore of West Lake; thence N. 53° 40' W., 141.82 feet along said shore; thence N. 44° 58' W., 44.0 feet along said shore; thence N. 41° 05' W., 44.0 feet along said shore; thence N. 37° 12' W., 194.0 feet along said shore; thence N. 31° 46' W., 150.0 feet along said shore; thence N. 29° 44' W., 50 feet along said shore; thence N. 23° 48' W., 100.0 feet along said shore; thence N. 20° 18' W., 220.0 feet along said shore; thence N. 11° 03' W., 147.76 feet along said shore; thence N. 3° 20' W., 297.96 feet along said shore; thence N. 0° 51' W., 296.7 feet along said shore; thence N. 0° 12' E., 125.0 feet along said shore; thence S. 89° 54' W., 290.0 feet; thence S. 0° 12' W., 675.0 feet; thence N. 89° 54' E., 83.0 feet; thence S. 0° 12' W., 108.73 feet; thence S. 20° 20' E., 188.87 feet; thence southerly and westerly along a curve to the right with a radius of 70.02 feet, a distance of 134.43 feet; thence S. 89° 40' W., 1414.36 feet; thence S. 0° 07' E., 66.0 feet to the place of beginning.

SURVEYORS CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent monuments consisting of one (1) inch by fifteen (15) inch pipes, set in concrete bases four (4) inches in diameter and forty-eight (48) inches in depth, have been placed at all points marked thus (o) as thereon shown, at all angles in the boundaries of the land plated and at the intersection of all Drives and the intersection of the Drives with the boundaries of the plat.

Glen C. Wheaton
Registered Civil Engineer and Surveyor.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That I, W. S. McCamley as Supervisor, and being the assessing officer of the Township of Portage, of Kalamazoo County, State of Michigan, by virtue of authority in me vested by Section 51, Act 172, of 1929, having been duly authorized by the Township Board have caused the land described in the annexed plat to be surveyed, laid out and platted, to be known as "Assessors Plat of MATTESON'S PARK," sections 22 and 27 T. 3 S., R. 11 W., Kalamazoo County, Michigan and that the Drives as shown on said plat are dedicated to the public, except those portions marked private.

Witnessed by

Wm. S. McCamley
W. H. W. W. W.
Supervisor of the Township of Portage, Assessing Officer.

STATE OF MICHIGAN } ss.
County of Kalamazoo

On this 11th day of May A. D. 1934, before me a Notary Public, in and for said County, appeared W. S. McCamley, as Supervisor, known by me to be the person who executed the above instrument and acknowledged the same to be his free act and deed as Supervisor.

My commission expires March 1, 1937
Wm. S. McCamley
Notary Public, Kalamazoo County, Mich.

TOWNSHIP APPROVAL

TOWNSHIP OF PORTAGE,
County of Kalamazoo
State of Michigan } ss.

The annexed plat was approved by the Township Board May 11, 1934.

Almon Bauerle
Township Clerk.

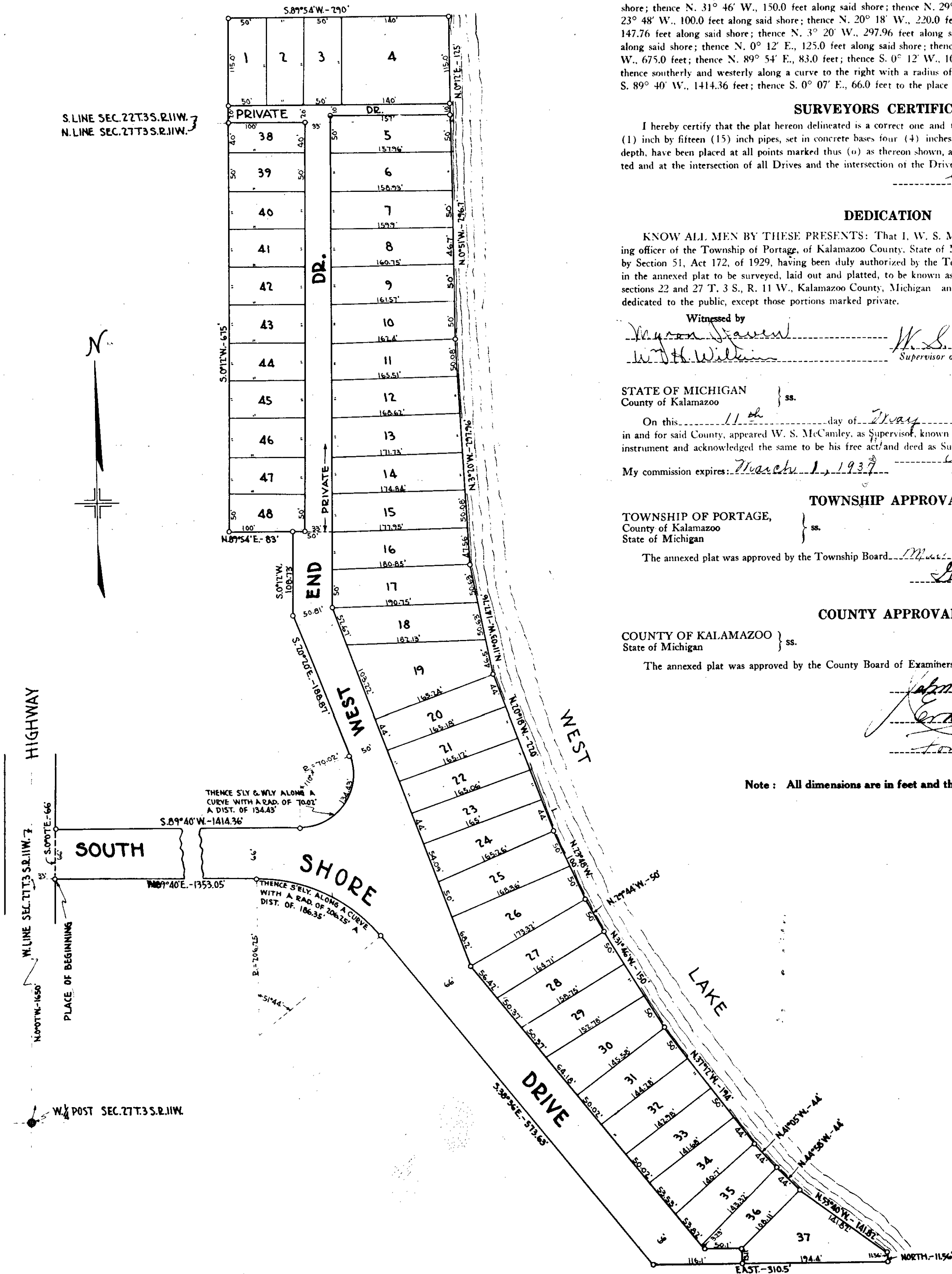
COUNTY APPROVAL

COUNTY OF KALAMAZOO } ss.
State of Michigan

The annexed plat was approved by the County Board of Examiners May 11, 1934.

John L. Hallander
Judge of Probate.
Wm. S. McCamley
County Clerk.
Wm. S. McCamley
County Treasurer.

Note: All dimensions are in feet and the decimals thereof.



TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Industrial Partners USA PA 198 Tax Abatement Application - 801 East Milham

SUPPORTING PERSONNEL: Erica Eklov, City Clerk
Kelly Peterson, Director of Community Development
Aaron Powers, City Assessor

ACTION RECOMMENDED: Accept the application for an industrial tax abatement from Industrial Partners USA for property located at 801 East Milham Avenue, and adopt Resolution No. 1-22 to:

- a. establish Industrial Development District No. 94, and
- b. set a hearing for an Industrial Facilities Exemption Certificate at 801 East Milham Avenue on May 10, 2022.

Attached is a request from Industrial Partners USA (IPUSA), LLC, to establish Industrial Development District (IDD) No. 94 at 801 East Milham Avenue and an associated PA 198 tax abatement application for a 12-year real property tax abatement. IPUSA is proposing construction of a new 240,000-square-foot speculative industrial building on a vacant 35.865 acre parcel. The planned investment is for \$20 million in capital expenses. The anticipated use and number of jobs remains unknown at this time. However, given the size of the investment, it is anticipated to be significant. IPUSA believes there is a strong market for manufacturing space along with additional warehousing space to support area manufacturers. IPUSA is also applying for a brownfield designation (see attached). The requested designation will eventually require approval by City Council but must first be reviewed and acted upon by the Brownfield Redevelopment Authority.

This is believed to be the first "speculative" industrial development (IFT) in Portage in over thirty years. Speculative developments have long been permitted by the State of Michigan but have recently grown in popularity as available industrial space becomes more scarce. Recent area examples include speculative development in the cities of Holland and Battle Creek. Southwest Michigan First has confirmed the market conditions and shared, as an example, that the WMed Innovation Center received a speculative IFT.

The project will involve preparing the site and installing the necessary infrastructure required to bring this industrial and warehousing space online in the city. A proposed site plan is included as part of the attached brownfield plan. The development is speculative in nature and does not have a lease signed as of the drafting of this plan. Construction on the project is planned to begin in the second quarter of 2022 and will be completed by the first quarter of 2023.

The building will be owned or leased to a company or companies engaged in applicable manufacturing

and/or other industrial activities. The speculative IFT designation is a preliminary step in the IFT process. Once a company is identified, they will have to apply for the actual IFT through the city's normal process. What is being proposed at this time is simply setting up the Industrial Development District.

Industrial Partners USA is a joint venture between Clark Logic and Great Lakes Capital. Clark Logic, based in Portage, Michigan, provides warehousing, real estate management, and transportation/logistics services. Established in 1969, it owns 45 properties with more than 4.5 million square feet of space in Calhoun, Kalamazoo, and St. Joseph counties, as well as northern Indiana. Great Lakes Capital of South Bend, Indiana, is a real estate private equity firm established in 2005. The company provides office, industrial, retail, medical office, multifamily and mixed-use space. The company's portfolio includes seven industrial spec buildings in northern Indiana, home to companies like Amazon, AM General and Borg Warner.

Therefore, it is recommended that City Council accept the application for an industrial tax abatement from Industrial Partners USA for property located at 801 East Milham Avenue, and adopt Resolution No. 1-22 to: establish Industrial Development District No. 94, and set a hearing for an Industrial Facilities Exemption Certificate at 801 East Milham Avenue on May 10, 2022.

FUNDING: Not Applicable

Attachments:

1. Resolution No. 1
2. PA 198 Abatement Application
3. 801 E. Milham parcel map and legal description
4. 801 Milham Soil Sampling Map
5. BEA Summary
6. IDD 801 E Milham Boundary Map

CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. _____

**RESOLUTION ESTABLISHING A PUBLIC HEARING FOR THE DESIGNATION OF INDUSTRIAL
DEVELOPMENT DISTRICT #94 FOR IPUSA Portage 1, LLC
AND SETTING A HEARING ON INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
FOR IPUSA Portage 1, LLC**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan, held on _____, 2022, at 7:00 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by Councilmember _____.

WHEREAS, **IPUSA Portage 1, LLC**, requests the creation of Industrial Development District # 94 pursuant to PA 198 of 1974, as amended (the Act);

WHEREAS, **IPUSA Portage 1, LLC**, owner of a facility located within said proposed Industrial Development District #94, has also applied for an Industrial Facilities Exemption Certificate under Section 5 (1) of the Act.

WHEREAS, **IPUSA Portage 1, LLC** requests the City to grant its application for an Industrial Facilities Exemption Certificate if the City establishes the proposed Expanded Industrial Development District #94.

WHEREAS, the City Council intends to hold hearings on the designation of Industrial Development District #94 and **IPUSA Portage 1, LLC's** application for an Industrial Facilities Exemption Certificate at the same City Council meeting.

WHEREAS, Section 5(2) of the Act provides that before acting upon an application for an Industrial Facilities Exemption Certificate, the City Council shall *afford* the applicant, assessor, and a representative of the affected taxing units an opportunity for a hearing.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That a public hearing be held on the 26th day of April, 2022 at 7:00 p.m. or as soon thereafter as may be heard at the City Hall, in the City of Portage, Michigan on the request of **IPUSA Portage 1, LLC** for the establishment of Industrial Development District #94;

2. That written notice by certified mail of said public hearing be sent to the owners of all real property and the legislative body of each taxing unit which levies ad valorem taxes on the property located within the proposed District described in the attached Exhibit "A" at least ten (10) days before said hearing. Further, that required notice of said hearing be published in the Kalamazoo Gazette at least ten (10) days prior to said hearing;

3. That the application provided to the City Clerk by **IPUSA Portage 1, LLC** for an Industrial Facilities Exemption Certificate remain on file in the office of the City Clerk;

4. That the City Council shall meet at the City Hall on April 26, 2022 at 7:00 P.M. local time, or as soon thereafter as may be heard, (or may otherwise meet via virtual meeting platform as authorized by law), and shall provide to the applicant, the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of **IPUSA Portage 1, LLC's** application for an Industrial Facilities Exemption Certificate with regard to a proposed new facility and installation of equipment and machinery within the proposed Industrial Development District # 94, if said District is established by City Council.

5. That the City Clerk immediately inform by letter, the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes in the City of Portage on the property located within the proposed Industrial Development District # 94, as follows:

(a) The City of Portage may establish Industrial Development District #94 and will consider an Application for a Facilities Exemption Certificate for building construction and site improvements within said District.

(b) That the City Council shall meet on April 26, 2022, at the City Hall at 7:00 p.m., local time, (or may otherwise meet via virtual platform as authorized by law) or as soon thereafter as may be heard, to *afford* the Applicant, the City Assessor and a representative of each said taxing unit an opportunity to be heard with regard to the application submitted by **IPUSA Portage 1, LLC**.

(c) That, as to **IPUSA Portage 1, LLC** to be located within proposed Industrial Development District #94, the Facilities Exemption Certificate would be in the amount of \$20,000,000 for land and building improvements.

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

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

RESOLUTION DECLARED ADOPTED:

ERICA EKLOV, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the 26th day of April, 2022, the original of which is in the official proceedings of the City Council.

Erica Eklov, City Clerk

Prepared by:
Catherine P. Kaufman (P65412)
City of Portage Attorney
470 W. Centre Ave, Suite A
Portage, MI 49024

Approved as to Form:

Date: 4/22/2022

By: Catherine Kaufman

City Attorney

EXHIBIT A

**CITY OF PORTAGE
NOTICE OF HEARING ON THE ESTABLISHMENT OF
INDUSTRIAL DEVELOPMENT DISTRICT NO. 94
UNDER ACT 198 OF P.A. 1974**

PLEASE TAKE NOTICE that on the 26 day of April, 2022, at 7:00 p.m. or as soon thereafter as may be heard, a public hearing will be held at the City Hall in the City of Portage, Michigan on the request of IPUSA Portage 1, LLC for the establishment of an Industrial Development District under Michigan Act 198 of P.A. 1974 for a partial tax exemption for ad valorem property taxes.

PLEASE TAKE FURTHER NOTICE that said district is commonly described as property located at 801 E. Milham Road, Portage, Michigan, and more particularly described as follows:

PART OF THE SW QTR SEC 3, T3S, R11W, CITY OF PORTAGE, KALAMAZOO CNTY, MI; COM SW CRN OF SD SECTION, TH S 89 DEG 19 MIN 05 SEC E ALONG S LINE OF SD SEC A DIST OF 1332.65 FT; TH N 00 DEG 39 MIN 17 SEC E 999.37 FT TO POB; TH N 00 DEG 39 MIN 17 SEC E 1254.55 FT TO S ROW OF I-94; TH EASTERLY A DIST OF 588.24 FT ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 6345.45 FT, A CENTRAL ANGLE OF 05 DEG 18 MIN 41 SEC AND A CHORD BEARING N 84 DEG 14 MIN 24 SEC E 588.03 FT; TH S 08 DEG 24 MIN 57 SEC E 50 FT; TH EASTERLY ALONG SD RIGHT OF WAY A DISTANCE OF 511.31 FT ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 6395.45 FT, A CENTRAL ANGLE OF 04 DEG 34 MIN 51 SEC, A CHORD BEARING N 79 DEG 17 MIN 37 SEC E 511.81 FT; TH S 52 DEG 21 MIN 52 SEC E 235.31 FT; TH S 00 DEG 37 MIN 18 SEC W 1124.83 FT; TH N 89 DEG 19 MIN 05 SEC W 734.64 FT; TH S 78 DEG 19 MIN 15 SEC W 494.25 FT; TH N 89 DEG 19 MIN 05 SEC W 64.54 FT TO POB. CONTAINING 35.865 ACRES +-TOGETHER W/EASEMENT FOR INGRESS/EGRESS AND INSTALL OF MAINT OF UTILITIES OVER/UNDER AND ACROSS ALL THAT PART OF THE SW QTR OF SEC 3, T3S, R11W; COM SW CRNR OF SD SEC, TH S 89 DEG 19 MIN 05 SEC E 1332.65 FT; TH N 00 DEG 37 MIN 18 SEC E 33 FT TO POB; TH N 89 DEG 19 MIN 05 SEC W 93 FT; TH N 00 DEG 37 MIN 18 SEC E 154.69 FT, TH N 90 DEG 00 MIN 00 SEC 27.64 FT; TH N 43 DEG 21 MIN 29 SEC E 30.01 FT; TH N 00 DEG 37 MIN 18 SEC E 895.09 FT; TH S 89 DEG 19 MIN 05 SEC E 45 FT; TH S 00 DEG 37 MIN 18 SEC W 1027.17 FT TO POB. CONTAINING 1.283 ACRES SPLIT ON 01/03/2022 INTO 00003-155-A, 00003-155-B; EXEMPT SPLIT

See attached map as Exhibit B.

Any resident or taxpayer of the City or other interested person shall have the right to appear and be heard at said hearing.

Dated: _____, 2022

Erica Eklov, City Clerk

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. If you have any questions regarding the completion of this form, call 517-335-7460.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date Received by Local Unit
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) IPUSA Portage 1, LLC		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3999	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 801 E. Milham Ave, Portage, MI 4900		▶ 1d. City/Township/Village (indicate which) City of Potage	▶ 1e. County Kalamazoo
▶ 2. Type of Approval Requested ☐ New (Sec. 2(5)) ☐ Transfer ☒ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment		▶ 3a. School District where facility is located Portage Public Schools ▶ 3b. School Code 39140	
4. Amount of years requested for exemption (1-12 Years) 12			
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. IPUSA Portage 1, LLC is proposing the construction of a new 240,000 square foot speculative industrial building. While the proposed use is still unknown at the time of this application, there is strong market demand for both manufacturing space, along with additional warehousing space in support of existing manufacturers in the community. The proposed building will be steel framed with metal siding.			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ \$20,000,000 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		▶ Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar		▶ \$20,000,000 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC. Begin Date (M/D/Y) End Date (M/D/Y) Real Property Improvements ▶ 06/01/2022 06/01/2023 ▶ ☒ Owned ☐ Leased Personal Property Improvements ▶ ▶ ☐ Owned ☐ Leased			
▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No			
▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. N/A		▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. TBD	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation. a. TV of Real Property (excluding land) b. TV of Personal Property (excluding inventory) c. Total TV			
▶ 12a. Check the type of District the facility is located in: ☒ Industrial Development District ☐ Plant Rehabilitation District			
▶ 12b. Date district was established by local government unit (contact local unit)		▶ 12c. Is this application for a speculative building (Sec. 3(8))? ☒ Yes ☐ No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Joe Agostinelli	13b. Telephone Number 2695670669	13c. Fax Number	13d. E-mail Address agostinellij@gmail.com
14a. Name of Contact Person Greg Dilone	14b. Telephone Number 3134618673	14c. Fax Number	14d. E-mail Address gdilone@greatlakescapital
▶ 15a. Name of Company Officer (No Authorized Agents) Jeff Smoke			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 4/21/2022
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 130 S. Main Street, Suite 325; S. Bend, IN 46601		15f. Telephone Number 5748555700	15g. E-mail Address jsmoke@greatlakescapital.

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.		
16c. School Code		
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, *Industrial Facilities Tax Exemption (IFT) Application*

The completed original application form 1012 and all required attachments, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government **within six months of commencement of project.**)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village). (Providing an accurate school district where the facility is located is vital.)

1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, **beginning date of installation** or expected installation by **month/day/year**, and costs or expected costs (see sample). Detail listing of machinery and equipment **must match amount shown** on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.
4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad

valorem real and/or personal property tax liability.

The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government. Tax liability for leased property should be determined before sending to the STC.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original is required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. **Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.**
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. **Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement “the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).**
5. **Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample)).**
6. **Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be**

incorporated into the Letter of Agreement (see sample).

7. Treasury Form 3222 (if applicable - *Fiscal Statement for Tax Abatement Request.*)

The following information is required for rehabilitation applications in addition to the above requirements:

1. A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs.
2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

1. A certified copy of the resolution to establish a speculative building.
2. A statement of non-occupancy from the owner and the assessor.

Please refer to the following Web site for P.A. 198 of 1974: **www.legislature.mi.gov/**. For more information and Frequently Asked Questions, visit **www.michigan.gov/propertytaxexemptions**.

Figure 1

Legal Description and Eligible Property Map



Legal Description:

PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWN 3 SOUTH, RANGE 11 WEST, PORTAGE TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE SOUTH 89°19'05" EAST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1332.65 FEET TO THE WEST 1/8 LINE OF SAID SECTION; THENCE NORTH 00°39'17" EAST ALONG SAID WEST 1/8 LINE AND THE EAST RIGHT OF WAY OF CONCORD ST. (PUBLIC) A DISTANCE OF 999.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°39'17" EAST ALONG SAID WEST 1/8 LINE A DISTANCE OF 1254.55 FEET TO THE SOUTH RIGHT OF WAY OF I-94 (PUBLIC); THENCE EASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 588.24 FEET, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 6345.45 FEET, A CENTRAL ANGLE OF 05°18'41" AND A CHORD BEARING NORTH 84°14'24" EAST 588.03 FEET; THENCE SOUTH 08°24'57" EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 50.00 FEET; THENCE EASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 511.31 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 6395.45 FEET, A CENTRAL ANGLE OF 04°34'51" A CHORD BEARING NORTH 79°17'37" EAST 511.18 FEET; THENCE SOUTH 52°21'52" EAST A DISTANCE OF 235.31 FEET TO THE WEST RIGHT OF WAY OF NYC RAILROAD; THENCE SOUTH 00°37'18" WEST ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 1124.83 FEET; THENCE NORTH 89°19'05" WEST A DISTANCE OF 734.64 FEET; THENCE SOUTH 78°19'15" WEST A DISTANCE OF 494.25 FEET; THENCE NORTH 89°19'05" WEST A DISTANCE OF 64.54 FEET TO THE POINT OF BEGINNING. CONTAINING 1,562,299 SQUARE FEET OR 35.865 ACRES.



LEGEND

- SOIL BORING/ MONITORING WELL (1991/1992 SME)
- SOIL PROBE LOCATION (2000 SME)
- GEOPROBE SOIL BORING LOCATION (2012 ENVIROLOGIC)
- SAMPLE POINT AT OUTFALL (2012 ENVIROLOGIC)



SCALE 1" = 150'

NOTE: THIS IS NOT A PROPERTY BOUNDARY SURVEY. PROPERTY BOUNDARIES SHOWN ON THIS MAP ARE BASED ON AVAILABLE FURNISHED INFORMATION AND ARE APPROXIMATE ONLY AND SHOULD NOT BE USED TO ESTABLISH PROPERTY BOUNDARY LOCATION IN THE FIELD.

VACANT PROPERTY

NORTHERN PORTION OF
701 EAST MILHAM AVE
PORTAGE, MI 49002

SITE PLAN w/ ANALYTICAL DATA OF FACILITY CONTAMINANTS

PROJECT NO.

210099

FIGURE No.

3

envirollogic
environmental consulting + services
2960 INTERSTATE PARKWAY
KALAMAZOO, MICHIGAN 49048
PH: (269) 342-1100 FAX: (269) 342-4945



**BASELINE ENVIRONMENTAL ASSESSMENT
CONDUCTED PURSUANT TO SECTION 20126(1)(C) OF 1994 PA 451, PART 201,
AMENDED, AND THE RULES PROMULGATED THEREUNDER**

FOR

**APPROXIMATELY 34-ACRE NORTHERN PORTION OF
701 EAST MILHAM AVENUE
PORTAGE, MICHIGAN**

SEPTEMBER 16, 2021

Prepared for:

**IPUSA Portage, LLC
112 W. Jefferson Blvd., Suite 200
South Bend, Indiana 46601**

Prepared by:

**ENVIROLOGIC TECHNOLOGIES, INC.
2960 Interstate Parkway
Kalamazoo, Michigan 49048
(269) 342-1100**

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1. INTRODUCTION AND DISCUSSION

A. Owner/Operator Information

Current Owner	Current Operator
FLM Holdings, LLC	FLM Holdings, LLC
Prospective Owner	Prospective Operator
IPUSA Portage, LLC	IPUSA Portage, LLC

B. Intended Use of Property

IPUSA Portage, LLC intends to acquire the subject property and redevelop the site with a 270,000-square-foot industrial building. Additional improvements will include a stormwater basin and asphalt parking lot. The initial development will occur in the southwestern portions of the parcel.

The future use of the site will not involve the significant use of hazardous substances. Therefore, the potential future detection of hazardous substances on site would not be an indication of a new release and would be attributable to historic operations.

C. Phase I ESA Summary – Recognized Environmental Conditions

The property subject to this Phase I ESA consists of approximately 34 acres of the parent parcel occupying the northern portion of the site, north of the existing fence line. Two rail spurs are present in the southeastern portion of the site, which extend southward through the gated fence to the adjacent off-site parcel to the south. A clearing is present in the south/central portion of the site, immediately north of the fence line. Remnant asphalt from a semicircular drive associated with the former wastewater treatment plant is present north of the rail spur in the eastern portion of the site. A stormwater drainage ditch is located west-northwest of the former wastewater treatment plant. The majority of northern portions of the site consist of wooded land with some scrub and brush ground cover.

An ASTM E1527-13 Phase I Environmental Site Assessment (ESA) of the subject property was completed by Envirologic on June 18, 2021. The following Recognized Environmental Condition (REC) was identified in the Phase I ESA:

- The subject property formerly operated as a wastewater treatment plant that utilized two rail spurs from c. 1954 to 1991. Further, an approximately 1-acre area of fill material was located near the northeast corner of the subject property. Previous environmental investigations conducted on the subject property identified concentrations of selenium and arsenic in soil and concentrations of zinc in groundwater in excess of Part 201 Residential cleanup criteria.

D. Exceptions/Deletions from ASTM 1527-13

No exceptions to or deletions from the ASTM 1527-13 Phase I ESA standard were identified.

E. Phase I ESA Data Gaps Discussion

A data gap is the inability to obtain information within the scope of the Phase I ESA. No data gaps were encountered during the course of the Phase I ESA.

A data failure is the absence of information typically used to complete a Phase I ESA. No data failures were encountered during the course of the Phase I ESA.

F. Sampling Discussion—Purpose/Methods

Soil and Material Engineers (SME) completed an investigation of the former wastewater treatment facility on behalf of Upjohn in June 1992, subsequent to the completion of demolition of the facility structures. This investigation included the installation of 11 soil borings within the area of the former wastewater treatment plant and eight borings within two fill soil stockpiles associated with the former wastewater treatment plant. A total of 25 discreet soil samples, eight composite samples from the two soil piles, and three groundwater samples were collected in association with the investigation. The discreet soil sampling included the vertical characterization of soils through the collection of samples from multiple intervals within select borings: 0–2 feet, 4–6 feet, 6–8 feet, 10–12 feet, and 12–14 feet. The groundwater samples were collected from temporary monitoring wells set to straddle the shallow water table.

SME completed Phase II ESA activities on a portion of the subject property referred to as “Parcel D” in January of 2000. The Phase II ESA was completed at the request of Pharmacia & Upjohn in order to investigate the potential for impact associated with the presence of fill material on the subject property. The Phase II ESA was also conducted in order to investigate the presence of an 8-inch clay pipe associated with the former wastewater treatment plant that discharged to the

drainage ditch located on site. The reference to “Parcel D” does not represent a specific legal parcel, and limited documentation was provided in the Phase II ESA regarding the specific location of assessment activities. However, based upon a review of historic aerial photographs from 2000 and additional documentation regarding historic operations, it has been concluded that the area subject to the January 2000 SME Phase II ESA was an approximately 1-acre area located north of the former wastewater treatment plant near the eastern boundary of the subject property.

The January 2000 SME Phase II ESA included the removal of 50 feet of the clay pipe from near the drainage ditch extending to the southeast toward the former wastewater treatment plant, the use of an excavator and backhoe to characterize areas of fill material, and the installation of 20 GeoProbe soil borings. Two soil samples from beneath the former pipe were collected subsequent to pipe removal and analyzed for polychlorinated biphenyls (PCBs). The PCBs analysis was based upon the 1991 detection of PCBs at the outfall of the pipe. The concentration of PCBs identified at the pipe outfall in 1991 was below current Residential cleanup criteria. PCBs were not identified in the two soil samples collected from beneath the former pipe as part of the 2000 Phase II ESA.

The presence of concrete, asphalt, coal pieces, and metal scrap was noted during excavator/backhoe investigation of fill materials. Where encountered within the fill, scrap metal was reportedly removed from the subject property.

For the purposes of the January 2000 GeoProbe boring installation, the 1-acre area of fill was separated into four separate “cells” or sampling units. Five borings were installed within each of the four cells. A single soil sample was prepared from each cell through the compositing of soils from the five borings installed within an individual cell. The soil samples were generally collected from beneath fill material at a depth of approximately 4 to 7 feet bgl. Two groundwater samples were collected from the central and northern portions of the 1-acre fill area. The soil and groundwater samples were analyzed for a broad range of volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PNAs), and Michigan 10 metals. The soil samples were additionally analyzed for PCBs.

Envirologic completed Phase II ESA investigation activities in January 2012, subsequent to the completion of a Phase I ESA on the larger parent parcel from which the subject property is being split. The Phase II ESA investigation activities were conducted to investigate the potential for impact and document site conditions at the subject property and southern adjoining property

relative to the identified RECs of the Phase I ESA. The Phase II ESA activities specific to the property subject to this Phase I ESA consisted of the installation of 12 GeoProbe soil borings and one hand-auger soil boring for the collection and analysis of nine soil samples and two groundwater samples. Based upon the identified site use history, all soil and groundwater samples were analyzed for a broad range of VOCs (EPA Method 8260B), PNAs (EPA Method 8270C), and Michigan 10 Metals (EPA Methods 6020/7471A). The samples submitted in association with the former wastewater treatment plant and 1-acre fill area were additionally analyzed for PCBs (EPA Method 8270). The collected soil and groundwater samples were submitted to KAR Laboratories, Inc. of Kalamazoo, Michigan, for laboratory analysis. The sample containers were placed into a chilled cooler for transportation to the laboratory using standard chain-of-custody procedures.

G. Known Contamination—Locations and Environmental Media

The analytical results of SME's June 1992 investigation of the former wastewater treatment facility indicate the presence of arsenic in soil at concentrations in excess of the current Residential Drinking Water Protection criterion. Specifically, arsenic was identified in excess of the Residential Drinking Water Protection criterion at the following locations: B5 (4–6 feet below ground surface [bgs]); B2, B5, B6, and B7 (6–8 feet bgs); and B8 (10–12 feet bgs). The metal zinc was identified in excess of the current Residential Drinking Water criterion within two unfiltered metals samples collected from former monitoring wells MW-4 and MW-5, with screens set at 16–20 feet bgs and 11–15 feet bgs, respectively. Subsequent re-sampling of the wells for filtered dissolved metals resulted in the continued detection of zinc in excess of the Residential Drinking Water criterion from MW-4 and below current criterion from MW-5. Based upon the lack of detailed documentation, the specific location of MW-4 and MW-5 within the property subject to this Phase I ESA is not known. However, MW-4 is depicted as being located within the former footprint of a clarifier tank, and MW-5 was located within the westernmost sand filter bed.

The analytical results of SME's January 2000 Phase II ESA investigation indicated that no contaminants of concern were identified above Statewide Default Background Levels and/or Residential cleanup criteria in the soil and groundwater samples collected.

The analytical results of Envirologic's January 2012 Phase II ESA investigation resulted in the identification of selenium in shallow soil on the subject property at concentrations exceeding the Groundwater-Surface Water Interface Protection (GSIP) criterion at two locations in the

northeastern portion of the subject property: the outfall of a former clay pipe (outfall – surface sample) and the northernmost sample collected from the 1-acre fill area (GSB-30 @ 1.5 ft.).

Refer to Figure 3 for a site plan of the subject property which details the locations and concentrations of contaminants exceeding Michigan Department of Environment, Great Lakes, and Energy (EGLE) Residential cleanup criteria.

H. “Facility” Demonstration

As detailed on Figure 3, the results of the previously completed environmental investigations have identified the presence of selenium and arsenic in soil, as well as the presence of zinc in groundwater, at concentrations in excess of EGLE Residential cleanup criteria on the subject property. Therefore, the subject property meets the definition of a “facility” as defined by Part 201 of NREPA.

2. PROPERTY INFORMATION

A. Property Legal Description

The subject property is located at the northern portion of 701 East Milham Avenue, Portage, Michigan 49002. The tax identification number for the parent parcel of the subject property is 00003-155-O. The legal description of the 701 East Milham Avenue parent parcel, obtained from the City of Portage, is as follows:

SEC 3-3-11 E 1/2 SW 1/4 SEC 3 EXC NYC RR ROW

B. Survey Map, Property Tax Identification Number(s)

A scaled site map detailing the subject property boundaries is presented as Figure 2.



I-94

APPROXIMATE PROPERTY BOUNDARY

APPROXIMATE PROPERTY BOUNDARY

APPROXIMATE PROPERTY BOUNDARY

APPROXIMATE PROPERTY BOUNDARY

NORTHERN PORTION OF
PARCEL #00003-155-O



SCALE 1" = 150'
0 50 100 150 300

NOTE:
THIS IS NOT A PROPERTY BOUNDARY SURVEY, PROPERTY BOUNDARIES SHOWN ON THIS MAP
ARE BASED ON AVAILABLE FURNISHED INFORMATION AND ARE APPROXIMATE ONLY AND
SHOULD NOT BE USED TO ESTABLISH PROPERTY BOUNDARY LOCATION IN THE FIELD.

VACANT PROPERTY

NORTHERN PORTION OF
701 EAST MILHAM AVE
PORTAGE, MI 49002

SITE PLAN



environmental consulting + services

2960 INTERSTATE PARKWAY
KALAMAZOO, MICHIGAN 49048
PH: (269) 342-1100 FAX: (269) 342-4945

PROJECT NO.
210099

FIGURE No.

2

C. Site Map with Sampling Results

A site plan detailing the location of the concentrations of “facility” contaminants is presented below as Figure 3. Additional figures and tables associated with the previous environmental investigations of the subject property and southern adjoining property from 1992 to 2012 detailing sample locations, depths (where available), and facility contaminants are presented in Appendix H of the ASTM E1527-13 Phase I ESA of the subject property. Additional documentation is also available through EGLE.



LEGEND

- SOIL BORING/ MONITORING WELL (1991/1992 SME)
- SOIL PROBE LOCATION (2000 SME)
- GEOPROBE SOIL BORING LOCATION (2012 ENVIROLOGIC)
- SAMPLE POINT AT OUTFALL (2012 ENVIROLOGIC)



SCALE 1" = 150'

NOTE: THIS IS NOT A PROPERTY BOUNDARY SURVEY, PROPERTY BOUNDARIES SHOWN ON THIS MAP ARE BASED ON AVAILABLE FURNISHED INFORMATION AND ARE APPROXIMATE ONLY AND SHOULD NOT BE USED TO ESTABLISH PROPERTY BOUNDARY LOCATION IN THE FIELD.

VACANT PROPERTY

NORTHERN PORTION OF
701 EAST MILHAM AVE
PORTAGE, MI 49002

SITE PLAN w/ ANALYTICAL
DATA OF FACILITY
CONTAMINANTS



environmental consulting + services

2960 INTERSTATE PARKWAY
KALAMAZOO, MICHIGAN 49048
PH: (269) 342-1100 FAX: (269) 342-4945

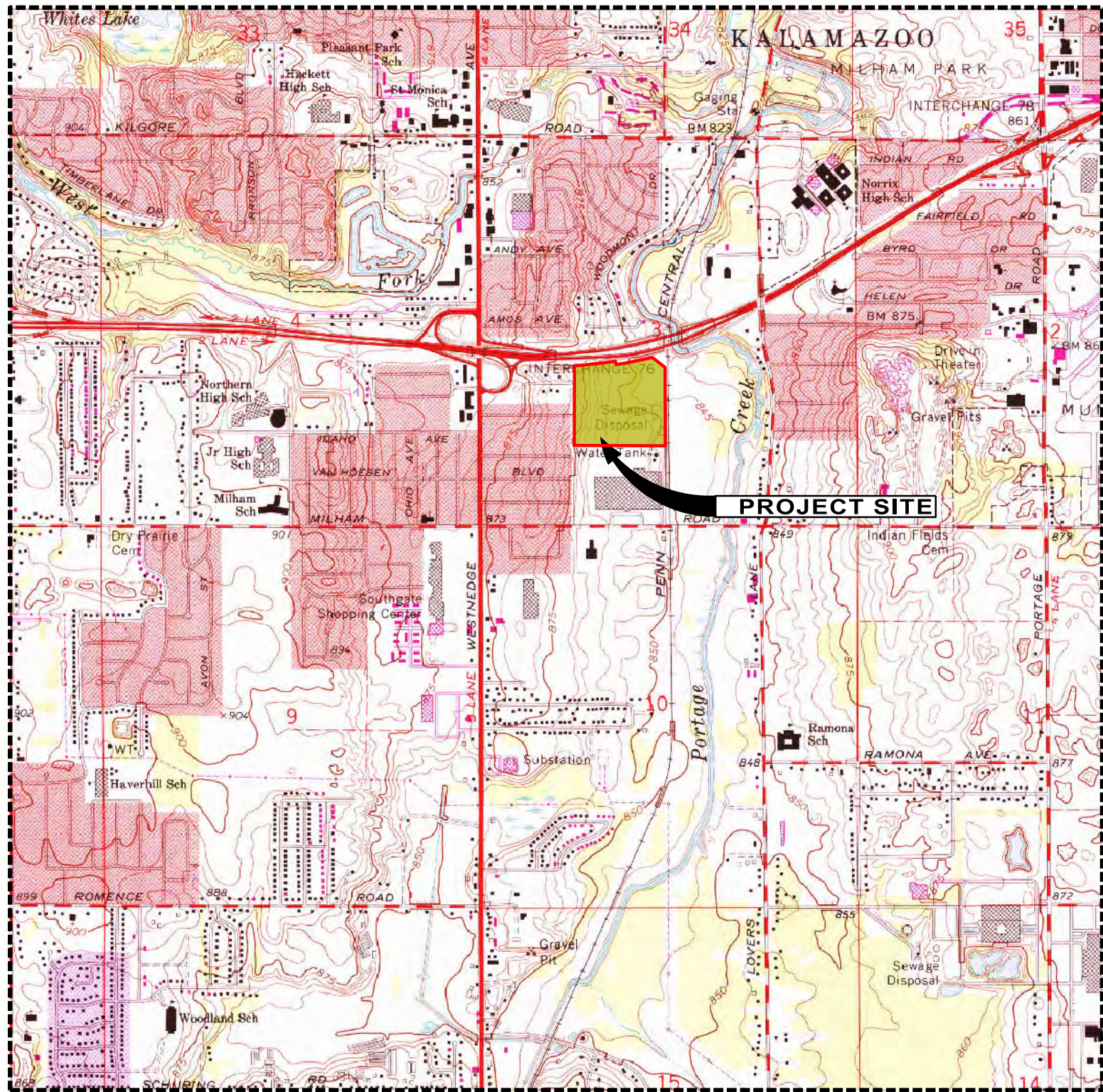
PROJECT NO.

210099

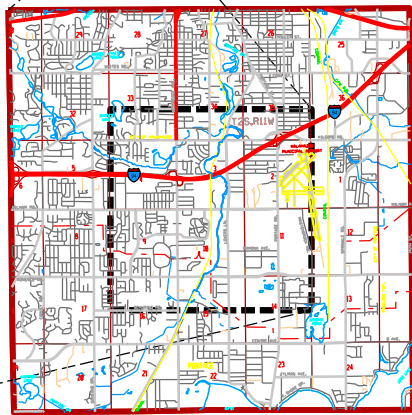
FIGURE No.

3

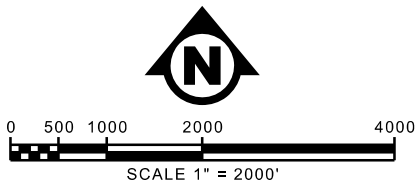
D. Location Map



SOURCE: PORTAGE, MICHIGAN USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS
 MAPTECH® U.S. TERRAIN SERIES™ ©MAPTECH®, INC. 606-433-8500



T 3 S. R. 11 W.
 KALAMAZOO COUNTY
 PORTAGE, MICHIGAN



envirollogic
 environmental consulting + services
 2960 INTERSTATE PARKWAY
 KALAMAZOO, MICHIGAN 49048
 PH: (269) 342-1100 FAX: (269) 342-4945

VACANT PROPERTY
 NORTHERN PORTION OF
 701 EAST MILHAM AVE
 PORTAGE, MI 49002
LOCATION MAP

PROJECT NO.
 210099
 FIGURE NO.

1

E. Property Location

Envirologic has conducted a Baseline Environmental Assessment (BEA) of the approximately 34-acre northern portion of 701 East Milham Avenue, Portage, Michigan 49002. The property location is depicted on Figure 1 above.

F. Spatial Data

Table 1: Spatial Data

County	City/Village/ Township	Town	Range	Section	Quarter	Quarter- Quarter	Latitude	Longitude
Kalamazoo County	City of Portage	3S	11W	3	SW ¼	NE ¼ of SW ¼	42.234944°	-85.582349°

Latitude and longitude information was obtained from Google Earth.

3. FACILITY STATUS

A. Analytical Table

Table 2: Summary of Contaminants

Hazardous Substance	CAS Number	Maximum Concentration	Sample Location and Depth	Media Affected
Arsenic	7440382	11,000 µg/kg	B-7 @ 6.0' – 8.0'	Soil
Selenium	7782492	1,300 µg/kg	GSB-30 @ 1.5'	Soil
Zinc	7440666	7,250 µg/L	MW-5 @ 11' – 15'	Groundwater

B. Laboratory Analytical Data Sheets and Chain of Custody

Laboratory data sheets and chains of custody from the previous investigations at the subject property are available in the previous environmental investigations, which are located in Appendix H of the ASTM E1527-13 Phase I ESA of the subject property. Additional documentation is available through EGLE.

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Sanitary Sewer Trunk Pipeline Condition Assessment - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award contracts for:

- a. the cleaning and inspection of the Davis Creek Trunk and Austin Lake Branch sewer pipelines to Plummers Environmental, Byron Center, Michigan at a total bid price of \$252,972;
- b. the cleaning and inspection of the South Branch and West Fork Branch sewer pipelines to Pipeline Management Company, Inc., Milford, Michigan at a total bid price of \$200,320; and

authorize the Acting City Manager to execute all documents related to the contracts on behalf of the city.

The 2018-2019 Capital Improvement Program budget includes funds for the closed-circuit television inspection of large trunk and branch sewer pipelines in the city sanitary sewer system. The trunk and branch sewer pipelines to be inspected vary in size from 15 to 60 inches in diameter. These sewer pipes were installed between 1969 and 1972, and have been in service for more than 50 years. Inspection of the sewer pipelines requires specialized equipment to provide proper documentation and location of problematic conditions such as hydrogen sulfide corrosion, offset pipe joints, broken pipes, or root intrusion. Approximately 72,200 feet of sewer pipelines will be inspected. These pipelines not only serve the City of Portage but the west portion of Pavilion Township, the northwest portion of Brady Township, and the Village of Vicksburg. These agencies will be required to pay for their share of the cost as identified in individual agreements with the City of Portage. The bidding of this project was delayed due to staffing limitations and completion of higher priority projects.

On March 31, 2022, 5 proposals were received for the project. Costs ranged from \$459,460.50 to \$951,065.90. The low bids in the amount of \$94,146 for the Austin Lake Branch and \$158,826 for the Davis Creek Trunk were submitted by Plummers Environmental. The low bids in the amount of \$116,170 for the South Branch and \$84,150 for the West Fork Branch were submitted by Pipeline Management Company, Inc. Both contractors are Pipeline Assessment and Certification Program (PACP) certified, have a minimum of five years of experience in the sewer inspection industry, and have completed over 100,000 linear feet of CCTV inspection work within the last twelve months.

It is recommended that City Council award a contract for the cleaning and inspection of the Davis Creek

Trunk and Austin Lake Branch sewer pipelines to Plummers Environmental, Byron Center, Michigan at a total bid price of \$252,972; award a contract for the cleaning and inspection of the South Branch and West Fork Branch sewer pipelines to Pipeline Management Company, Inc., Milford, Michigan at a total bid price of \$200,320; and authorize the Acting City Manager to execute all documents related to the contracts on behalf of the city.

FUNDING: Funds are included in the 2018-2019 Capital Improvement Program budget.

Attachments: 1. Sanitary Sewer Trunk Pipeline - Bid Tabulation

**2022 RFP SANITARY CONDITION ASSESSMENT
PROFESSIONAL SERVICES
PROPOSAL TABULATION
PROPOSAL OPENING: March 31, 2022**

	Austin Lake Branch	Davis Creek Trunk	South Branch	West Fork Branch
Plummers Environmental 10075 Sedroc Byron Center, Michigan, 49315	\$ 94,146.00	\$ 158,826.00	\$ 120,428.00	\$ 86,062.50
Pipeline Management Company, Inc. 2673 E. Maple Road Milford, Michigan, 48331	\$ 97,895.00	\$ 255,895.00	\$ 116,170.00	\$ 84,150.00
Taplin Group, LLC 5140 West Michigan Ave. Kalamazoo, Michigan, 49006	\$ 144,169.80	\$ 477,112.05	\$ 177,391.80	\$ 152,392.25
National Power Rodding Corp. 2500 W.Arthington Chicago, Illinois, 60612	\$ 133,690.00	\$ 414,745.00	\$ 175,040.00	\$ 125,800.00
Pipetek Infrastructure Services 861 William Plymouth, Michigan, 48170	\$ 143,335.25	\$ 445,615.75	\$ 186,019.00	\$ 156,187.50

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Dr. Martin Luther King Jr. Park Construction Services Recommendation

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

ACTION RECOMMENDED: Award a contract in the amount of \$474,559.03 to Balkema Construction, for construction services on the Dr. Martin Luther King Jr. Park project and authorize the Acting City Manager to execute all documents related to this action on behalf of the city.

The Fiscal Year 2019-2020 Capital Improvement Program budget includes a project to construct a .52-acre Dr. Martin Luther King Jr. Park at 1000 Martin Luther King Drive. The park design was developed by a committee including Donna Odom, former Executive Director for the Society for History and Racial Equity; Sydney Davis, Executive Director for the Black Arts and Cultural Center; Dr. Romeo Phillips, past City of Portage Councilmember, and community advocate; and Dr. Monifa Jumanne, Jumanne & Associates, community advocate. The project features:

- Five bronze series of sculptures highlighting Dr. King and his messages
- “Garden of Hope”
- “Beacon of Light” landscape corridors
- Meditative benches and shade trees
- Interactive interpretive kiosk highlighting Dr. King’s legacy
- Small parking area

The project bid was advertised in the Kalamazoo Gazette on March 17, 2022, and published on Bidnet where over 871 contractors (of which sixty were local construction vendors) were matched to and notified of this project. Additionally, the city advertised this bid on Facebook, LinkedIn and Twitter. Forty-six companies downloaded the bid. One bid was received at the public bid opening on April 11, 2022, from Balkema Construction, Inc., which has a past positive working relationship with the city and was positively recommended by references. The contracted engineering firm for this project, Viridis Design Group, also recommended Balkema Construction, Inc. and confirmed it meets all requirements for this project. While only one bid was received, the pricing of the bid was within the expected range. If the Council approves this contract, construction would begin in May 2022 with completion in the fall of 2022.

It is recommended that City Council award a contract to Balkema Construction Inc. in the amount of \$474,559.03, for construction services for Dr. Martin Luther King Jr. Park and authorize the Acting City Manager to execute all documents related to these actions on behalf of the city.

FUNDING: FY 2019/2020 CIP; Irving S. Gilmore grant of \$75,000; Dorothy U. Dalton Foundation of \$15,000

Attachments:

1. Bid Tabulation_MLK Jr. Park Construction
2. Viridis ConstructionRecommendation Dr. Martin Luther King Jr. Park
3. 0413-MLKBASE CONCEPT CONCEPT B REV 2

2022 RFB MARTIN LUTHER KING JR. PARK CONSTRUCTION
CONSTRUCTION SERVICES
BID TABULATION
BID OPENING APRIL 11, 2022 AT 3 PM

Balkema Construction, Inc.	\$	474,559.03
3610 Hoover St	Bid Alternate #1 \$	457,852.73
Kalamazoo, MI, 49008		

Opened by:  _____
Victoria Barboza, Purchasing Manager

April 15, 2022
Bid opening – April 11, 2022

MEMORANDUM

TO: Kathleen Doyle, City of Portage
FR: John McCann, VIRIDIS Design Group
RE: MLK Park, Proposal Recommendation

On behalf of the City of Portage, VIRIDIS Design Group has evaluated proposals, and on April 15, 2022 conducted a post bid interview with the low bidder Balkema Construction.

Bid proposals are as follows:

<u>FIRM</u>	<u>TOTAL</u>
Balkema Construction	\$474,559.03

We have reviewed the proposal and believe it meets the requirements of the project. Based on the information gathered at the post bid interview, we believe Balkema Construction is qualified for this work and that their proposal is in the best interest of the City. Therefore we recommend Balkema Construction for the work.

Attached is the post bid meeting notes, which includes a list of the subcontractors for the project, a list of contractor exclusions/qualifications and a list of references for the contractor.

Please let us know if you have any questions or need additional information. Thank you.

Respectfully submitted,

VIRIDIS Design Group



John McCann, RLA, ASLA, LEED AP
Senior Landscape Architect

POST-BID INTERVIEW MEMO

DATE: April 15, 2022

PROJECT: MLK Park
City of Portage

BIDDER: Balkema Construction

MEETING LOCATION: Interview conducted by telephone, 4/15/22

PARTICIPANTS: Aaron Balkema, Balkema Construction
John McCann, VIRIDIS Design Group

1. Bidder has visited the site and understands the scope, schedule and sequence of the project? **Yes**
2. Did Bidder include cost of Performance and Payment Bond(s)? **Yes**
3. Balkema had acknowledged Addendum #1 on their bid proposal form.
4. List of subcontractors has been provided by the contractor. **Currently does not have a landscape subcontractor and plan to self perform. May still seek out a landscaper.**

Remington Concrete - curb, sidewalks, stamped concrete.
J Allen Asphalt - asphalt paving.
CT Electric - site electric, lighting, comm piping.
Ferguson Waterworks - Supply pipe and drainage system.
5. Unit Prices were reviewed and the following comments made: **None**
6. Does Bidder have any exceptions or qualifications noted? If YES, explain: **Material costs can only be held for 30 days**
7. Does Bidder have any substitution requests? **No, however the specified smart kiosk is currently out of stock and an alternate was used for pricing.**
8. Does the Bidder understand the Scope of Work included in the Project Manual? **Yes**
9. Does Bidder understand the insurance requirements listed in the Project Manual? **Yes**
10. Does Bidder understand the requirements for Application for Payment? **Yes**
11. Does Bidder understand the project schedule requirements? **Yes, no issue with schedule, ready to start now.**
12. Does Bidder understand the procedures to initiate changes to the Contract? **Yes**
13. Name of Bidder's on-site Superintendent: **Aaron Balkema**

14. Other comments

Suggested going with the concrete pavers instead of the stamped concrete due to better look and performance.

Noted that pricing for the lighting is likely to increase after this month according to the manufacturer. This may be true for plastics and steel materials. It would be helpful to get PO's for these items before the end of the month.

Noted that a few trees may need to be hand dug due to potential utilities.

Asked for a copy of the Geotech Report / Soil Borings.

Indicated they are ready to start and do not currently have capacity issues.

Noted that they have included maintenance of traffic and site layout / staking.

No questions on plans.

References:

Rachel Hughes-Nilsson. OCBA Architects. 269-760-2142 . rhnilsson@ocba.com.

Patrick McVerry. City of Kalamazoo Parks and Recreation Director.

mcverryp@kalamazoocity.org

Luke DeVries. Midwest Fasteners. luked@mwf.net

Similar Projects:

Reed St Park - City of Kalamazoo/ OCBA. Demo of existing playground. Install new gazebo, asphalt walking trail, site drainage, concrete, and landscaping.

Henderson Tot Lot - City of Kalamazoo/ OCBA. Demo of existing playground. Install new basketball court, pickle ball court, site drainage, concrete, and landscaping.

South Haven Fish Cleaning Station - City of South Haven. Install helical piers, site drainage, concrete, asphalt gazebo, fencing, and fish cleaning station.

End of memo.



DR. MARTIN LUTHER KING JR PARK MASTER PLAN

CITY OF PORTAGE

CONCEPT B



TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Consultant Arborist Services

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Approve a one-year contract with the option for four one-year contract extensions to Preservation Tree Care, LLC, for professional arborist consulting services for Fiscal Year 2022-2023 and the four optional contract extensions in the amount of \$80,000, and authorize the Acting City Manager to execute all documents related to this action.

The Portage City Administration emphasizes the importance of a healthy urban forest and actively pursues a tree planting and maintenance program throughout the year. To meet this essential goal, the city seeks a contract with Preservation Tree Care, LLC, to provide a part-time use of consultant expertise. On a part-time contractual basis, Preservation Tree Care will assist the urban forestry operations in the city that involve tree planting, removal, and pruning. Preservation Tree Care will also advise and consult with city staff to develop recommendations for present and future operations, including pest and disease control, maintenance programs, hazardous tree identification, review of projects, determination of tree planting species, tree pruning training for city staff, and responses to ongoing citizen requests for service and information.

This project was posted to the Kalamazoo Gazette as well as on BidNet, where 64 suppliers were matched and notified of this project. Additionally, six local contractors were notified of this project. On April 13, 2022, one sealed bid was received from Preservation Tree Care, LLC, in the amount of \$80,000. Preservation Tree Care is a new company, however the owner has done work for the city. The amount is consistent with this type of work.

It is recommended that City Council approve a contract with Preservation Tree Care, LLC, for Fiscal Year 2022-2023 at \$50 per hour for a total of \$16,000, with an option for four annual contract extensions that total \$80,000 and authorize the Acting City Manager to execute all documents related to this action.

FUNDING: Funds are budgeted in the Major Streets, Roadside Tree Maintenance & Planting account and will be available upon City Council approval of the Fiscal Year 2022-2023 Budget.

Attachments: 1. Consultant Arborist Services - Bid Tabulation

Date Released: March 3, 2022

**NOTICE TO BIDDERS
2022 RFB ARBORIST SERVICES**

The City of Portage invites interested Contractors to submit a sealed bid for an as-needed, **multiple year** contract for a term of **one (1) base year and four option (4) years** for the provision of **arborist services** as follows:

Base Term - July 1, 2022 – June 30, 2023
Option Year 1 - July 1, 2023 – June 30, 2024
Option Year 2 - July 1, 2024 – June 30, 2025
Option Year 3 - July 1, 2025 – June 30, 2026
Option Year 4 - July 1, 2026 – June 30, 2027

Sealed bids will be opened on **April 13, 2022** at **3:00 p.m.** prevailing local time via WebEx.

Questions and requests for clarification related to definition or interpretation of this RFB shall be submitted in writing prior to **5:00 p.m.** local time on **March 24, 2022** by email to:

Victoria Barboza,
Purchasing Manager
purchasing@portagemi.gov

No questions will be accepted via telephone and oral explanations or instructions shall not be considered binding on behalf of the City. An addendum will be issued in response to questions, which will only be available by downloading from the BidNet website.

Bids must be submitted by **April 13, 2022** by **3:00 pm** prevailing local time via BidNet at the following website: [MITN Purchasing Group](#). Please call the MITN Purchasing Group support department toll free 1-800-835-4603 option #2 for any questions related to registering with BidNet or submitting a response via BidNet.

A Pre-Bid Meeting is scheduled for **March 17, 2022 at 10:00 a.m.** via WebEx.

The City reserves the right to reject any or all bids, to waive any irregularities, and further reserves the right to accept any bid or parts of bids which it deems to best serve the interest of the City. In addition, contracts will be awarded pending City Council budget approval.

A complete Request for Bid may be viewed or downloaded at [MITN Purchasing Group](#).

REQUEST FOR BID INDEX
2022 RFB – Arborist Services

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1. INSTRUCTIONS TO BIDDERS

1.1 DISCREPANCIES

In case of a difference between the stipulated amount of the bid written in words and the stipulated amount written in figures, the stipulated amount stated in written words shall govern.

1.2 MODIFICATIONS

Bid shall not contain any recapitulations of the work to be done. Alternate bids will not be considered unless called for. Oral bids or modifications will not be considered.

1.3 EXAMINATION OF BID DOCUMENTS AND VISIT TO SITE

Before submitting a bid, bidders shall carefully examine the Exhibit A and all Request for Bid and contract documents, visit the site of work, and fully inform themselves as to all existing conditions and limitations and indicate on the Exhibit C the sum to cover the cost of all items requested in the Request for Bid.

1.4 DELIVERY OF BIDS

Bids shall be delivered by the time and to the place stipulated in the Notice to Bidders. It is the sole responsibility of the bidder to see that his bid is received in proper time.

1.5 WITHDRAWAL

Any bidder may withdraw his bid, either personally or by written request, at any time prior to the scheduled closing time for receipt of bids.

1.6 PRE-BID SUBMISSION MEETING

The City of Portage staff will be present on schedule meeting **March 17, 2022 at 10:00 a.m.** local time via WebEx for the purpose of addressing these specifications and/or answering any inquiries you may have about the project or the process. Following this meeting when warranted an addendum to the request for bids will be issued to address any changes or clarifications.

Attendance at this meeting is not mandatory, but is strongly recommended since the purpose of the meeting is to address any questions or problems that might arise so that all interested parties can share the benefit of uniform oral and written inquiry responses. All questions or concerns regarding the selection process or procedural matters should be addressed at that meeting.

Pre-Bid Meeting for 2022 RFB – Arborist Services
Hosted by Purchasing Webex

<https://portagemi.webex.com/portagemi/j.php?MTID=m002c245f4fa50e8a9dd3fc444722ab55>

Thursday, Mar 17, 2022 10:00 am | 1 hour | (UTC-05:00) Indiana (East)

Meeting number: 2311 997 6278

Password: Phf9M6P8EpZ

Join by video system

Dial 23119976278@portagemi.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0002 US Toll

Access code: 231 199 76278

1.7 OPENING

Bids will be opened and publicly read aloud via WebEx.

Bid Opening for 2022 RFB Arborist Services

Hosted by Purchasing Webex

<https://portagemi.webex.com/portagemi/j.php?MTID=mf0adb96f3fc9023f9d7e90e97b0ef3ad>

Wednesday, Apr 13, 2022 3:00 pm | 1 hour | (UTC-05:00) Indiana (East)

Meeting number: 2304 256 1161

Password: mJvJxeti766

Join by video system

Dial 23042561161@portagemi.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0002 US Toll

Access code: 230 425 61161

1.8 INTERPRETATION OF DOCUMENTS

If any person contemplating submitting a bid is in doubt as to the true meaning of any part of any drawing or specification, he may submit to the Purchasing Manager a written request for an interpretation or correction thereof. The person submitting the request will be responsible for its prompt delivery. Any interpretation or correction of the documents will be made only by addendum duly issued and available for all to view on BidNet. Neither the City nor the Purchasing Manager will be responsible for any other explanations or interpretations of the Contract Documents.

1.9 ADDENDA

Any addenda issued during the time of bidding, or forming a part of the Contract Documents provided to the bidder for the preparation of his bid, shall be covered in the bid and shall be made a part of the contract. Receipt of each addendum shall be acknowledged in the bid.

1.10 BIDDERS INTERESTED IN MORE THAN ONE BID

No person, firm, contractor or corporation shall be allowed to make, file or to be interested in more than one bid for the same work, unless alternate bids are called for. A person, firm, or corporation who has submitted a sub-bid to a bidder is not hereby disqualified from submitting a sub-bid or quoting prices to other bidders.

1.11 CONTRACTOR REQUIREMENTS

Contractors bidding on this project will be required to possess the following abilities and certifications.

- 1.11.1 International Society of Arboriculture (ISA) Certified Arborist with at least 5 years of experience
- 1.11.2 Basic computer skills in Microsoft Word, Excel and Outlook programs
- 1.11.3 Customer service skills and experience
- 1.11.4 Valid driver's license

1.12 NONDISCRIMINATION

The Contractor agrees to comply with the Federal Civil Rights Act of 1964 as amended; the Federal Civil Rights Act of 1991 as amended; the Americans with Disabilities Act of 1990 as amended; the Elliott-Larsen Civil Rights Act, Article 2, Act no. 453, Public Act of 1976 as amended; the Michigan Handicapper's Civil Rights Act, Article 2, Act. No. 220; Public Act of 1976, as amended and all other applicable Federal, State and Local laws and regulations. Specifically, contractors and subcontractors are required not to discriminate against any employee or applicant for employment with respect to such person's hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of such person's height, weight, race, color, religion, national origin, ancestry, age, marital status, sex, sexual orientation, gender identity or disability, as defined by law. Breach of this covenant may be regarded as a material breach of the contract.

The City of Portage in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of gender, disability, race, color or national origin in consideration for an award.

1.13 DURATION OF BID

Each bid shall be considered binding and in effect for a period of 120 days after the date of opening set forth in this RFB's Notice to Bidders Page.

1.14 CITY OF PORTAGE CONTRACT CONDITIONS AND SPECIFICATIONS

All bids submitted shall be in full compliance with the Contract Conditions and Specifications of the City of Portage. The Contract Conditions and Specifications can be found at the following website:

<https://www.portagemi.gov/DocumentCenter/View/720/Contract-General-Conditions-and-Specifications-?bidId>

1.15 BASIS OF AWARD

Award will be made to the lowest responsive and responsible bidder whose bid is determined by the City to be in the best interest of the City. Each bid shall have the unit prices and extensions checked for correctness. If discrepancies appear between the unit prices and extensions submitted, the unit price submitted for the particular pay item shall govern, and the dollar amount of the bid adjusted accordingly. The estimated quantities of items of unit price work are not guaranteed and are solely for the purpose of comparison of bids and determining an initial contract price.

Responsive bidder: A contractor, business entity, or individual who has submitted a bid that fully conforms in all material respects to this Request for Bid (RFB) and all of its requirements, including all form and substance.

Responsible bidders: A business entity or individual who has the financial and technical capacity to perform the requirements of the solicitation and subsequent contract.

A "contractor, supplier or vendor" is "qualified on the basis that it:"

- 1) has adequate financial resources to perform a contract,
- 2) is able to comply with the associated legal or regulatory requirements,
- 3) is able to deliver according to the contract schedule,
- 4) has a history of satisfactory performance,
- 5) has good reputation regarding integrity,
- 6) has or can obtain necessary data, equipment, and facilities, and
- 7) is otherwise eligible and qualified to receive award if its bid is chosen.

The City of Portage may conduct a pre-award survey after bid closing to determine if the lowest bidder is responsive and responsible.

1.16 RESPONSIVE BIDS

At a minimum, responsive bids shall include the following:

- 1) Completed Section 2. Submittal Requirements in format provided.
- 2) A completed Exhibit C per the instructions provided.
- 3) Certificate of Authority to Transact Business in the State of Michigan
- 4) Completed Bid Form
- 5) Bid Bond if required (See Exhibit B)

2. SUBMITTAL REQUIREMENTS

If adequate space is not provided for complete response, please attach additional pages as necessary and identify by number. Bids will not be considered responsive unless all requests for information below are provided. Please use such terms as none, not applicable, unknown, etc., if requested information does not pertain or cannot be provided.

2.1 Please indicate the response that best describes your business:

☒Sole Proprietor ☐Partnership ☐Corporation

☐Other (please explain)_____

2.2 Contractor/Firm Name:_____ **Preservation Tree Care LLC**

Address:_____ **50878 Kiawah Trail Mattawan, MI 49071**

Telephone Number:_____ **(269) 633-9338** Fax:_____

First Date in Business:_____ **7/20/2021**

2.3 Is your Firm involved in any proceedings that may affect the ability of the Firm to continue under the current Firm name for the duration of the project? ☐Yes ☒No
If yes, please explain.

2.4 Is your Firm up for sale? ☐Yes ☒No If yes, please explain

2.5 Please provide the names and titles of primary staff assigned to project.

2.6 Please list subcontractors and work to be performed.

2.7 Do you possess the following requirements:

2.7.1 International Society of Arboriculture (ISA) Certified Arborist with at least 5 years of experience ☒Yes ☐No

2.7.2 Basic computer skills in Microsoft Word, Excel and Outlook programs ☒Yes ☐No

2.7.3 Customer service skills and experience ☒Yes ☐No

2.7.4 Valid driver's license ☒Yes ☐No

2.8 Contractor Acknowledges Addendum No: 1 ☒ 2 ☒ 3 ☐ 4 ☐ 5 ☐

REQUEST FOR BID (RFB)
2022 RFB ARBORIST SERVICES

Following is a “*draft copy*” of the contract that will be executed by the City and the Contractor for the completion of this project.

Exhibit A – Statement of Work

Exhibit B – Insurance and Bond Requirements

Exhibit C – Pricing Schedule

Exhibit D – Additional Terms and Conditions

Exhibit E – Contractor Bid and Addenda

CITY OF PORTAGE
DRAFT CONTRACT

THIS CONTRACT made the date signed by the City of Portage ("Effective Date"), by and between **Contractor**, **Enter address**, hereinafter called the "**Contractor**," and the City of Portage, 7900 South Westnedge Avenue, Portage, Michigan 49002, a Michigan municipal corporation, hereinafter called the "City."

WITNESSETH, THAT the Contractor and the City for the consideration stated herein agree as follows:

ARTICLE I - SPECIFICATIONS

The Contractor shall perform the work described in Exhibit A and shall provide and furnish all of the labor, materials, necessary tools, expendable equipment, and all utility and transportation services required to perform and complete in a workmanlike manner all the work required for **2022 RFB Arborist Services** all in strict accordance with the Plans and Specifications, including any and all addenda, which plans and specifications are made a part of this contract, and in strict compliance with the Contractor's Bid and other contract documents herein mentioned which are a part of this contract; and the Contractor shall do everything required by this contract and the other documents constituting a part hereof.

ARTICLE II - COMPENSATION TO BE PAID TO THE CONTRACTOR

In consideration of the completion of the work described herein and in fulfillment of all stipulations of this contract to the satisfaction and acceptance of the City, the City shall pay and the said Contractor further agrees to receive and accept payment based on the prices **bid per unit for material and labor** as set forth in the conformed copy of the Contractor's Bid as filed with the City on the 13th day of April, 2022, the sum of which shall be, **written dollar amount (\$\$\$)** as full compensation for furnishing all the equipment and materials, and for the costs of all premiums on insurance and bonds and for doing all the work contemplated and specified in this contract; also for all loss or damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen obstructions or difficulties which may be encountered in the prosecution of the same; and for all risks of every description connected with the work; and for well and faithfully completing the work and the whole thereof, in full compliance with the Plans and Specifications and the requirements under them. Payments are to be made to the Contractor in accordance with and subject to the provisions embodied in the contract documents hereto attached.

ARTICLE III - CONTRACT TERM.

The initial term of this Agreement shall July 1, 2022 ("Effective Date") and end on June 30, 2023 ("Initial Term") for a base period of twelve (12) months.

OPTION TO EXTEND. The City shall have the option to extend the term of this Agreement for four (4) increments of one (1) year each for a total of four (4) years beyond the expiration of the Initial Term, not to exceed June 30, 2027, pursuant to Exhibit C or other applicable pricing provisions of this Agreement. Unless City notifies Contractor in writing not less than thirty (30) days prior to the expiration

date that the City does not intend to extend the Agreement, the Agreement will be automatically extended for the next option period.

ARTICLE IV - COMPONENT PARTS OF THIS CONTRACT

This contract consists of the following component parts, all of which are as fully a part of this contract as if herein set out verbatim, or, if not attached, as if hereto attached.

1. Contract (this document)
2. City of Portage Contract Conditions and Specifications hereby found in <https://www.portagemi.gov/DocumentCenter/View/720/Contract-General-Conditions-and-Specifications-?bidId>
3. Exhibit A – Statement of Work
4. Exhibit B – Insurance and Bond Requirements
5. Exhibit C – Pricing Schedule
6. Exhibit D – Additional Terms and Conditions
7. Exhibit E – Contractor Bid and Addenda

In the event that any provision in any of the above component parts of this contract conflicts with any provision in any other of the component parts, the provision in the component part first enumerated above shall govern over any other component part which follows it numerically, except as may be otherwise specifically stated.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in four original counterparts the day and year first above written.

CONTRACTOR

By: _____
Name, Title

Date: _____

CITY OF PORTAGE

By: _____
Adam Herringa, Acting City Manager

Date: _____

Previously Approved as to Form by City Attorney, Catherine Kaufman.

EXHIBIT A – STATEMENT OF WORK

1. Background

The City of Portage has been designated a “Tree City” for the past 30 years by the Arbor Day Foundation and desires to continue placing tree maintenance as a priority. To achieve this goal, the Department of Public Works is seeking the professional arborist who can train, assist, evaluate and answer tree issues.

2. Description of Services

The Contractor will provide forty (40) days, eight (8) hours per day or 320 hours per Fiscal Year of arborist services as described below.

2.1. Recommendations

- 2.1.1. Tree removal recommendations
- 2.1.2. Tree pruning recommendations
- 2.1.3. Tree planting recommendations
- 2.1.4. Dying tree and shrub analysis and recommendations

2.2. Customer Service

- 2.2.1. Contact residents on tree concerns within five (5) working days of request sent by DPW Designated Representative
- 2.2.2. Answer questions from contractors, developers, engineers, city staff and the public regarding tree related issues

2.3. Training city crews on proper tree trimming techniques and safety practices both in the classroom and in the field

2.4. Research and Administrative Services

- 2.4.1. Monitor an estimated four (4) tree removal/pruning contracts for bid specification compliance.
- 2.4.2. Aid in preparation of bid documents and specifications for contracted tree work
- 2.4.3. Maintain files and provide updates to DPW designated representative regarding contracted tree work
- 2.4.4. Inspecting projects in progress and upon completion for tree related issues
- 2.4.5. Researching, compiling and documenting information required for reimbursement, as applicable
- 2.4.6. Data gathering for input to the Tree City USA Award

2.5. Performing special assignments as directed by the Department of Public Works staff

2.6. The Contractor will operate City vehicles in the performance of Arborist duties.

3. Qualifications:

3.1. International Society of Arboriculture (ISA) Certified Arborist with 5 years of experience

3.2. Basic computer skills in Microsoft Word, Excel and Outlook programs

3.3. Customer service skills and experience

3.4. Valid driver's license

EXHIBIT B – INSURANCE REQUIREMENTS

Proof of Insurance Coverage: The successful bidder will also be required to furnish to the City of Portage, at the time that the contracts are returned by the Contractor for execution, *a Certificate of Insurance as well as any required endorsements*. In lieu of required endorsements a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be acceptable. Copies or certified copies of all policies mentioned below shall be furnished, if so requested.

If any of the coverages listed below expire during the term of this contract, the Contractor shall deliver renewal certificates and endorsements to the City of Portage at least ten (10) days prior to the expiration date.

All insurers shall be either licensed or authorized to do business in the State of Michigan.

1. Workers compensation insurance, including employer's liability, under the Workers Compensation Statutes of the State of Michigan.
2. Comprehensive General Liability Policy of at least \$1,000,000/occurrence bodily injury to persons other than employees and for damage to tangible property, including loss of use thereof, including the following exposures.
 - A. All premises and operations.
 - B. Explosion, collapse and underground damage.
 - C. Protective coverage for Independent Contractors or Subcontractors employed by the Contractor.
 - D. Contractual Liability for the obligation assumed in the Indemnification or Hold Harmless agreement found in the contract.
 - E. Personal Injury Liability endorsement with no exclusions pertaining to employment.
 - F. Products and Completed Operations coverage. This coverage shall extend through the contract guarantee period.
3. Comprehensive Automobile Liability Policy of at least \$1,000,000 per occurrence for bodily injury and property damage on any automobile. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
4. Additional Insured: These coverages shall protect the contractor, its employees, agents, representatives and subcontractors against the claims arising out of the work performed and shall include an endorsement stating the following shall be additional insured: **The City of Portage, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers shall be named as additionally insured.** It is understood and agreed by naming the City of Portage as additional insured, coverage afforded is considered to be primary and any other insurance the City of Portage may have is considered to be secondary and/or excess. A policy endorsement shall be provided.

5. Cancellation Notice All policies, as described above, shall include an endorsement stating it is understood and agreed that thirty (30) days Advanced Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change of the policy, and Ten (10) days written notice for non-payment of premium, shall be sent to the City of Portage Purchasing Manager, 7900 S. Westnedge Avenue, Portage, MI 49002. **A policy endorsement shall be provided.**
6. Subcontractor Insurance: It shall be the contractor's responsibility to provide similar insurance for each subcontractor, or to provide evidence that each subcontractor carries his own insurance in like amounts, prior to the time such subcontractor proceeds to perform under the contract. Prior to commencement of the Work, the Contractor shall purchase and maintain during the entire term of the project such insurance as will protect the Contractor, the City, and the Engineer(s) from claims arising out of the Work described in this contract and performed by the Contractor, Subcontractor(s), or Sub-subcontractor(s).
7. Indemnification

To the fullest extent permitted by Laws and Regulations, the Contractor, at its sole cost and expense, shall indemnify and hold harmless the City and its officers, directors, employees, agents and consultants (hereinafter referred to as "Indemnified Parties") from and against all claims, costs, losses and damages (including but not limited to all fees and charges of engineers, architects, attorneys and other professionals and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from the performance of the Work or from the failure to comply with any covenant or term of the contract, provided that any such claim, cost, loss or damage: (i) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself), including the loss of use resulting therefrom or (ii) is caused in whole or in part by any act or omission of the Contractor, its agents, officers, contractors, subcontractors, employees, invitees, suppliers or any other person or entity, directly or indirectly employed by any of them to perform or furnish any of the Work or anyone for whose acts any of them may be liable. Provided, however, that the Contractor shall not be required to indemnify the Indemnified Party for injury, death, loss or damage caused by the sole negligence of the Indemnified Party. If such injury or damage is caused in whole or in part by the acts or omissions of the Indemnified Parties, then the indemnification obligation shall be reduced in proportion to the Indemnified Party's percentage of responsibility for such injury or damage.

In any and all claims against the City or any consultants, agents, officers, directors or employees of the City by any employee (or the survivor or personal representative of such employee) of the Contractor, any Subcontractor, any Supplier, any person or organization directly or indirectly employed by any of them to perform or furnish any of the Work, or anyone for whose acts any of them may be liable, the indemnification obligation above shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any such Subcontractor, Supplier or other person or organization under workers' compensation Acts, disability benefit Acts or other employee benefit Acts.

Insurance coverage required by the contractor constitutes the minimum requirements and those requirements shall in no way lessen or limit the liability of the contractor under the terms of the

contract. The contractor shall procure and maintain at contractor's own cost and expense any additional claims or amounts of insurance that, in the judgment of the City, may be necessary for contractor's proper protection in the prosecution of the work.

EXCIBIT C – PRICING INSTRUCTIONS

1. Submit a comprehensive, firm fixed price for the completion of the work outlined in the Exhibit A in the format provided in Exhibit C.
 - 1.1 If you cannot submit an Exhibit C in the format requested, please attach an itemized schedule of total compensation that will cover any and all expenses and services related to the project. The itemization will include hourly rates and expense rates. If no expense rates are indicated, no expenses will be allowed.
 - 1.2 If it becomes necessary to perform extra work as defined in Section 9. Amendments in Exhibit D – Additional Terms and Conditions, these hourly rates and expense rates will apply. Rates quoted should be inclusive of all expenses including, but not limited to personnel services, fringe benefits, overhead, and profit required by the Firm.

EXHIBIT C – PRICING SCHEDULE

	Description	Unit of Measure	Estimated Annual Quantity	Unit Price	Extended Price
Base Term	Arborist Services	Hours	320	\$ 50	\$ 16,000
Option Year 1	Arborist Services	Hours	320	\$ 50	\$ 16,000
Option Year 2	Arborist Services	Hours	320	\$ 50	\$ 16,000
Option Year 3	Arborist Services	Hours	320	\$ 50	\$ 16,000
Option Year 4	Arborist Services	Hours	320	\$ 50	\$ 16,000
ESTIMATED TOTAL CONTRACT VALUE					\$ 80,000

EXHIBIT D – ADDITIONAL TERMS AND CONDITIONS

1. Coordination of Work Required

Unless specifically identified as work to be provided by the City staff, the Contractor shall furnish supervision and all labor, equipment, supplies, materials (except as otherwise noted herein), and perform satisfactorily the professional services at the frequencies and during the times as specified herein. The professional services shall include all functions normally considered a part of completing this work in a satisfactory manner. Compensation to cover any and all expenses shall be included in the proposed project cost.

2. Default

The City may, by written notice to the Contractor, terminate the right to proceed as to the whole or any part of the contract (1) if the Contractor fails to perform the services within the time specified or any extension thereof, (2) so fails to make progress as to endanger performance of the contract in accordance with its terms, or (3) the Contractor fails to perform any other provisions of the contract. The Contractor shall not be subject to this provision if failure to perform the contract arises out of any cause beyond its control and without any fault or negligence by the Contractor or subcontractors.

3. Status of Contractor

The Contractor and its employees at all times shall be considered as independent contractors and not as City employees. In delivering services, the Contractor shall exercise all supervisory control and general control over all day-to-day operations, including control over all workers' duties, payment of all wages to its employees, and the right to hire, fire, and discipline all employees. As an independent contractor, payment to the Contractor under this contract shall not be subject to any withholding for tax, social security, or other purposes, nor shall the Contractor or employees of the Contractor be entitled to any City of Portage fringe benefit programs.

4. Employees of the Contractor and Subcontractors

The Contractor shall at all times be responsible for the conduct and discipline of its employees and/or any subcontractor or persons employed by the Contractor. All workers must have sufficient knowledge, skill, and experience to properly perform the work assigned to them. Any worker employed by the Contractor, who in the opinion of the City Contract Administrator, does not perform work in a skilled manner, or acts in a disorderly or intemperate manner, or engages in sexual harassment or other forms of inappropriate behavior as defined by the City Contract Administrator, shall, at the written request of the City Contract Administrator, be removed immediately from the project and shall not be utilized again in any portion of the work without approval of the City Contract Administrator.

The Contractor agrees to bind every subcontractor (and every subcontractor of subcontractor) and every subcontractor agrees to be bound by the terms of the Contract, Plans and

Specifications, as far as applicable to the Contractor's work, unless specifically noted to the contrary in a subcontract approved in writing as adequate by the Owner.

5. Laws and Municipal Ordinances

The Contractor shall keep fully informed of all laws and municipal ordinances and regulations in any manner affecting those engaged or employed in the work, or the equipment and materials used in the work, and all orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. The Contractor shall at all times observe and comply with all such existing laws, codes, ordinances, regulations, orders, and decrees. In particular, all work shall be in compliance with the Laws of the State of Michigan, City Ordinances, as well as all other bodies having jurisdictional authority.

If the corporation is not a Michigan corporation, a "Certificate of Authority to Transact Business in the State of Michigan" if required by MCLA 450.2001, et. Seq., shall be submitted to the City by the successful bidder. City Contract Administrator

6. Supervision by Contractor

The Contractor will supervise and direct the work of its employees. The Contractor will be solely responsible for the means, methods, techniques, sequences, and procedures of the professional services performed. The Contractor will appoint a Project Supervisor who shall have been designated in writing by the Contractor at the time the Request for Bid is submitted. The Project Supervisor shall have fully authority to act on behalf of the Contractor and all communications given to the Project Supervisor shall be as binding as if given to the Contractor. The Project Supervisor shall be present to the extent necessary so as to perform adequate supervision and coordination of the work.

7. Billing and Payment

The Contractor shall present an invoice in duplicate at the appropriate identified times, billing for services rendered. The billing shall be at the contracted price. The billing shall reference the appropriate purchase order number. The billing shall contain, if applicable, adjustments for additions, deletions, or changes in service. The City will strive to pay the billed amount within thirty (30) days after receipt of invoice, but the City will not pay any interest penalties for late payments.

8. Assignability

The Contractor agrees that the work proposed shall be accomplished by the Contractor and any subcontractors identified in the Submittal Requirements. The Contractor agrees that any work under the contract to be assigned to another firm, and/or subcontractor shall be done only with the prior approval of the City Contract Administrator.

9. Amendments

During the period of this contract there may be occasions when extra services related to the Statement of Work or changes to the Statement of Work or Specifications will be required via written amendment agreed upon by both parties. Costs for services provided in these situations will be negotiated at the time of each occurrence and will be based on the rates quoted. Any such work must have pre-approval of the City Contract Administrator. The City will not be responsible for additional invoices for work or materials that did not have written pre-approval.

10. City Contract Administrator

The Director of the Public Works Department, or his/her/their designated representative, shall be the City Contract Administrator. The City Contract Administrator will audit the billings, approve payments, oversee schedules, and generally be responsible for overseeing the execution of the contract.

Inspection or supervision by the Contract Administrator shall not be considered as direct control of the individual workers and their work. The direct control shall be solely the responsibility of the Contractor's foreman or superintendent.

Designated Representative:

Ray Waurio, Deputy Director - Streets & Parks, Public Works

E: waurior@portagemi.gov

P: 269-329-4430

DO NOT CONTACT DURING ACTIVE SOLICITATION. This may be grounds for disqualification from solicitation. Any and all contact during an active solicitation should be with the Purchasing Manager.

11. Copyright

The Contractor shall irrevocably transfer, assign, set over, and convey to the City of Portage all rights, title, and interest, including the sole exclusive and complete copyright interest, in any and all copyrightable works created pursuant to the Contract. The Contractor further agrees to execute such documents as the City of Portage may request to effect such transfer or assignment. Further, the Contractor agrees that the rights granted to the City of Portage by this paragraph are irrevocable. The Contractor's remedy in the event of termination of or dispute over any agreement entered into as a result of this solicitation shall not include any right to rescind, terminate, or otherwise revoke or invalidate in any way the rights conferred pursuant to the provisions of this paragraph. Similarly, no termination of any agreement entered into as a result of this solicitation shall have the effect of rescinding, terminating, or otherwise invalidating the rights acquired pursuant to the provisions of this paragraph.

EXHIBIT E – BID AND ADDENDA

TO BE INSERTED UPON AWARD.

CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THE STATE OF MICHIGAN

Notes to Certificate:

1. The full name and business address of the Firm must be inserted in the contract and the contract must be signed with his/her official signature. The name of the signing party or parties are to be typewritten or printed under all signatures of the contract.
2. If the contract is signed by the secretary of the corporation, the above certificate must be executed by some other officer of the corporation, under the corporate seal. In lieu of the foregoing certificate, there may be attached to the contract copies of so much of the records of the corporation and will show the official character and authority of the officers signing, duly certified by the secretary or assistant secretary under the corporate seal to be true copies.
3. If the Firm is operating as a partnership, each partner must sign the contract, or if not signed by each partner, there must be attached to the contract a duly authenticated power of attorney evidencing the signer's (signers') authority to sign such contract and on behalf of the partnership.
4. If the Firm is an individual, the trade name (if the Firm is operating under a trade name) must be indicated in the contract and the contract must be signed by such individual. If signed by someone other than the Firm, there must be attached to the contract a duly authenticated power of attorney evidencing the signer's authority to execute such contract for and in behalf of the Firm.
5. If an LLC, the contract must be signed by a member of the LLC. If signed by someone other than the member, there must be attached to the contract the duly authenticated power of attorney evidencing the signer's authority to execute such contract for and on behalf of the firm.

If the Contractor is a corporation, the following certificate must be executed:

I, _____, certify that I am the Secretary of the corporate entity named as Contractor in the contract and that such corporate entity is a corporation in good standing in the State of _____ and has authority to transact business in the State of Michigan. I certify that the contract between the City of Portage and _____, Inc. was validly executed on behalf of the corporation by _____ who was then the _____ of said corporation and has the authority to bind the corporation to the contractual agreements pursuant to the authority of its governing body and by-laws and is within the scope of its corporate powers.

Name of Corporation

Dated: _____, 20____

By: _____
Signature

Name

Its: _____

If Contractor is an LLC, the following certificate must be executed:

I, Jordan Lynch, certify that I am a member of the Limited liability company named as Contractor in the contract and that such LLC is in good standing in the State of Michigan and that the LLC has the authority to transact business in the State of Michigan. I certify that the contract between the City of Portage and Preservation Tree Care LLC LLC was validly executed on behalf of the LLC by _____ who was then a member of said LLC and has the authority to bind the LLC to contractual agreements and that such contract is within the scope of its powers.

Preservation Tree Care LLC

Name of LLC

Dated: April 14, 2022

By: _____

Signature

Jordan Lynch

Name

Its: Owner

If the Contractor is a sole proprietorship/partnership, the following certificate must be executed:

I, _____, certify that I am the owner/partner of the company named as Contractor in the contract and that I have the authority to bind _____, to contractual agreements.

Name of Business (insert d/b/a if one exists)

Dated: _____, 20____

By: _____
Signature

Name

Its: _____

Dated: _____, 20____

By: _____
Signature

Name

Its: _____

Dated: _____, 20____

By: _____
Signature

Name

Its: _____

CITY OF PORTAGE
BID FORM
2022 RFB Arborist Services

I, the undersigned, having thoroughly familiarized myself with all the bid documents including but not limited to the Instructions to Bidders and all the exhibits in the sample contract—including but not limited to all of its attachments, plans, requirements, Specifications, special provisions, pictures, drawings, addenda, instructions, insurance and bonding requirements, Statement/Scope of Work, and all terms and conditions— incorporated herein by reference thereto, hereby propose to furnish all goods, labor, supervision, equipment, materials, incidentals, bonds, insurance and supplies to operate as described in this entire Request for Bid at the bid prices shown in this Exhibit C.

If you cannot submit an Exhibit C in the format requested, please attach an itemized schedule of total compensation that will cover any and all expenses and services related to the project.

I propose to provide goods and/or services as specified in the Request for Bid.

I hereby state that I have the authority to submit this bid which will become a binding contract if accepted by the City of Portage. I further state that I have not communicated with nor otherwise colluded with any other person, firm, contractor or consultant, nor have I made any agreement with nor offered or accepted anything of value from an Official or employee of the City of Portage that would tend to destroy or hinder free competition.

I hereby state that I have read, understand, and agree to be bound by all terms and conditions of this Request for Bid.

Signed: _____ **Name:** Jordan Lynch
Title: Owner **Firm Name:** Preservation Tree Care LLC
Address: 50878 Kiawah Trail Mattawan, MI 49071
Telephone: (269) 633-9338 **Fax:** _____
Email: PreservationTreeCare33@gmail.com **Website:** www.PreservationTreeCareLLC.com

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Zoning Amendment #21/22-B (22-03) to add technology- and laboratory-related office uses to the B-3 General Business District under Special Land Uses

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Accept Zoning Amendment #21/22-B (22-03) to add technology- and laboratory-related office uses to the B-3 General Business District under Special Land Uses for first reading and set a public hearing for May 24, 2022; and subsequent to the public hearing, consider approving Zoning Amendment #21/22-B (#22-03) to add technology- and laboratory-related office uses to the B-3 General Business District under Special Land Uses.

A zoning amendment application was submitted by Chad DesJardin from Northern Biomolecular Services (NBS) to allow the business to occupy the former State Farm office building at 5528 Portage Road, across from the Kalamazoo/ Battle Creek International Airport. The property is currently zoned B-3 General Business District. If the proposed ordinance amendment is approved, it would allow laboratory- and technology-related office uses to locate in the B-3 district through a special land use permit. The ordinance amendment would enable this business to locate at the aforementioned property and would support similar biotechnology companies that could be eligible through the special land use process to locate in B-3 zoning districts throughout the City of Portage.

Northern Biomolecular Services provides research support to biotechnology companies developing gene and cell therapies for certain diseases such as Parkinson's, Alzheimer's, and Amyotrophic Lateral Sclerosis (ALS, commonly known as Lou Gehrig's disease), among many others. Information about their work can be reviewed on [their website](#). NBS is currently operating out of the Western Michigan University Homer Stryker M.D. School of Medicine (WMed) Innovation Center in Kalamazoo. The organization's space needs are growing and NBS has been actively looking to relocate to Portage; however, the firm has been faced with significant challenges related to site availability and compatibility. As mentioned in the applicant's narrative, finding land zoned to permit laboratory uses is difficult and this use is in general demand in southwest Michigan. The property at 5528 Portage Road meets their needs and NBS plans to make significant building renovations and upgrades. The site at 5528 Portage Road currently comprises a two-story, 45,870-square-foot building that was originally developed for State Farm offices, and has approximately 90 parking spaces. NBS plans on immediately occupying the ground floor with offices and laboratory spaces, and with plans to eventually expand into the second floor with additional laboratories.

The City of Portage continually seeks to identify ways to improve the zoning code and better position itself to attract and retain businesses. After reviewing the intent and list of permitted uses of the B-3

district, considering long-term shifts in the commercial office market and increasing area demand in the STEM-related industries, staff recommends allowing certain laboratory- and technology-related office uses within the B-3 district under special land uses. To ensure these new uses operate in harmony within the zoning district and co-exist in proximity to a less intense variety of uses, staff recommends restrictions be applied to the proposed technology- and laboratory-related office uses in the B-3 district. These restrictions are noted within the proposed ordinance amendment.

City Council is also reviewing a similar request related to the inclusion of laboratory- and technology-related uses in the OS-1 Office zoning district through a similar Zoning Amendment 21/22-B (#22-02).

The Planning Commission convened a public hearing on April 7, 2022. Shane Woods, of Northern Biomolecular Services (the applicant's representative) was present to support the zoning amendment. No additional citizens provided testimony during the public hearing to comment on the proposed zoning amendment. In a staff report dated April 7, 2022, the Department of Community Development provided an overview of the Zoning Amendment 21/22-B (#22-03) and recommended:

“Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the text amendment consideration at a subsequent meeting, the Commission is advised to receive public comment during the April 7, 2022 meeting and adjourn the public hearing to the April 21, 2022 meeting. If no additional public comment is requested by and the Commission is supportive of the proposed ordinance amendment, staff advises the Planning Commission to waive the second public hearing and recommend to City Council that the Ordinance Amendment to add technology - and laboratory-related office uses to the B-3 General Business District under Special Land Uses, be approved.”

After careful consideration, the Planning Commission voted unanimously (9-0) to waive the second public hearing and recommend to the City Council approval of the zoning amendment.

It is recommended that City Council accept the Zoning Amendment 21/22-B (#22-03) to add technology- and laboratory-related office uses under Special Land Uses for first reading and set a public hearing for May 24, 2022; and subsequent to the public hearing, consider approving Zoning Amendment 21/22-B (#22-03) to add technology- and laboratory-related office uses to the B-3 General Business District under Special Land Uses.

FUNDING: Not Applicable

Attachments:

1. Planning Commission transmittal dated April 21, 2022
2. Planning Commission minutes dated April 7, 2022
3. Planning Commission Staff Report + Attachments
4. 21-22-B (22-03) FIRST READING NOTICE
5. Northern Biomolecular Services (Applicant) Communication to City of Portage

TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

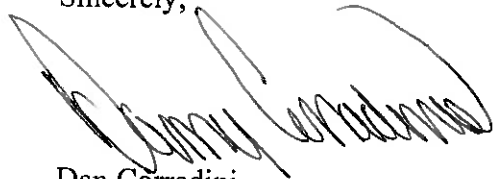
DATE: April 21, 2022

SUBJECT: Zoning Amendment #21-22-B (22-03) to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses.

During the April 7, 2022 meeting, the Planning Commission reviewed and discussed the zoning amendment #21-22-B (22-03) to add 'technology'- and 'laboratory'- related office uses under Special Land Uses to the B-3 General Business District in response to changes in the office industry and growing changes in technology and laboratory industries, also to facilitate a future 'technology'- and 'laboratory'-related office business at 5528 Portage Road. Shane Woods (Northern Biomolecular Services representative) provided testimony to support the amendment. No citizens provided testimony during the public hearing to comment on the proposed amendment.

The Planning Commission voted unanimously (9-0) to waive the second public hearing and recommend to City Council approval of the Zoning Amendment #21-22-B (22-03) to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses.

Sincerely,



Dan Corradini
Chairman, Planning Commission

Attachment: April 7, 2022 Planning Commission Meeting Minutes

CITY OF PORTAGE PLANNING COMMISSION

Thursday, April 7, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of April 7, 2022 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Eric Feldt, City Planner

Biqi Zhao, Deputy Director of Planning and Zoning

Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); O'Dell (yes); Youngs (yes); and Freiman (yes).

APPROVAL OF MINUTES:

A motion was made by Vice Chair Joshi, supported by Commissioner Pezzoli to approve the March 17, 2022 meeting minutes. The motion was approved unanimously.

Public Hearings:

Ordinance Amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Mr. Feldt stated that the applicant, Northern Biomolecular Services (NBS), is requesting to locate their biotechnology business to 5528 Portage Rd., which is zoned B-3. He detailed staff reasoning for recommending approval of the ordinance amendment. Vice Chair Joshi asked if there is any foreseeable downside to allowing this use. Mr. Feldt stated staff does not anticipate any downside and that restrictions applied in the draft ordinance language for Special Land Use are in place. Commissioner O'Dell asked about condition three. Mr. Feldt clarified that the condition requires office as an adjunct use, meaning an office component is required in tandem with the laboratory or technology use. Chair Corradini asked about condition five which states 'shall not have access onto a residential street' and whether Yellow Brick Road is considered a residential street. Mr. Feldt stated the road is not residential.

Applicant, Shane Woods, representative from NBS, stated his support of the proposed ordinance amendment and acknowledged that others who are looking to relocate similar uses, so there might be other opportunities for new businesses.

Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Commissioner Fries motioned to waive the second public hearing and to recommend to City Council approval of ordinance amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Motion supported by Commissioner Pezzoli. Motion passed unanimously.

A Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue.

Mr. Feldt presented the project, proposed amendments and staff recommendation that the Tentative Plan Amendment be approved. Commissioner Pezzoli asked if a 5-story building would be a concern for the fire department.

As the fire marshal contributes to all plan reviews, Mr. Feldt stated this was not a concern for the fire department. Commissioner Youngs asked if the traffic light at Centre Avenue will be able to handle the

additional traffic. Mr. Feldt stated there will be no increase in total units for all phases of the plan that will negatively impact the intersection.

Applicant, Greg Dobson, representative from AVB, detailed the history of Greenspire, how this phase is different from previous phases, and explained the tree clearing that has already occurred. Chair Corradini clarified details regarding the buildings and units with the applicant. Commissioner Freiman asked about EV chargers for the parking garage. The applicant stated EV chargers, four fast paced chargers, are slated for the underground parking garage. Commissioner Fries asked if the EV chargers are Level 2. Applicant confirmed this to be true. Commissioner Fries asked if all the buildings are LEED certified. Applicant stated only the three buildings in the Phase VII will be LEED certified. Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Vice Chair Joshi motioned to waive the second public hearing, and to recommend to City Council approval of the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Center Avenue. Chair Corradini supported the motion. Motion passed unanimously.

OLD BUSINESS

Chair Corradini explained the change in format of meetings where staff provides a summary before the applicant presents. He continued to state that all Commissioner requests for information, a meeting our tour with City staff, must be submitted in writing to Mr. Feldt. Finally. He stated that for next meeting after regular session, the Commission will move to Conference Room 1 for an informal meeting open to the public to discuss the city's public participation plan, a brief master plan update, overview of the city's sustainability initiatives, and subcommittees.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

None.

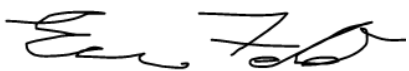
STATEMENT OF STAFF

Mr. Feldt confirmed that the Commission's request for a traffic study along W. Osterhout Avenue has been shared with the City Manager's Office and Transportation and Utility department.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager

TO: Planning Commission**DATE:** April 7, 2022**FROM:** Kelly Peterson, Director of Community Development**SUBJECT:** Ordinance Amendment #22-03 to add 'technology-' and 'laboratory-' related office uses to the B-3 General Business District under Special Land Uses**I. INTRODUCTION:**

The proposed ordinance amendment was submitted by Chad DesJardin with Northern Biomolecular Services (NBS) to allow the business to occupy the former State Farm office building at 5528 Portage Road, across from the Kalamazoo/ Battle Creek International Airport. The property is currently zoned B-3, which does not allow NBS's operations as a laboratory and office use. If the proposed ordinance amendment is approved, it would allow this use within the B-3 district subject to special land use permit approval, and benefit other B-3 zoned properties throughout the City.

II. BACKGROUND INFORMATION:

NBS provides research support to biotechnology companies developing gene and cell therapies for certain diseases such as Parkinson's, Alzheimer's and ALS. More about their work can be reviewed at: <https://nbslab.com/about-us>. etc. NBS is currently operating out of the Western Michigan University (WMed) Innovation Center, but the organization's space needs are growing and NBS has been actively looking to relocate to Portage. They have been faced with significant challenges related to site availability and compatibility. As mentioned in the applicant's narrative, finding land zoned to permit laboratory uses is difficult and such a unique use is in general demand in Southwest Michigan. The property at 5528 Portage Road meets their needs and NBS is willing to invest in the required renovations to facilitate the site for their needs. The site currently comprises a two-story 45,870 square foot building, originally developed for State Farm offices, and it has approximately 90 parking spaces. NBS plans on immediately occupying the ground floor with offices and laboratory spaces, and eventually expanding into the second floor with additional laboratories. The site is currently zoned B-3, which does not permit laboratory-related businesses. By seeking the subject ordinance amendment to allow laboratory- and technology-related businesses to B-3 district through a special land use, their business would be allowed at this property. The ordinance amendment would also support similar biotechnology companies, who could be eligible, through the special land use process, to locate in B-3 zoning district.

III. ANALYSIS:**Ordinance Amendment Process**

The ordinance amendment process is provided under zoning code Section 42-651 and requires a public hearing during Planning Commission and City Council meetings. The Commission will consider the proposed amendment, evaluates it for consistency with adopted city plans, affects to neighborhood conditions, and provides a recommendation to City Council. If the Council approves the ordinance

amendment, the applicant will pursue subsequent permits for construction.

Evolving Commercial Real Estate Environments and Tenants

The COVID pandemic has resulted in nationwide changes in how work occurs and where work occurs. The past few years has revealed a resulting decrease in demand for traditional commercial office space, and a difficult market in which to retain tenants and fill vacant tenant spaces. This has required the use of new marketing approaches and expanding beyond traditional office tenants. The applicant is interested in occupying a former office building at 5528 Portage Road. Expecting a traditional office tenant to fill this vacant building may prove challenging under today's economic changes.

Continued Growth of STEM-related Businesses

At the same time as real estate changes, there is a growing focus on science, technology, engineering, and math (STEM), and STEM-related/supportive fields. This industry continues to grow in our region. Some of these businesses include small-scale makerspaces, 3-D printing, graphic design, and robotic engineering. In the past, it would be common for communities to categorize and restrict these types of businesses to industrial zoning districts as being related to manufacturing or industrial uses. However, as technology and engineering practices evolve, there are resulting small-scale operations that do not require traditional large-lot industrial acreage, large HVAC demands, or significant loading and transportation facilities. Currently in the City of Portage, there are large scale uses within STEM industries, such as Pfizer, Styker, Mann + Hummel, as well as smaller-scale businesses such as Acuren Inspections Inc. (an engineering, testing, and inspection company), S A Morman & Co (Commercial door, hardware, and security supplier), Depatie Fluid Power Co (hose supplier), etc. As such, commercial office owners looking to fill tenant spaces may wish to consider unique, small-scale STEM-related businesses to fill traditional office property.

Current B-3 Zoning District

The B-3 General Business zoning district generally allows commercial uses of retail, restaurants, offices, and others. Areas under this zoning district include portions of S. Westnedge Avenue north and south of Crossroads Mall; portions of Portage Road south of Centre Avenue and near the Kalamazoo/ Battle Creek International Airport; portions of Shaver Road; and other smaller portions throughout the city.

Below is the B-3 General Business District intent, and list of permitted uses and allowed special land uses. The proposed ordinance amendment seeks to add a new special land use: "10. Technology- and laboratory-related Office uses to the B-3 District".

Sec. 42-262. B-3 General Business District

Sec. 42-262 (A) Intent:

The B-3 general business district is designed to provide sites for more diversified businesses and are often located to serve pass by traffic. Locations for the B-3 district are thus typically mapped along major traffic arteries and/or adjacent to B-2 community business districts.

Sec. 42-262 (B) - Principal permitted uses:

In a B-3 general business district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

1. Any principal permitted use in the b-1 local business district, or uses permitted subject to special conditions.
2. Any principal permitted use in the B-2 community business district, or uses (subject to restrictions)
3. Automatic and self-service carwashes (subject to restrictions)
4. Auto repair (subject to restrictions)
5. Social or recreational buildings or properties.
6. Bus passenger stations.
7. Governmental offices or other governmental uses, public utility offices, exchanges, transformer stations, pump stations and service yards, not including outdoor storage.
8. Boardinghouses.
9. Religious institutions.
10. Motels, hotels.
11. Dry cleaning plant or facility (subject to restrictions)
12. General agriculture.
13. Specialized agriculture (subject to restrictions)
14. Accessory buildings and uses customarily found in connection with the uses in this district.
15. Drive-through establishments and drive-in establishments.
16. The following marihuana businesses: Medical marihuana provisioning center and marihuana retailer.

Sec. 42-262 (C) Special Land Uses.

The following uses may be allowed in the B-3 general business district, subject to the conditions imposed in this section for each use, and subject further, to the review and approval of the planning commission in accordance with the provisions of division 5, subdivision 1 of this article:

1. Vehicle dealerships (subject to restrictions)
2. Open front stores (subject to restrictions)
3. Veterinary hospitals or clinics (subject to restrictions)
4. Vehicle fueling stations (subject to restrictions)
- 5.
6. Offices and showrooms for building, plumbing, electrical or mechanical contractors (subject to restrictions)
7. Kennels or animal shelters (subject to restrictions)
8. Brewpubs and micro-brewers (subject to restrictions)
9. Work/live accommodations in accordance with the provisions of section 42-137.

Staff notes that Special Land Use Permits are those that may not always be appropriate on all such zoned lands and, therefore, require Planning Commission consideration and allows placement of conditions to increase neighborhood harmony, consistency with adopted plans, and preservation of public safety and welfare

2014 Comprehensive Plan

The following guidelines are relevant to the proposed amendment:

- Guideline C-2 Commercial/ Office Uses in General: Allow commercial/ office uses:
 - when the size, intensity, and character of the proposed use is compatible with adjacent areas;

- adjacent to older or redeveloping residential areas where commercial/ office use does not create nuisances and is compatible with the surroundings.
- Guideline C-8 Encourage innovative commercial/ office design to:
 - promotes a good transition between adjacent buildings and land uses in terms of building size, height, scale, and materials.
 - Future Land Use map: this map classifies land into various categories that helps guide rezones, zoning amendments, and certain land uses. The B-3 zoning district aligns with the 'General Business' land use map category. The proposed amendment adding Technology- and laboratory-related Office uses would generally be appropriate in the B-3 district.

The City of Portage continually looks at ways to improve the zoning code and better position itself to attract and retain businesses. The City recently expanded the OS-1 Office zoning district through a similar ordinance amendment (No. 21/22-B) request. Today's proposed ordinance amendment has been developed in response to the applicant's request to facilitate the occupancy of an existing building located in the B-3 General Business district for a future 'laboratory'-related office business. After reviewing the intent and list of permitted uses of the B-3 district, considering long-term shifts in the commercial office market, and increasing area demand in the STEM-related industry, staff recommends allowing certain laboratory- and technology-related uses within the B-3 district under special land uses. Additionally, to ensure these new uses will operate in harmony within these areas and co-exist in close proximity to a less intense variety of uses, staff recommends restrictions be applied to the proposed Technology- and laboratory-related Office uses in the B-3 district. These restrictions are shown under the Proposed Ordinance Amendment.

Public Notices / Comment

Required public notice was sent to all property owners/ occupants within 300 feet of the subject property on March 23, 2022. The required public notice was published in the Kalamazoo Gazette on March 23, 2022. As of the date of this report, March 29, 2022, staff has not received any public comment.

Proposed Ordinance Amendment

Sec. 42-262 (C) Special Land Uses.

(NEW) 10. Offices having laboratory- and technology-related uses when meeting the following standards:

1. When all operations are conducted and completely contained within the building.
2. No outdoor storage.
3. Must contain related offices as an adjunct use.
4. Shall not emit any noise, light, vibrations, odors, or other deleterious impacts towards adjacent property lines.
5. Shall not have access directly onto a residential street.
6. Loading facilities shall not face a residential zoning district or residential use.
7. All hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas.

IV. RECOMMENDATION:

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the text amendment consideration at a subsequent meeting, the Commission is advised to receive public comment during the April 7, 2022 meeting and adjourn the public hearing to the April 21, 2022 meeting.

If no additional public comment is requested by and the Commission is supportive of the proposed ordinance amendment, staff advises Planning Commission to waive the second public hearing and recommend to City Council that the Ordinance Amendment to add technology - and laboratory-related office uses to the B-3 General Business District under Special Land Uses, be approved.

Attachments:

1. Zoning Amendment Application
2. Applicant Letter and Narrative
3. B-3 Zone Map

ZONING MAP OR ZONING TEXT AMENDMENT INFORMATION

This information is intended to assist the applicant in the process to 1) amend the official zoning map and/or 2) change an existing or add a new Zoning Code Regulation contained in the municipal code (Article 4 of Chapter 42, Land Development Regulations) pursuant to Section 42-651. Questions regarding the amendment process should be directed to the Department of Community Development at (269) 329-4477.

Overview

The official zoning map for the City of Portage delineates the location and boundaries of the zoning districts described in the Zoning Code. A Zoning Code regulation is a provision contained in the City of Portage Municipal Code that regulates development of land including principal and permitted uses, lot size and building setbacks, site plan review, off-street parking, site lighting, among other provisions.

Periodically, the Zoning Code regulations and/or zoning map require updating as a result of changes to community goals and objectives that govern land use development, modifications to business operations, changes in construction technologies, land use patterns, improved customer service, among several others. An amendment may be proposed in conjunction with a proposal to amend to the City of Portage Future Land Use Plan Map contained in the Comprehensive Plan if the proposed zoning map or text amendment is inconsistent with the Comprehensive Plan. Regardless of whether a Comprehensive Plan amendment is involved, all zoning code and/or zoning map amendments must be submitted consistent with application process requirements.

Who May Request a Zoning Amendment?

Any person or entity (e.g., city resident, property owner, City Manager, Planning Commission, City Council) may initiate a Zoning Code text or zoning map amendment. If a zoning map amendment involves a larger area and several parcels of land, a petition signed by the effected property owners acknowledging and supporting the zoning change must accompany the application form.

Application Fee

The application fee to process a Zoning Code regulation amendment remains at \$850. A Zoning Map amendment is \$1,130 for the first acre plus \$80 for each additional acre. The review fee is intended to recover costs associated with required legal notices, public hearings and a limited amount of staff/attorney time necessary to process each application.

Review procedure

1. Application. Completion of the attached application form is the first step in the process to request an amendment to a Zoning Code regulation or Zoning Map. The application form and current Community Development Fee Schedule is available on-line at www.portagemi.gov/Departments/Community-Development/PermitsInformationalForms.aspx and at City Hall in the Department of Community Development. In addition to the application form, other related application materials that explain the request and application fee must also be submitted. A pre-application meeting with city staff is encouraged prior to submittal of a rezoning application.
2. Consistency with adopted Land Use Goals and Objectives. An application for a Zoning Amendment will be evaluated based on adopted land use goals and objectives including those contained in the Comprehensive

Plan. The applicant should become familiar with the Comprehensive Plan and in particular Chapter 4, Land Use and the Development Guidelines contained in Chapter 7, Implementation for general guidance on the appropriateness of a zoning change. The Comprehensive Plan, including the Development Guidelines, is available on-line at www.portagemi.gov. Department staff is also available to provide the applicant assistance in evaluating the proposed zoning amendment in relation to important community goals and objectives.

The Development Guidelines are intended to be used in the review of development proposals, including zoning changes. The guidelines provide direction and underpinning for regulations that affect land use, including zoning changes.

The following guidelines are intended to provide the applicant with a general indication that the proposed zoning change is (in)consistent with adopted community goals and objectives before the application is submitted:

- ✓ Have circumstances changed since establishment of the current zoning map or zoning district to warrant the proposed amendment?
- ✓ Is the request consistent with applicable policies, recommendations of the Plan and/or Future Land Use Plan Map?
- ✓ Are the uses allowed in the requested zoning district appropriate for the area given the size and character of the site and surrounding land uses?
- ✓ Can traffic associated with the project be accommodated by the existing transportation network?
- ✓ Will the effects of the proposed zoning change and/or land uses negatively impact adjacent or nearby residential neighborhoods or environmentally sensitive areas? If so, can the effects be adequately mitigated?
- ✓ Can the potential land uses allowed in the zoning district be accommodated by the existing utility infrastructure and services? Development should be in areas that are or are planned to be served by public utilities and services.
- ✓ Is there a lack of available land zoned the same or similar to the requested zoning district, including land that could be redeveloped?
- ✓ Refer to Chapter 7 for other applicable Development Guidelines related to a specific zoning request.

If the zoning change request is not consistent with the Comprehensive Plan, an amendment to the Plan can be considered

3. Public Hearing/Comment. The City of Portage will provide public notice and an opportunity for public comment. Once all required information has been received, the application will be scheduled for the next available Planning Commission meeting. The Planning Commission meets the first and third Thursday of every month and a complete application must be submitted at least 30 days in advance of the first hearing date. State law and local ordinance require 1) notification in a newspaper of general circulation and 2) notice to property owners/occupants at least 15 days before the date of the public hearing. The applicant or his/her representative must be present during the public hearing process.

4. Planning Commission and City Council Review. The Planning Commission policy regarding changes to a Zoning Code regulation or Zoning Map is to convene a public hearing over the course of two meeting dates. During this time, the Commission will evaluate the proposed amendment including public comment and the professional staff recommendation. At the conclusion of the second meeting date, the Commission will provide a formal recommendation to the City Council. Upon receipt of the Planning Commission recommendation and application materials, the City Council will set a date for a second public hearing. The entire review process will take approximately 3-4 months.

For further information regarding the zoning amendment process, please contact the Department of Community Development at (269) 329-4477.

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date 3/14/22

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings. *Please note: City Staff and/or Planning Commissioners may visit the subject property while the application is under review.*

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 8, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at _____ between _____ Street and _____ Street on the _____ side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of _____ feet and a depth of _____ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

2. a. Do you own the property to be rezoned? Yes ___ No ___

b. Name of the owner of the property to be rezoned: _____

Address _____

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment:

4. CURRENT ZONING: _____ PROPOSED ZONING: _____

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):
To allow offices having laboratory and technology related uses as a special land use in the B-3
General Business District.

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.
Sec 42-262, Section C (B-3 General Business District, Special Land Uses).

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.
Purpose is to accommodate offices with laboratory and technology related uses in the B-3 District,
as a special land use, to increase eligible locations in Portage for NBS and users/entrepreneurs
with similar needs.

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

eSigned via SeamlessDocs.com
Chad A. DesJardin
Key: 1263746702aec13d65461db6f42d73a5

(Signature of Applicant)

(Signature of Applicant)

4717 Campus Drive, Kalamzaoo, MI 49008

(Address)

(Address)

269-353-5535

(Phone)

(Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.



March 18, 2022
To the City of Portage,

Northern Biomolecular Services (NBS) provides contracted research support to biotechnology companies developing gene and cell therapies for currently incurable diseases such as: Parkinson's, Alzheimer's, ALS, macular degeneration, coronary heart disease and many others. Gene and cell therapies are creating a modern revolution in medicine with treatment customized to individual patients. Since NBS' 2019 inception, we have worked in tandem with our global partners to help ensure safety of their novel treatments.

NBS currently operates at the Western Michigan University (WMed) Innovation Center. NBS thrived in WMed's incubator program. Yet, ever-increasing needs of both existing and new clients resulted in exponential growth for NBS. Demand for services now exceeds our spatial capacity, forcing us to turn away time-sensitive projects. With NBS' maturation, we realize time is upon us to depart the Innovation Center to allow for growth and further expansion of our specialized capabilities, while additionally freeing up room for exciting new companies to follow our lead.

NBS initiated a search for a new facility in mid-2021. Despite an exhaustive search through numerous realtors and business leaders there is limited availability of suitable purpose-built laboratory space in Southwest Michigan. We are not alone in this as we know others are struggling to find suitable space for their own businesses. Recent articles demonstrate high demand for laboratory space: The Wall Street Journal, March 1st, 2022, "Demand for Science Lab Buildings Soars During Covid-19 Pandemic" and The Philadelphia Inquirer, March 15th, "Drexel to partner with developer on \$400M sciences lab complex". This trend is seen throughout the United States.

Ultimately through our search we identified numerous office buildings and warehouses with repurpose potential. However, zoning restrictions currently prevent redevelopment of these structures into modern medical laboratory space. NBS is requesting the Planning Commission and City Council to consider adding "laboratory and technology with offices" description to B-3 zoning. This would allow us and likeminded laboratory/technology entrepreneurs and business to continue to grow and reside within Portage. This is an exciting time for NBS! We appreciate the opportunity to present to the Portage Council and Development Board our expansion challenge. We look forward to working together to overcome this obstacle and contribute to the Portage community's prosperity.

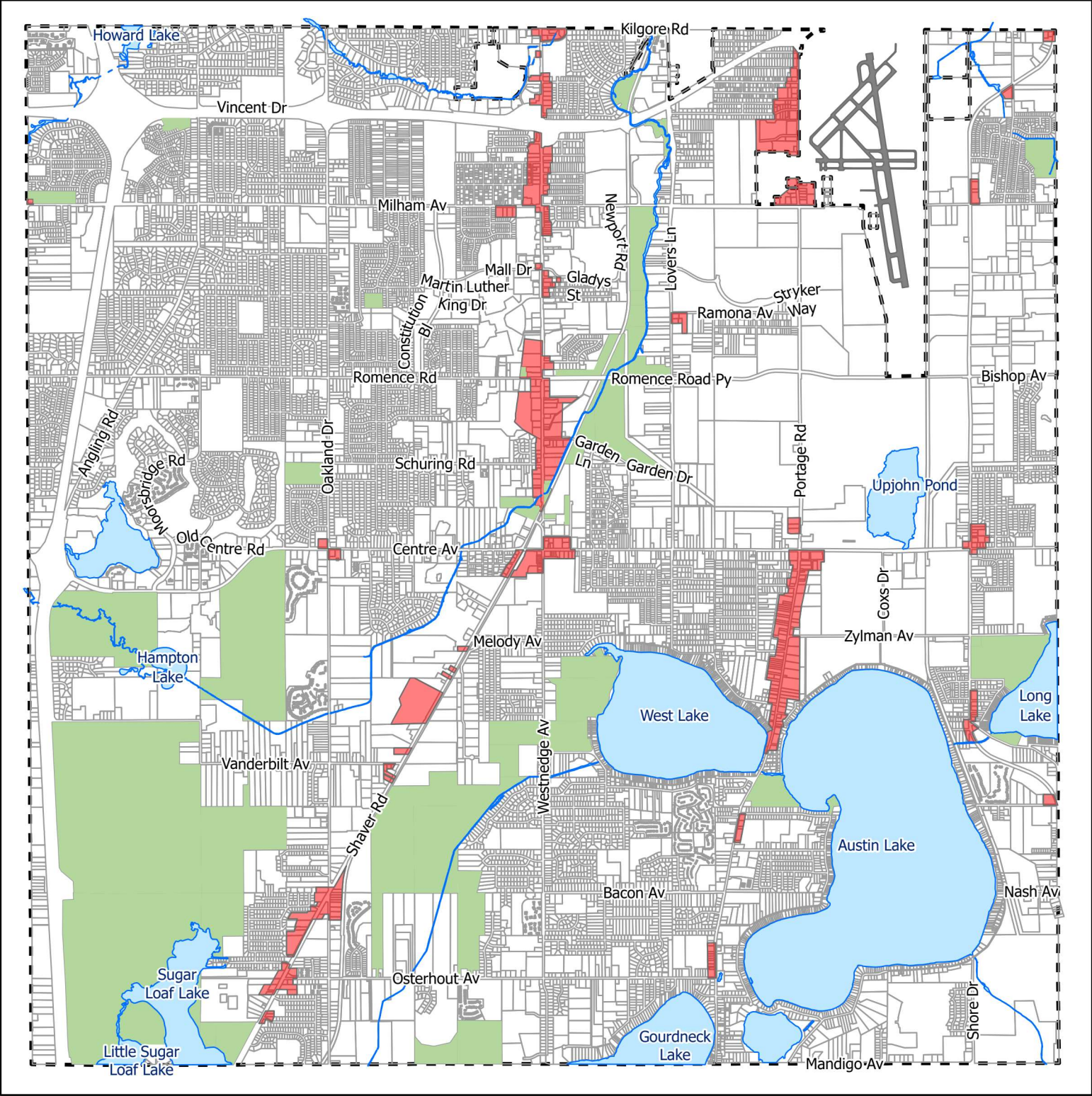
Sincerely,

A handwritten signature in blue ink, appearing to read "Shane Woods", is written over a faint, stylized blue line graphic that resembles a DNA double helix or a molecular structure.

Shane Woods
President & CEO

4717 Campus Dr. Suite 2000
Telephone: 269-353-5535
Website: www.nbslab.com

General Business (B-3) District Map



- Legend**
- Waterbody
 - Park Lands
 - Airport Runways
 - B-3 Zoning
 - Parcels
 - Municipal Boundaries



FIRST READING
CITY OF PORTAGE, MICHIGAN

NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend **SEC. 42-262 SPECIAL LAND USES OF ARTICLE 4 ZONING, DIVISION 4, SUBDIVISION 6, B-3 GENERAL BUSINESS DISTRICT, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS** in the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on April 26, 2022 and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on May 24, 2022, at 7:00 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Chapter 42, Land Development Regulations, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Chapter 42, Article 4, Zoning, shall be amended as follows:

ARTICLE 4. ZONING.

Sec. 42-262. - Special Land Uses, *shall be amended as follows, to add new subsection 10:*

10. Offices having laboratory-and technology-related uses when meeting the following standards:

- a. When all operations are conducted and completely contained within the building.
- b. No outdoor storage.
- c. Must contain related offices as an adjunct use.
- d. Shall not emit any noise, light, vibrations, odors or other deleterious impacts towards adjacent property lines.
- e. Shall not have access directly onto a residential street.
- f. Loading facilities shall not face a residential zoning district or residential use.
- g. All hazardous materials, waste and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas.

All other parts of Section 42-262 remain unchanged.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall

PLEASE TAKE FURTHER NOTICE that copies of said proposed amendment may be examined at the City Hall on any business day except public and legal holidays from and after publication of this Notice until the day of hearing from 8:00 a.m. and 5:00 p.m.

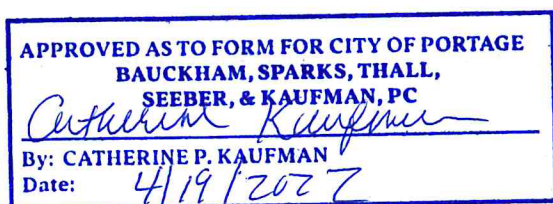
CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, Erica Eklov, do hereby certify that I am the duly appointed and City Clerk of the City of Portage and that the forgoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2022.

Erica Eklov, City Clerk

PREPARED BY:
Catherine Kaufman, City Attorney
Bauckham Sparks
470 West Centre Avenue
Portage, MI 49024





March 18, 2022
To the City of Portage,

Northern Biomolecular Services (NBS) provides contracted research support to biotechnology companies developing gene and cell therapies for currently incurable diseases such as: Parkinson's, Alzheimer's, ALS, macular degeneration, coronary heart disease and many others. Gene and cell therapies are creating a modern revolution in medicine with treatment customized to individual patients. Since NBS' 2019 inception, we have worked in tandem with our global partners to help ensure safety of their novel treatments.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Shane Woods", is written over a faint, stylized blue line graphic that resembles a DNA double helix or a molecular structure.

Shane Woods
President & CEO

4717 Campus Dr. Suite 2000
Telephone: 269-353-5535
Website: www.nbslab.com

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: MDOT Performance Resolution

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Adopt the Michigan Department of Transportation Performance Resolution for Municipalities (MDOT Form 2207B 5/21) and authorize the Acting City Manager to sign the form on behalf of the city.

The Michigan Department of Transportation (MDOT) requires that all municipalities that may require a permit to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities on, over, and under state highway right of way have a performance resolution on file with MDOT. MDOT Form 2207B was updated in May 2021 and the MDOT Attorney General's Office requires all municipalities that may require a permit within the state highway right of way to submit a new resolution using the updated form.

The City of Portage maintains water and sewer infrastructure within the state highway right of way. In addition, the City of Portage utilizes state right of way for our capital improvement projects. The upcoming Lovers Lane reconstruction project and the South Westnedge Avenue microsurfacing project both cross state highway right of way and required right of way permits. If approved, the attached resolution will allow city personnel to apply for the necessary permits needed to perform work in these areas.

It is recommended that City Council Adopt the Michigan Department of Transportation Performance Resolution for Municipalities (MDOT Form 2207B 5/21) and authorize the Acting City Manager to sign the form on behalf of the city.

FUNDING: N/A

Attachments: 1. MDOT Form 2207B - Performance Resolution 2022

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____

(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc.)

of the _____ of _____
(Name of MUNICIPALITY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____

Signed _____

Title

Print Signed Name

APPROVED AS TO FORM FOR CITY OF PORTAGE
BAUCKHAM, SPARKS, THALL,
SEEBER, & KAUFMAN, PC
Catherine P. Kaufman
By: CATHERINE P. KAUFMAN
Date: 4/18/2022

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Tentative Plan Amendment: Greenspire Planned Development Phase VII (3413 West Centre Avenue)

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development
 Biqi Zhao, Deputy Director of Planning & Zoning

ACTION RECOMMENDED: Accept the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Planned Development, 3413 West Centre Avenue, and set a public hearing for May 24, 2022; and subsequent to the public hearing, consider approving the Tentative Plan Amendment for Greenspire Planned Development, 3413 West Centre Avenue.

The applicant (Greenspire Equity VII, LLC - consisting of AVB and The Hinman Company) has submitted a Tentative Plan Amendment to amend the previously approved 2020 Tentative Plan Amendment for the Greenspire Planned Development (PD) involving the remaining vacant portions and building 180 apartments for Phase VII at 3413 West Centre Avenue.

Applicant	Property Addresses	Description	Zoning
Greenspire Equity VII, LLC (AVB and The Hinman Company)	3201 and 3413 W. Centre Ave; 3145, 8380 and 8401 Greenspire Dr; 3413 and 3600 Fawn Cove Ln; 8615 Tozer Ct; 8546 Shirley Ct	102.67 acre tract of land (Mixed multiple-family residential and retail/office development)	PD, planned development (2010/2017/2020)

The overall Greenspire Planned Development is comprised of multiple parcels totaling 102.67 acres. The Greenspire Planned Development (PD) rezoning/tentative plan application was approved in 2010, followed by amendments approved in 2017 and 2020. As a result, the development has been revised from 692 to 1,020 multiple-family residential units (700 apartment units already built through Phase I-VI) within the interior of the property. The commercial component of Greenspire Planned Development includes the existing 13,000 square feet of retail/office on 2.47 acres and up to 45,000 square feet of retail/office proposed on 4.10 acres. The allowable non-residential acreage is 20.58 acres at 20% of 102.67 acres.

Proposal

The proposed Phase VII called ‘Tall Timbers’ will be constructed at the northwestern corner of the Greenspire Planned Development on 16.96 acres with a density of 10.62 units/acre. The project consists of three, five-story apartment buildings, each connected by two-story community rooms. Parking includes both exterior surface parking, and a ground floor level parking garage in all buildings. Access to the proposed Phase VII development will be from Shirley Ct. (internal drive within the Greenspire Planned Development). The property owner, Lakewood Management Company, is expected to maintain the building, parking areas, and other site conditions, the same as all built phases of the Greenspire Planned Development.

The Tentative Plan Amendment proposes the following changes to the previously-approved 2020 Greenspire Planned Development Tentative Master Plan Amendment (shown in attachments):

1. Combine previous Phases VII-A (3.05 acres) and VII-B (7.15 acres) plus (6.76 acres) to Phase VII (16.96 acres) for Tall Timbers;
2. Previous Phase VII-C (3.48 acres) plus (0.62 acres) becomes Phase VIII (4.10 acres);
3. Previous Phase VII-D (1.42 acres) becomes Phase IX (1.42 acres);
4. Increase overall number of dwelling units for Phase VII from 72 to 180 units;
5. Increase the density for Phase VII from 7.06 to 10.62 units/acre;
6. Increase number of building stories for Phase VII from three to five stories;
7. Decrease overall number of dwelling units for Phase VIII from 224 to 116 units;
8. Decrease the density for Phase VIII from 64.37 to 28.29 units/acre;
9. Provide more development clarification for future Phases VIII & IX.

A decrease in residential acreage from 91.75 acres to 90.43 acres is reflected due to 1.32 acres of public right-of-way being included in the original 2010 ALTA survey provided by the applicant. The survey and legal description were revised to reflect this. There is no change to the total number of units proposed; however, the density increases slightly from 11.12 to 11.28 units per acre.

Phasing

The developer anticipates the following construction timeline for Phases VII-IX:

- 2022: Phase VII - 180 multifamily apartments
- 2024: Phase VIII - 116 multifamily apartments + up to 45,000 square feet of retail/office
- 2026: Phase IX - 24 multifamily apartments

Comparison Summary Table

A summary table comparing the previously-approved 2020 Tentative Plan Amendment and the proposed 2022 Tentative Plan Amendment elements is provided below:

Greenspire Planned Development		
Element	2020 Previously Approved Tentative Plan Amendment	2022 Proposed Tentative Plan Amendment

Uses	Mixed use multiple-family residential apartments and retail/office development	Phase VII: Multiple-family residential apartments (Tall Timbers) Future Phase VIII: Mixed-use multifamily residential apartments + office/ retail Future Phase IX: Multifamily family residential apartments
Multiple Family Apartment Acreage	1,020 units on 91.75 acres (11.12 units /acre) Combined Phases I, II, III, IV, V, VI and VII Multiple 3-story, 40 feet tall apartment buildings including mixed use commercial (1st floor)/ multiple family residential (upper floors) buildings Phase VII-A 24 units on 3.05 acres Phase VII-B 48 units on 7.15 acres Phase VII-C Mixed Use Buildings on 3.48 acres Apartments: 224 units total on 2nd, 3rd, 4th floors Retail/Office: up to 30,000 square feet on 1st floor Phase VII-D 24 units on 1.42 acres	1,020 units on 90.43 acres (11.28 units/acre) <i>No changes in unit count.</i> <i>A decrease from 91.75 acres to 90.43 acres is reflected due to 1.32 acres of public right-of-way being included in the original 2010 ALTA survey provided by the applicant.</i> Phase VII: 180 units on 16.96 acres (10.62 units/acre) 3 5-story apartment buildings with ground-floor parking, 66 feet tall; each apt. building will be connected by 2-story building containing common-room spaces <i>An increase from 72 units to 180 units.</i> <i>An increase from 10.20 acres to 16.96 acres</i> Future Phase VIII: 116 apartment units on

		4.10 acres (28.29 units/ acre). <i>A decrease from 224 to 116 units.</i> <i>An increase from 3.48 acres to 4.10 acres</i> Future Phase IX: 24 units on 1.42 acres (16.90 units/ acre). <i>No changes in unit count.</i> <i>No change in acres</i>
Retail/Office Acreage	Phase IV_R Retail: 13,000 square feet (existing) on 2.47 acres Phase V-R Retail: two approximately 3,000 square feet retail buildings (reclassified to residential/mixed residential-commercial land use) Phase VI Retail/Office: up to 30,400 square feet of office and remaining retail (reclassified to residential/mixed residential-commercial land use) Phase VIII-C Retail/Office: up to 30,000 square feet on 1st floor (not built)	Phase VII: None Future Phase VIII: up to 45,000 square feet of retail/ office on 4.10 acres Future Phase IX: None
Phasing	Phases I, II, III Apartments (existing) 384 units on 37.25 acres Phase IV Apartments (existing) 36 units on 3.05 acres Phase IV-R Retail (existing) 13,000 square feet retail building on 2.47 acres Phase V Apartments (existing) 184 units on 17.32 acres	Phase VII: Summer 2022 - 180 apartments on 16.96 acres (<i>increase from 72 to 180 units</i>) Future Phase VIII: Summer 2024 - 116 apartments on 4.10 acres (<i>decrease from 224 to 116 units</i>) up to 45,000 square feet of retail/ office on 4.10 acres

	Phase V-R Retail (reclassified to residential/mixed residential-commercial land use) Two approximately 3,000 square feet retail buildings Phase VI Apartments west of Shirley Court (existing) 96 units on 10.34 acres Phase VI Retail/Office (reclassified to residential/mixed residential-commercial land use) Up to 30,400 square feet of office and remaining retail Phase VIII-C Retail/Office: up to 30,000 square feet on 1st floor (not built)	Future Phase IX: Summer 2026 - 24 apartments on 1.42 acres (no change in units)
Setbacks	30-foot setback around perimeter of property (exception: two apartment buildings in Phase IV have a 15-foot setback from east property line) 80-foot setback from property line where adjacent to single family residences located along Tozier Court/Shirley Court. 25-foot setback from interior private streets and 30-foot separation between apartment buildings.	No changes for Phases VII-IX.
Vehicular Access/ Pedestrian Circulation	Existing full service access drives from W. Centre Ave. including Greenspire Drive (eastern portion of site) and full service drive (opposite Cooley Court). Shirley Court, right-in/right-out (western portion of site) Interconnected network of sidewalks along West Centre Avenue and within the interior of the apartment portion of the development.	No changes to existing drives or entrances to overall Greenspire Planned Development. Phase VII: Vehicular and pedestrian access will be provided from Shirley Ct., as previously approved in overall Greenspire plan. Parking will be provided outside, in

		carports, and inside first floor of buildings.
Utilities	City of Portage Water and Sewer provided throughout Greenspire Planned Development. Private stormwater utility	No change.

Planning Commission Public Hearing and Recommendation

The Planning Commission convened a public hearing on April 7, 2022. Greg Dobson of AVB (project representative) provided testimony to support the application. No additional citizens provided testimony during the public hearing to comment on the proposed amendment. In the Planning Commission staff report dated April 7, 2022, the Department of Community Development provides an overview of the proposed amendment and recommends:

“Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the review/discussion at a subsequent meeting, the Commission is advised to receive public comment during the April 7, 2022 meeting and adjourn the public hearing to the April 21, 2022 meeting. If no additional public comment is requested by and the Commission is supportive of the proposed amendment, staff advises the Planning Commission to waive the second public hearing and recommend to City Council the approval of the Tentative Plan Amendment to modify the previously approved Phase VII of Greenspire Planned Development at 3413 West Centre Avenue.”

After careful consideration, the Planning Commission voted unanimously (9-0) to waive the second public hearing and recommend to City Council approval of the Tentative Plan Amendment to modify the previously approved Phase VII of Greenspire Planned Development at 3413 West Centre Avenue.

Recommended Action

It is recommended that City Council accept the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Planned Development, 3413 West Centre Avenue, and set a public hearing for May 24, 2022; and subsequent to the public hearing, consider approving the Tentative Plan Amendment for Greenspire Planned Development, 3413 West Centre Avenue.

FUNDING: Not Applicable

Attachments:

1. Planning Commission transmittal dated April 21, 2022
2. Meeting minutes dated April 7, 2022
3. Community Development staff report with attachments dated April 7, 2022

TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

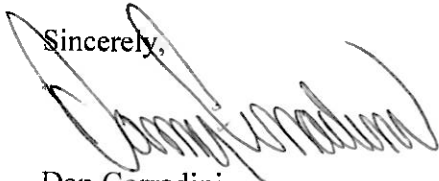
DATE: April 21, 2022

SUBJECT: Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Residential Planned Development at 3413 West Centre Avenue.

During the April 7, 2022 meeting, the Planning Commission reviewed and discussed the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Planned Development at 3413 West Centre Avenue. Greg Dobson with AVB (project representative) provided testimony to support the application. No additional citizens provided testimony during the public hearing to comment on the proposed development.

The Planning Commission voted unanimously (9-0) to waive the second public hearing and recommend to City Council approval of the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire Planned Development at 3413 West Centre Avenue.

Sincerely,



Dan Corradini
Chairman, Planning Commission

Attachment: April 7, 2022 Planning Commission Meeting Minutes

CITY OF PORTAGE PLANNING COMMISSION

Thursday, April 7, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of April 7, 2022 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Eric Feldt, City Planner

Biqi Zhao, Deputy Director of Planning and Zoning

Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); O'Dell (yes); Youngs (yes); and Freiman (yes).

APPROVAL OF MINUTES:

A motion was made by Vice Chair Joshi, supported by Commissioner Pezzoli to approve the March 17, 2022 meeting minutes. The motion was approved unanimously.

Public Hearings:

Ordinance Amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Mr. Feldt stated that the applicant, Northern Biomolecular Services (NBS), is requesting to locate their biotechnology business to 5528 Portage Rd., which is zoned B-3. He detailed staff reasoning for recommending approval of the ordinance amendment. Vice Chair Joshi asked if there is any foreseeable downside to allowing this use. Mr. Feldt stated staff does not anticipate any downside and that restrictions applied in the draft ordinance language for Special Land Use are in place. Commissioner O'Dell asked about condition three. Mr. Feldt clarified that the condition requires office as an adjunct use, meaning an office component is required in tandem with the laboratory or technology use. Chair Corradini asked about condition five which states 'shall not have access onto a residential street' and whether Yellow Brick Road is considered a residential street. Mr. Feldt stated the road is not residential.

Applicant, Shane Woods, representative from NBS, stated his support of the proposed ordinance amendment and acknowledged that others who are looking to relocate similar uses, so there might be other opportunities for new businesses.

Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Commissioner Fries motioned to waive the second public hearing and to recommend to City Council approval of ordinance amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Motion supported by Commissioner Pezzoli. Motion passed unanimously.

A Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue.

Mr. Feldt presented the project, proposed amendments and staff recommendation that the Tentative Plan Amendment be approved. Commissioner Pezzoli asked if a 5-story building would be a concern for the fire department.

As the fire marshal contributes to all plan reviews, Mr. Feldt stated this was not a concern for the fire department. Commissioner Youngs asked if the traffic light at Centre Avenue will be able to handle the

additional traffic. Mr. Feldt stated there will be no increase in total units for all phases of the plan that will negatively impact the intersection.

Applicant, Greg Dobson, representative from AVB, detailed the history of Greenspire, how this phase is different from previous phases, and explained the tree clearing that has already occurred. Chair Corradini clarified details regarding the buildings and units with the applicant. Commissioner Freiman asked about EV chargers for the parking garage. The applicant stated EV chargers, four fast paced chargers, are slated for the underground parking garage. Commissioner Fries asked if the EV chargers are Level 2. Applicant confirmed this to be true. Commissioner Fries asked if all the buildings are LEED certified. Applicant stated only the three buildings in the Phase VII will be LEED certified. Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Vice Chair Joshi motioned to waive the second public hearing, and to recommend to City Council approval of the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Center Avenue. Chair Corradini supported the motion. Motion passed unanimously.

OLD BUSINESS

Chair Corradini explained the change in format of meetings where staff provides a summary before the applicant presents. He continued to state that all Commissioner requests for information, a meeting our tour with City staff, must be submitted in writing to Mr. Feldt. Finally. He stated that for next meeting after regular session, the Commission will move to Conference Room 1 for an informal meeting open to the public to discuss the city's public participation plan, a brief master plan update, overview of the city's sustainability initiatives, and subcommittees.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

None.

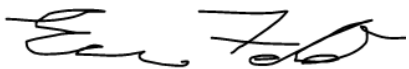
STATEMENT OF STAFF

Mr. Feldt confirmed that the Commission's request for a traffic study along W. Osterhout Avenue has been shared with the City Manager's Office and Transportation and Utility department.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager

TO: Planning Commission**DATE:** April 7, 2022**FROM:** Kelly Peterson, Director of Community Development**SUBJECT:** A Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue.**I. INTRODUCTION:**

The applicant (Greenspire Equity VII, LLC - consists of AVB and The Hinman Company) has submitted a Tentative Plan Amendment to amend the previously approved 2020 Tentative Plan Amendment for the Greenspire Planned Development (PD) involving the remaining vacant portions and building 180 apartments for Phase VII at 3413 West Centre Avenue. The overall Greenspire Planned Development is comprised of multiple parcels totaling 102.67 acres.

The proposed Phase VII called 'Tall Timbers' will be constructed at the northwestern corner of the Greenspire Planned Development on 16.96 acres with a density of 10.62 units/acre. It consists of constructing three, five-story apartment buildings, each connected by two-story community rooms (i.e. work out rooms, office, etc.). Parking including carports and first-floor level parking garages in all buildings. Access to the development will be from Shirley Ct. (internal drive). The property owner (Lakewood Management Company) is expected to maintain the building, parking areas, and other site conditions, consistent with earlier built phases of the Greenspire Planned Development. Please refer to the attached drawings of the overall development layout, building concept drawings, and a project narrative submitted by the applicant for additional details regarding the proposal.

The Tentative Plan Amendment proposes the following changes to the previously approved Greenspire Planned Development Tentative Master Plan Amendment dated January 3, 2020 (shown in attachments):

- 1) Combine previous Phases VII-A (3.05 acres) and VII-B (7.15 acres) plus (6.76 acres) to Phase VII (16.96 acres) for Tall Timbers;
- 2) Previous Phase VII-C (3.48 acres) plus (0.62 acres) becomes Phase VIII (4.10 acres);
- 3) Previous Phase VII-D (1.42 acres) becomes Phase IX (1.42 acres);
- 4) Increase overall number of dwelling units for Phase VII from 72 to 180 units;
- 5) Increase the density for Phase VII from 7.06 to 10.62 units/acre;
- 6) Increase number of building stories for Phase VII from three to five stories;
- 7) Decrease overall number of dwelling units for Phase VIII from 224 to 116 units;
- 8) Decrease the density for Phase VIII from 64.37 to 28.29 units/acre;
- 9) Provide more development clarification for future Phases VIII & IX.
- 10) A decrease of residential acreage from 91.75 acres to 90.43 acres is reflected due to 1.32 acres of public right-of-way being included in the original 2010 ALTA survey provided by the applicant. The survey and legal description were revised to reflect. There is no change to the total number of units proposed; however, the density increases slightly from 11.12 to 11.28 units per acre.

The developer anticipates the following construction timeline for Phases VII - IX:

- Phase VII: 2022 - 180 multifamily apartments
- Phase VIII: 2024 - 116 multifamily apartments + up to 45,000 square feet retail/office
- Phase IX: 2026 - 24 multifamily apartments

II. BACKGROUND INFORMATION:

Applicant	Property Addresses	Description	Zoning
AVB and The Hinman Company	3201 and 3413 W. Centre Ave; 3145, 8380 and 8401 Greenspire Dr; 3413 and 3600 Fawn Cove Ln; 8615 Tozer Ct; 8546 Shirley Ct	102.67 acre tract of land (Mixed multiple family residential and retail/office development)	PD, planned development (2010/2017/2020)

The original Greenspire Planned Development (PD) rezoning/tentative plan application was approved in 2010, followed by amendments approved in 2017 and 2020. As a result, the development has been revised from 692 to 1,020 multiple family residential units (700 apartment units already built) within the interior of the property. The commercial component of Greenspire Planned Development includes the existing 13,000 square feet of retail/office on 2.47 acres and up to 45,000 square feet of retail/office proposed on 4.10 acres. The allowable non-residential acreage is 20.58 acres at 20% of 102.67 acres.

A summary table comparing the previously approved 2020 Tentative Plan Amendment and the proposed 2022 Tentative Plan Amendment elements is provided below:

Greenspire Planned Development		
<u>Element</u>	<u>2020 Previously Approved Tentative Plan Amendment</u>	<u>2022 Proposed Tentative Plan Amendment</u>
Uses	Mixed use multiple family residential apartments and retail/office development	Phase VII: Multiple family residential apartments (Tall Timbers) Future Phase VIII: Mixed use multifamily residential apartments + office/ retail Future Phase IX: Multifamily family residential apartments
Multiple Family Apartment Acreage	1,020 units on 91.75 acres (11.12 units /acre) Combined Phases I, II, III, IV, V, VI and VII Multiple 3-story, 40 feet tall apartment	1,020 units on 90.43 acres (11.28 units/acre) <i>No changes in unit count. A decrease from 91.75 acres to 90.43 acres is reflected due to 1.32 acres of public right-of-way being included in the original 2010 ALTA survey provided by the applicant.</i>

	buildings including mixed use commercial (1st floor)/ multiple family residential (upper floors) buildings Phase VII-A; 24 units on 3.05 acres Phase VII-B; 48 units on 7.15 acres Phase VII-C; Mixed Use Buildings on 3.48 acres Apartments: 224 units total on 2nd, 3rd, 4th floors Retail/Office: up to 30,000 square feet on 1st floor Phase VII-D: 24 units on 1.42 acres	Phase VII: 180 units on 16.96 acres (10.62 units/acre) 3, 5-story apartment buildings with ground-floor parking, 66 feet tall; each apt. building will be connected by 2-story building containing common-room spaces <i>An increase from 72 units to 180 units.</i> <i>An increase from 10.20 acres to 16.96 acres</i> Future Phase VIII: 116 apartment units on 4.10 acres (28.29 units/ acre). <i>A decrease from 224 to 116 units.</i> <i>An increase from 3.48 acres to 4.10 acres</i> Future Ph. IX: 24 units on 1.42 acres (16.90 units/ acre). <i>No changes in unit count. No change in acres</i>
Retail/Office Acreage	Phase IV_R Retail: 13,000 square feet (existing) on 2.47 acres Phase V-R Retail: two, approximate 3,000 square feet retail buildings (reclassified to residential/mixed residential-commercial land use) Phase VI Retail/Office: up to 30,400 square feet of office and remaining retail (reclassified to residential/mixed residential-commercial land use) Phase VIII-C Retail/Office: up to 30,000 square feet on 1st floor (not built)	Phase VII: None Future Phase VIII: up to 45,000 square feet of retail/ office on 4.10 acres Future Phase IX: None
Phasing	Phases I, II, III Apartments (existing) 384 units on 37.25 acres Phase IV Apartments (existing) 36 units on 3.05 acres Phase IV-R Retail (existing) 13,000 square feet retail building on 2.47 acres Phase V Apartments (existing) 184 units on 17.32 acres Phase V-R Retail (reclassified to residential/mixed residential-commercial land use) Two, approximate 3,000 square feet retail buildings Phase VI Apartments west of Shirley Court (existing)	Phase VII: Summer 2022 - 180 apartments on 16.96 acres (<i>increase from 72 to 180 units</i>) Future Phase VIII: Summer 2024 - 116 apartments + up to 45,000 square feet retail/ office on 4.10 acres (<i>decrease from 224 to 116 units</i>) - up to 45,000 square feet of retail/ office on 4.10 acres Future Phase IX: Summer 2026 - 24 apartments on 1.42 acres (no change in units)

	96 units on 10.34 acres Phase VI Retail/Office (reclassified to residential/mixed residential-commercial land use) up to 30,400 square feet of office and remaining retail Phase VIII-C Retail/Office: up to 30,000 square feet on 1st floor (not built)	
Setbacks	30-foot setback around perimeter of property (exception: two apartment buildings in Phase IV have a 15-foot setback from east property line) 80-foot setback from property line where adjacent to single family residences located along Tozer Court/Shirley Court. 25-foot setback from interior private streets and 30-foot separation between apartment buildings.	No changes for Phases VII-IX.
Vehicular Access/ Pedestrian Circulation	Existing full service access drives from W. Centre Ave. including Greenspire Drive (eastern portion of site) and full service drive (opposite Cooley Court). Shirley Court, right-in/right-out (western portion of site) Interconnected network of sidewalks along West Centre Avenue and within the interior of the apartment portion of the development.	No changes to existing drives or entrances to overall Greenspire Planned Development. Phase VII: Vehicular and pedestrian access will be provided from Shirley Ct., as previously approved in overall Greenspire plan. Parking will be provided outside, in carports, and inside first-floor of buildings.
Utilities	City of Portage Water and Sewer provided throughout Greenspire Planned Development. Private stormwater utility	No Change.

III. ANALYSIS:

Staff analysis has been prepared based on Applicable Code Sections, Consistency with City adopted Plans, City Departments Preliminary Review, surrounding development patterns, and general land use considerations.

Applicable Code Sections

The following sections of Chapter 42. Division 4. Zoning Districts and District Regulations apply:

- [Subdivision 11](#) – PD Planned Development District.

Sec. 42-375 Plan review and approval (PD, planned development)- Items A-D Tentative Plan and Sec. 42-374. Site development requirements have been met in detail, as the following:

Sections 42-375 (A) & (B)

Staff finds the requirements have been met.

Section 42-375 (C) Contents of application for approval of tentative plan

Staff finds the requirements have been met. The attached project narrative and development plan indicates the purpose of the proposal, use of the subject area, density, layout, general building height, and a development schedule. Also, the provided table addresses development traffic, access, and parking.

Section 42-375 (D) Review of tentative plan by planning commission

Staff finds the requirements have been met for the following reasons:

- City staff has informed the applicant and adjacent property owners of the proposed Tentative Plan Amendment for Planning Commission consideration on April 7, 2022.
- Copies of the plan have been distributed to and reviewed by other City departments such as Transportation & Utilities and Fire Departments.
- The staff report will be reviewed for Planning Commission consideration and later reviewed by the City Council.

Sec. 42-374. Site development requirements.

Staff finds these requirements to be met for the following reasons:

- The proposal meets the design standards, provides full utility connections, provides an internal pedestrian circulation, meets the established yard setbacks of the overall Greenspire PD, provides adequate off-street parking, and preserves open space throughout the overall PD area.
- The proposed building height and density for Phase VII does exceed the maximum height requirement. Section 42-375(L) of the Planned Development allows City Council to waive or modify specifications and standards for planned developments where it finds, on the basis of evidence supplied by the landowner, “..that such specifications are not in the best interests of the residents of the planned development and that the modification of such specifications are not inconsistent with the interests of the entire city.” Staff recommends in support of exceeding the maximum height requirement based on the following reasons:

- The applicant will continue to preserve trees and other natural buffers on the site, which will soften the views of the proposed apartment building.
- The building will be partially built into the hillside, thus, less of the building will be visible from the nearest public right-of-way (W. Centre Avenue).
- The exterior building aesthetics will complement existing buildings within the overall Greenspire Planned Development (Concept images of the building are attached).
- Previous approved tentative plan amendments supported higher density but did indicate that the overall density is not increasing.

- The density will increase for Phase VII and decrease for Phase VIII.
- The slight density increase from 11.12 units/acre to 11.28 units/acre is due to 1.32 acres of public right-of-way being included in the original 2010 ALTA survey provided by the applicant. The survey and legal description were revised to reflect. There is no change to the total number of units proposed.
- As the need for additional housing and overall housing choices continue to increase, providing demand in areas suitable for an increased density should be supported.

Consistency with City Adopted Plans

The Future Land Use Map component of the 2014 Comprehensive Plan designates the subject property, along with the surrounding properties, as partially ‘General Business’ and ‘High Density Residential’ land use classifications. Staff finds that the proposed multifamily and mixed-use (residential + retail/office) of Phases VII - IX meet the Comprehensive Plan land use categories and offer more housing choices within the City and the overall neighborhood setting.

City Departments Preliminary Review

The Development Review Team is comprised of representatives from the Department of Transportation and Utilities, Fire Department, Department of Parks and Recreation, Office of the City Assessor, and Department of Community Development. DRT’s preliminary review ensures that the proposed development is consistent with the City’s infrastructure, engineering, and other requirements including streets, sewers, water mains, storm water, parking, landscaping, and others. City staff finds the proposal is consistent with applicable city codes for the following reasons:

- The proposed apartment building will be served by City utilities; and
- Site conditions and internal traffic circulation will be managed and maintained by the underlying property owner; and
- Proposed and existing access drives accommodate fire/emergency response vehicles; and
- The building’s design and location, site conditions, and neighborhood amenities support the proposed density; and
- The overall Greenspire Planned Development continues to be consistent with the City’s Comprehensive Plan.

Public Notices / Comment

Required public notice was sent to all property owners/ occupants within 300 feet of the subject property on March 23, 2022. Additionally, a public notice was also published in the Kalamazoo Gazette on March 23, 2022. As of the date of this report, April 4, 2022, staff has not received any public comment.

IV. RECOMMENDATION:

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the review/discussion at a subsequent meeting, the Commission is advised to receive public comment during the April 7, 2022 meeting and adjourn the public hearing to the April 21, 2022 meeting.

If no additional public comment is requested by the Commission, and the Commission is supportive of the

proposed amendment, staff advises the Planning Commission to waive the second public hearing and recommend to City Council that the Tentative Plan Amendment to modify the previously approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue be approved.

Attachments:

1. Vicinity Map
2. Development Application
3. Greenspire Master Plan submitted 04 01 2022
4. Greenspire Tentative Plan Amendment Narrative submitted 04 01 2022
5. Staff's Picture Map; 03 25 2022 Pictures
6. Tall Timbers Renderings
7. Site Plan Drawings; 02 28 2022
8. Previously Approved Tentative Master Plan 01 03 2020



COMMERCIAL DEVELOPMENT APPLICATION

Department of Community Development
7900 South Westnedge Avenue – Portage, Michigan 49002 – (269) 329-4477

Applicant must complete all items in sections 1-9 (if applicable).
Please note: Separate applications must be submitted for Plumbing, Mechanical and Electrical Work Permits
No Work is to Start Prior to the Issuance of Building Permit

1) PROJECT INFORMATION

Project Description

Greenspire

Address

8380 Greenspire Dr. Portage, MI 49024

2) IDENTIFICATION (OWNER)

Name

H&G II, Inc.

Address

750 Trade Centre Way, Suite 100

City

Portage

State

MI

Zip

49002

Phone

3) ARCHITECT OR ENGINEER

Name

Todd Hurley, P.E.

Address

2800 S. 11th Street

City

Kalamazoo

State

MI

Zip

49009

Phone

(269)492-3777

License Number

43221

Expiration Date

10/2023

Email

thurley@hurleystewart.com

4) BUILDING CONTRACTOR

Company name

AVB Construction, Inc.

Address

4200 W. Centre Ave.

City

Portage

State

MI

Zip

49024

Phone

269-329-2022

Email

Federal Employer ID

Builder License Number

Expiration Date

Workers Comp Insurance Carrier

MESC Employer Number

5) TYPE OF DEVELOPMENT PROJECT

☒ Site Plan

☐ Building Plan

☒ Final Plan in Planned Development

☐ Subdivision

☐ Condominium

☐ Land Division Requiring Public Improvements

☐ Landscape Plans

☐ Public Water Main

☐ Public Sanitary Sewer Main

☐ Other:

(Note: Please provide a Portable Document Format (PDF) of the plans for the project at time of document submittal. The submitted format shall be CD/DVD or USB. If a PDF is not submitted, an additional \$25 fee plus \$1 for each plan sheet after 20 sheets will apply.)

6) TYPE OF IMPROVEMENT

☒ New Building

☐ Alteration

☐ Addition

☐ Repair

☐ Demolition

☐ Foundation Only

☐ Relocation

☐ Special Inspection

☐ Solar

☐ Other:

7) DESCRIPTION OF WORK

A)

Updated Tentative plan for PD.

B) Valuation of Project: \$

8) CHARACTERISTICS OF THE BUILDING

A) Water Meter Size

- ☐ 5/8" ☐ 3/4" ☐ 1" ☐ 1 1/2"
- ☐ Other _____ ☐ Irrigation Size _____ ☒ Fire Sprinkler Size 6"

B) Electric Service Size

- ☒ 200 AMP ☐ 400 AMP ☐ 600 AMP ☐ 800 AMP ☐ 1000 AMP ☐ Other _____

C) Type of Mechanical

- Air Conditioning? ☒ Yes ☐ No Fire Suppression? ☒ Yes ☐ No Hood System? ☐ Yes ☒ No

9) CONSTRUCTION PLANS SUBMITTED

Required submittals for plan review:

- Plans shall be signed and sealed when required in accordance with State of Michigan Act No.299 of Public Acts of 1980.
- All plans shall be drawn on uniform sheets no greater than 30"X42".
- All plans shall be drawn to an architectural scale.
- All plans shall be clear, legible and accurate.
- Plans shall be stapled along the left margin.

Type of Plan Submitted:

- ☐ Building ☐ Electrical ☐ Plumbing ☐ Mechanical ☐ Energy

Building Code: Site plan, foundation plan, soil bearing capacity, floor plans, building elevations, building sections, framing plan, details, roof plan, roof finish schedule, roof live and dead loads.

Electric Code: Lighting layout, circuiting, switching, conductor and raceway sizes, wattage schedule, service location and riser diagram, load calculations, and appropriate plans showing standard symbols of all electrical equipment.

Plumbing Code: Site plan, floor plans, DWV riser diagrams and water distribution system and roof plan, Show direction of flow, pipe sizes, grade of horizontal piping, elevations, drainage fixture unit loading of both stacks and drains in the DWV system, supply fixture unit load for the water system, branch supplies serving more than one plumbing fixture, appliance or hose outlet, meter locations.

Mechanical Code: Plans indicating heating equipment, air conditioning equipment, ductwork material and layout, fire dampers, ventilation of rooms and areas, location of chimneys and vents, piping layouts, kitchen equipment layout, and combustion air. (Plans for fire suppression systems may be submitted after permit issuance, but are required prior to installation.)

Energy Code: Floor plans, building sections, details, average annual degree days, exterior envelope components materials, "U" values of elements, "R" values of insulating materials, size and type of apparatus and equipment, energy calculations.

Note: Additional plan review fee(s) required of all non-concurrent plan submittals

APPLICANT INFORMATION

Applicant is responsible for the payment of all fees and charges applicable to this application and must provide the following information:

Name	Greg Dobson	Phone	(269) 329-3636
Address	4200 W. Centre	City	Portage
State	MI	Zip	49024

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and I agree to conform to all applicable laws of the State of Michigan and ordinances of the City of Portage. All information submitted on the application is accurate to the best of my knowledge.

Signature of Applicant: Greg Dobson Date: 3/23/22

FOR DEPARTMENTAL USE ONLY

- ☐ Vacant
- ☐ A-1: Assembly (Theaters)
- ☐ A-2: Assembly (Restaurants)
- ☐ A-3: Assembly (Library, ETC.)
- ☐ A-4: Assembly (Indoor Sports)
- ☐ A-5: Assembly (Outdoor Sports)
- ☐ B: Business
- ☐ E: Educational
- ☐ F-1: Factory (Moderate hazard)
- ☐ F-2: Factory (Low Hazard)
- ☐ H-1: High Hazard (Detonation)
- ☐ H-2: High Hazard (Deflagration)
- ☐ H-3: High Hazard (Physical)
- ☐ H-4: High Hazard (Health)
- ☐ H-5: High Hazard (HPM)
- ☐ I-1: Institutional (Supervised)
- ☐ I-2: Institutional (Hospital)
- ☐ I-3: institutional (Prisons)
- ☐ I-4: Institutional (Day Cares, ETC.)
- ☐ M: Mercantile
- ☐ R-1: Residential (Hotels. Motels, ETC.)
- ☐ R-2: Residential (Multi Family, ETC.)
- ☐ R-3: Residential (1 & 2 Fam. Townhomes)
- ☐ R-4: Residential (Assisted living)
- ☐ S-1: Storage (Moderate hazard)
- ☐ S-2: Storage (Low hazard)
- ☐ U: Utility (Garage, Shed)

CHARACTERISTICS OF BUILDING

Frame:

- ☐ Masonry
- ☐ Wood Frame
- ☐ Structural Steel
- ☐ Reinforced Concrete
- ☐ Other

Heating System:

- ☐ Gas
- ☐ Electricity
- ☐ Solar
- ☐ Other

New Sewer Connection:

- ☐ Yes
- ☐ No

New Water Connection:

- ☐ Yes
- ☐ No

Type of Mechanical:

- ☐ (Y) Air Conditioning
- ☐ (Y) Fire Suppression

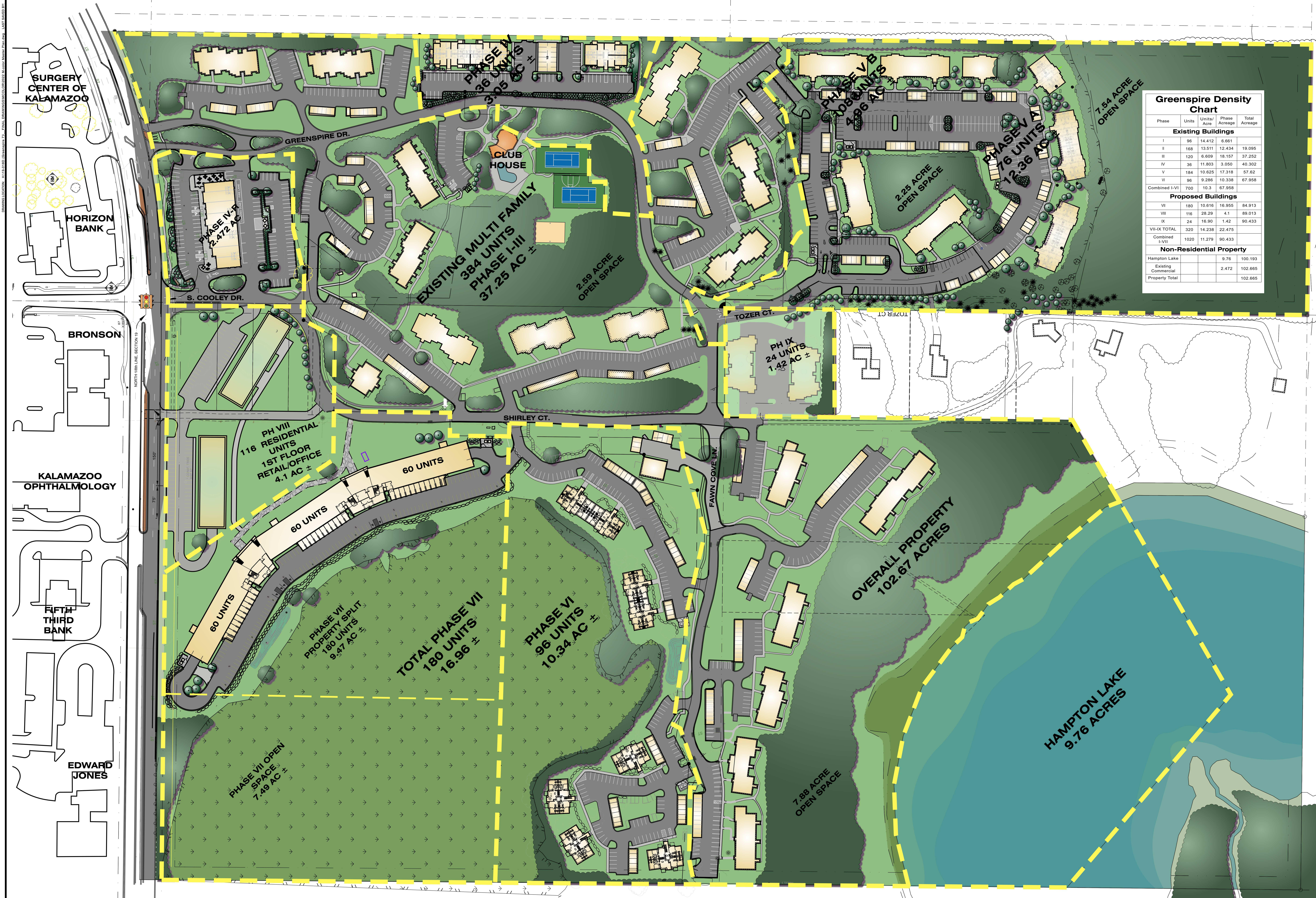
DIMENSIONS / DATA

Number of Stories Use groups Construction Type

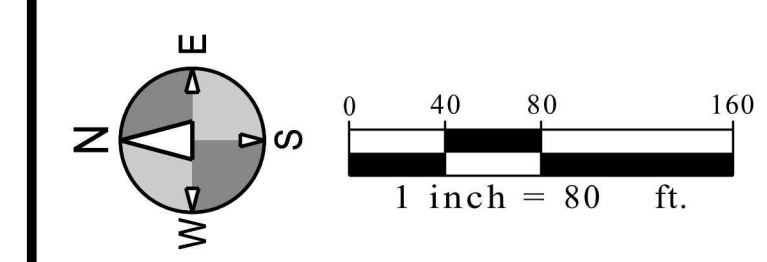
Number of Occupants

Floor Area	Existing	Alterations	New
Basement			
1 st Floor			
2 nd Floor			
3 rd Floor			
4 th Floor			
5 th Floor			
Total			

DRAWING LOCATION: 1118-2410 GREENSPIRE 7A FINAL DRAWING DATE: 03/31/22 LAST SAVED BY: LHM, 03/31/2022



Greenspire Density Chart				
Phase	Units	Units/Acre	Phase Acreage	Total Acreage
Existing Buildings				
I	96	14,412	6.661	
II	168	13,511	12.434	19,095
III	120	6,609	18.157	37,252
IV	36	11,803	3.050	40,302
V	184	10,625	17.318	57.62
VI	96	9,286	10.338	67,958
Combined I-VI	700	10.3	67.958	
Proposed Buildings				
VII	180	10,616	16.955	84,913
VIII	116	28.29	4.1	89,013
IX	24	16.90	1.42	90,433
VII-IX TOTAL	320	14,238	22.475	
Combined I-VII	1020	11.279	90.433	
Non-Residential Property				
Hampton Lake			9.76	100.193
Existing Commercial			2.472	102.665
Property Total				102.665



Sheet Title:
Project:
Client:

MASTER PLAN
GREENSPIRE COMPLEX
AMERICAN VILLAGE BUILDERS, INC.

Job No.: 09-004D PM: TDI DL: LAD QAC: 12/18/19
ISSUED FOR REVISIONS:
1 MASTER PLAN 3/31/22

avb
BUILDS SOMETHING BETTER.

hurley & stewart, llc
2800 S. 11th Street
Kalamazoo, Michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

AVB, LLC
4200 W. CENTRE AVENUE
PORTAGE MI 49024
269.323.2022

of 1



April 1, 2022

Mr. John Lovely
Development Review Administrator
City of Portage
7900 S. Westnedge Ave.
Portage, MI 49002

RE: Greenspire Planned Development “PD” Tentative Plan

AVB and The Hinman Company are pleased to submit to you an updated plan for our property on the south side of West Centre Avenue as depicted on the attached site plan. The property is already zoned PD - Planned Development. The following tentative plan (the “Tentative Plan”) is consistent with the City of Portage Land Development regulations. This application seeks to revise and update the overall Tentative Plan. The following items have materially changed since the last Tentative Plan was approved by the City of Portage City Commission on March 10, 2020.

- Merge Phase VII-A and Phase VII-B together and slightly adjust the acreage allocated to each phase, remove 1.32 acres of land that was right of way deeded to the City of Portage along Centre Avenue, update the building sizes, configurations, unit counts and location of proposed residential buildings in the combined Phase VII, which will be called Tall Timbers.
- Relabel Phase VII-C to Phase VIII.
- Update the layout of Phase VIII to show the latest building configurations, including retail on some or all of the first floor and residential for the balance of the buildings, and update the unit count downward to match the already approved overall unit count.
- Revise the anticipated phasing/construction schedule

The proposed Tentative Plan provides for the continuation of the Greenspire development. In addition, it allows for the implementation of the urban style of development we first proposed in 2019/2020, allowing this type of development to be executed in our suburban Portage market; a concept that is gaining significant traction

nationally. Greenspire is an excellent location to facilitate this type of development owing to the presence of walkable grocery, shopping and retail. Further, the proposed approach allows this property to achieve its highest and best use while remaining true to the development principles that were originally established at Greenspire almost 50 years ago.

Our master plan is consistent with the City of Portage Future Land Use Plan and our most recently approved Tentative Plan. The areas that we suggest as multi-family are shown as high density residential on the Future Land Use Plan and the commercial areas are noted on the Future Land Use Plan as general business. AVB and Hinman have individually and together had a great deal of experience developing within the PD framework both in the City of Portage and in other municipalities. Some of our very best developments have been the fruits of the City of Portage PD. We continue to believe that this development is suited very well to benefit from the PD ordinance and the PD process in general.

What follows are the answers to the 15 required questions that are provided in Section 42-375 of the City of Portage Land Development Regulations.

1. The PD area will include residential and commercial uses that are designed to integrate well with the adjacent existing residential and commercial uses.
2. The proposed PD development area is on all of the 102.67 acres identified as Greenspire, on the property that is commonly referred to as Greenspire Apartments and more recently Greenspire Shoppes. In the proposed PD area we plan to develop a combination of multi-family, retail and office uses. Now that the Phase VI construction is complete (fully opened in 2020), 700 units are open and in operation at Greenspire. Future development would include multi-family expansion (Phase 7-Tall Timbers) that would consist of 180 new multi-family apartment units, and Phase 8 that would include 116 new multi-family apartment units and up to 45,000 sq. ft. of retail or office space on the first floor of the two proposed mixed unit buildings that front on Centre Avenue, and Phase 9 which would include 24 multifamily apartment units.

Using a cluster development allows us to provide in excess of 30 acres of open space within the development, not including Hampton Lake. The same care that has gone into the existing development of Greenspire to harness the natural beauty of this special land will continue in the PD area with first-rate landscaping and natural screening where appropriate. Additionally we will take advantage of the natural features and topography of this site by site planning to allow views of the beautiful forests, waterways, wetlands and sensitive areas that border and are included within this property.

3. The Greenspire Apartments development started in the early 1970's when Roger Hinman and Joe Gesmundo first began acquiring the property now known as Greenspire Apartments. Phase I began construction in 1976 and included the boulevard entrance from Centre Avenue, four apartment buildings, the clubhouse, the pool and the first tennis court. In 1978 Phase II was constructed and included seven additional apartment buildings and an additional tennis court. In 1981 Phase III was constructed and included six new buildings. In total Phase I through Phase III included 17 buildings, 384 units (187 one beds, 144 two beds, and 53 three beds) over 37.25 +/- acres. For density purposes the 384 units over 37.25 +/- developed acres equals 10.31 units/acre. Phase IV was constructed in 2014 and 2015 and includes 36 units (12 one beds and 24 two beds) over 3.05 acres, bringing the average density over the developed acres to 10.42 units/acre. Phase V (includes both V A and V B) was completed in the fall of 2018 and included 184 units (6 studios, 82 one beds and 96 two beds), bringing the average density over developed acres to 10.48 units/acre. Phase VI was completed in the fall of 2019 and the spring of 2020 and includes 96 units (60 one beds and 36 two beds), bringing the average density over the developed acreage to 10.30 units/acre. Tall Timbers (Phase VII) will include 180 units and will bring the developed acreage to 10.36 units/acre. When the 116 units in Phase VIII are developed the average density will increase to 11.19 units/acre. With the addition of Phase IX density will increase to 11.28 units/acre. This is a slight increase in density from what was approved by the City of Portage in 2020. The density change, from 11.12 units/acre to 11.28 units/acre is solely owing to the fact that 1.315 acres of right of way, that was dedicated to the City of Portage for right of way purposes, was removed from the total acreage calculation.

Greenspire Phase VII (Tall Timbers), Phase VIII and Phase IX will be developed approximately as follows.

- a. Summer 2022. The 180 unit building in Phase VII (Tall Timbers) multi-family residential development will commence construction.
 - b. Summer 2024. The two mixed-use buildings of the Phase VIII multi-family residential development and the associated 45,000 sq. ft. of retail are planned to commence construction.
 - c. Fall of 2026. The two residential buildings containing 24 units proposed for Phase IX will commence construction.
4. The time schedule is proposed in #3 above.
 5. The site plan and its associated phasing lines show how each stage of the development is independent, yet designed to integrate well into the development as well as the existing development pattern. Importantly, each phase of the Greenspire plan has been meticulously designed to integrate into the existing Greenspire Apartments master plan. The Cooley Drive entrance

drive has been completed to provide an additional means of ingress and egress into the development. In a shared investment project with the City of Portage, the new traffic signal at Cooley and Centre Ave. was completed in the summer of 2017, and further improved ingress and egress to the Greenspire development. Additionally, when the area southwest of the Cooley and Centre intersection is developed, this area will be benefited by the right in/right out drive, in a location to be agreed upon between Greenspire and the City of Portage.

As we plan for pedestrian circulation throughout the site, we are leveraging miles of existing sidewalks through the existing Greenspire Phases as well as the existing 13,000 sq. ft. retail center along Centre Ave. As we constructed the new entry drive from Centre Avenue west of the existing 13,000-square foot retail building, we constructed a sidewalk to provide a pedestrian entrance from Centre Ave. into the existing phases of Greenspire. In 2017 we connected the Greenspire Shoppes sidewalk to the clubhouse in the center of the Greenspire development. By providing access to Centre Avenue to the entire PD via these new sidewalks, we are able to get pedestrians to the signalized intersection at Cooley and Centre Ave. From this point, pedestrians can cross to the north side of Centre Avenue where sidewalks connect the full distance of Centre Avenue east and west. All new/proposed phases of Greenspire include additional sidewalks and pedestrian circulation. Additionally, Greenspire is adding sidewalks each year within Greenspire to improve overall pedestrian circulation.

Shirley Court presently provides legal access, via access easements recorded in 1953, 1962, and 1974, to one of the homes between Tozer Ct. and Shirley Ct. This access is presently a dirt two-track over the northern most 500' +/- and most of its distance south of Fawn Cove Lane. Improvement of the northern 500' +/- section of Shirley Court was not necessary for proper development of Greenspire to date. Additionally, improving this section of Shirley Court is not required or necessary to provide access to the Greenspire development, nor is it required by the City of Portage Fire Department. We do plan to substantially improve the northernmost 500' +/- of Shirley Court during the construction of Phase VIII (Tall Timbers).

It should be further noted that the access agreements, originally recorded in 1953, 1962, and 1974, do not place any burden of maintenance or upkeep on Greenspire.

6. The Tentative Plan land is located on the south side of Centre Avenue, east of Moorsbridge Road and west of Oakland Drive. The parcel is 102.67 acres in total. This 102.67 acres includes 9.76 acres of Hampton Lake. Entities owned or controlled by Joseph Gesmundo and Roger Hinman presently own all of the

property under a variety of entity names and is commonly referred to as Greenspire Apartments.

It should be noted that we have done a fair amount of due diligence in regards to the property, in addition to our over 30 years of experience in owning the land. We hired and continue to consult with, Tim Bureau of Tim Bureau Consulting, LLC, a former long-time MDEQ staffer, who has reviewed the area in person to assure us that our existing or proposed buildings are not in any wetland. Mr. Bureau has assured us that none of our buildings or proposed are in a wetland. Additionally, our civil engineers have confirmed that these buildings are not within the floodplain.

7. The chart below demonstrates the land use and density for each phase.

Density Units/Acre Not Including Hampton Lake or Existing Commercial Area						
Phase	Phase Acres	Combined Acres	Phase Units	Phase Density	Combined Units	Combined Density
Existing Buildings:						
1	6.661	6.661	96	14.412	96	14.41
2	12.434	19.095	168	13.511	264	13.83
3	18.157	37.252	120	6.609	384	10.31
4	3.050	40.302	36	11.803	420	10.42
5	17.318	57.620	184	10.625	604	10.48
6	10.338	67.958	96	9.286	700	10.30
Proposed Buildings:						
Tall Timbers 7	16.955	84.913	180	10.616	880	10.36
8	4.100	89.013	116	28.293	996	11.19
9	1.420	90.433	24	16.901	1020	11.28

Please note in the chart above, that will the individual densities have been adjusted for the revised Phase VII, VIII and IX plans, the total resulting density is changed from 11.12 units/acre to 11.28 units/acre owing to the removal of the Centre Ave. right of way land area as noted above.

The chart below explains the breakdown of the total acreage within Greenspire as it relates to the Tentative Plan acreage calculations.

Acreage summary	
Overall Survey Acreage	102.665
Less:	
Hampton Lake	9.76
Commercial	2.472
Residential Acreage	90.433

Note that in the chart above the 90.43 acres of “Residential Acreage” includes the mixed residential/commercial portion of the development as well.

Retail/Office Existing 13,000 sq. ft. on 2.472 acres

Up to 45,000 sq. ft. of retail/office proposed on 4.1 acres in Phase VIII, as a part of a mixed-use buildings that also include 116 apartments.

It should be noted that the allowable non-residential acreage is 20.58 acres at 20% of 102.67 acres.

8. The roads, storm areas and entry statement areas as shown on the attached site plan, will be owned by the Gesmundo & Hinman entities reference herein and maintained by Lakewood Management Company as they have since the first building was constructed at Greenspire Apartments. Joe Gesmundo and Roger Hinman both hold ownership in and are the General Partners for Phase I which is owned by Greenspire Equity I.
9. The new residential development units within Phase VII (Tall Timbers) and Phase VIII will consist of the following types of units:

Podium buildings – four or five-story buildings, up to 66’ in height over underground parking. The podium building could include retail/office space as well.

The commercial portion of the development will consist of the following types of buildings:

The existing one-story retail building type, and as incorporated into the first floors of the mixed-use buildings proposed for Phase VIII.

The new residential development units within Phase IX will consist of the following types of units:

Multi-family buildings – three-story buildings, and three-story walk out buildings approximately 40’ feet high (as measure from the front elevation to the mid-point of the roof) with each building being approximately 40,000 sq. ft.

The office and retail buildings will be designed to integrate with the residential buildings while maintaining some of the general character of office buildings. The final product at Greenspire will leverage excellent colors, textures and materials to make every building look and feel great.

The podium and multi-family buildings are required by current code to be fully protected by a wet-sprinkler system. As such we expect that all the new 3-story and 3-story walk-out multi-family buildings and the proposed 4-story mixed use buildings within Greenspire to be fully sprinkled

We have used a 30’ set back around the entire perimeter of the property except for the two buildings in Phase IV of the Multi-Family development where a 15’ set back was necessary in order to facilitate our site plan. The 15’ set back, only for two buildings (36 units of Phase IV), was previously approved and allowed us to set the buildings back an appropriate distance from Greenspire Drive. For clarification purposes the decks/patios are now set at 10’ from the property line in Phase IV and the building face will be 15’ from the property line. In addition we have maintained 30’ between each building and a 25’ front setback from the edge of road.

The commercial/retail building heights will not exceed those which are allowed within the PD zoning district. The multi-family buildings are designed at approximately 40’. The podium building will be designed at or below 66’ in height.

10. Storm water will be treated and piped via underground structures to the most appropriate common open space area in accordance with City of Portage requirements. In addition, some storm water capacity may be integrated into the design of the office sites. Storm water will be pre-treated according to City of Portage regulations and then released for infiltration into adjacent lowlands according to existing or modified permits (as necessary) from EGLE. These low-lying areas within the development provide plenty of space for this purpose and this plan will be developed to allow for natural looking rain basins/wetlands as opposed to typical, fenced off, deep and unsightly storm systems. Sanitary sewer will be connected to the available City of Portage sanitary sewer system which is available at Centre Avenue and at the Fawn Cove lift station.

11. Greenspire has provided easements to the required utility providers for water, sewer, data and power. In addition, the various Greenspire parcels benefit from cross-access agreements for pedestrian and vehicular access.
12. Parking will be provided according to the City Ordinance. If feasible, we will try to bank some of the retail parking as typically the City requirements exceed those of our tenants. The existing and proposed road are shown on the attached site plan. Single story pitched or flat roof garages and/or carports may be implemented into the site plan. The quantity of garages / carports are planned at 50% of total number of bedrooms for the three-story walk up buildings that do not include underground parking, and sparingly for the podium buildings as underground parking is planned to be provided. The construction finishes / materials will be complimentary to the existing apartment buildings. The specific quantity, location, and materials of the garages / carports will be detailed on the final site plan. In addition, the buildings in phases VII and VIII may include underground parking.
13. We are requesting a density modifications as follows: overall development density to 11.28 units to the acres (1,020 units on 90.43 acres in Phases I- 9), Phase 7 to 10.62 units to the acre (180 units on 16.955 acres), Phase 8 to 28.293 units to the acre (116 units on 4.10 acres) and Phase 9 to 16.901 units to the acre (24 units on 1.42 acres).

The requested modifications are in line with current national trends in development and enhance the quality of life for existing and future residents. First, the proposed maintained density allows for a “city feel” in an urban environment, a trend that is gaining popularity nationally. This city feel includes walkable retail spaces which are already present, and which will be enhanced with the proposed expansion of units and density. Second, the increased household population within Greenspire allows for additional amenity spaces to be developed (additional walking paths, dog park, etc.) that benefit all residents of Greenspire. The reduced amount of retail/commercial square footage (from the previously approved PD Tentative plan) will be less intensive from the traffic standpoint. Further, the traffic signal was installed at the Centre and Cooley to provide for this anticipated growth. Finally, we will be providing enhanced vegetative screening between the units proposed for Phase 9 and the residential home to the south of Phase 9 to include up to a 5’ berm with 6-8’ conifers on 25’ staggered spacing. This screening will be like what was constructed east of the residential home for Phase 5.

14. We intend to make our submittal for the final phase of the planned development in 2026.

15. Since the successful implementation of the plan is required both by the ordinance and by our own standards, we do not feel that any performance bonds are necessary. We have a long-standing reputation for successful completion of our projects and the meticulous management of our developments after build-out.

We look forward to the opportunity to discuss this plan with City Staff, Planning Commission and City Council.

Sincerely,



Greg Dobson

cc: Joe Gesmundo, Rich MacDonald, Roger Hinman

Staff's Site Pictures (Taken March 25, 2022)









Picture 3



Picture 4







Final Site Plan Review

GREENSPIRE TALL TIMBERS

PORTAGE
KALAMAZOO COUNTY, MICHIGAN
2/28/22

OWNER

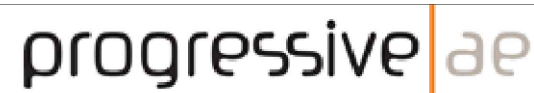
H & G II, LLC
750 TRADE CENTRE WAY, SUITE 100
PORTAGE, MI 49002
(269) 342-8600

CONSTRUCTION MANAGER



AVB CONSTRUCTION, INC.
4200 W. CENTRE AVENUE
PORTAGE, MI 49024
269.329.2022

ARCHITECT

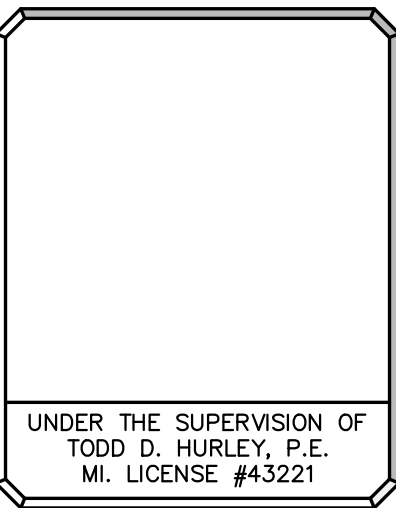


Progressive AE
1811 4 Mile Rd NE
Grand Rapids, MI 49525
(616) 361-2664

PLANS PREPARED BY:

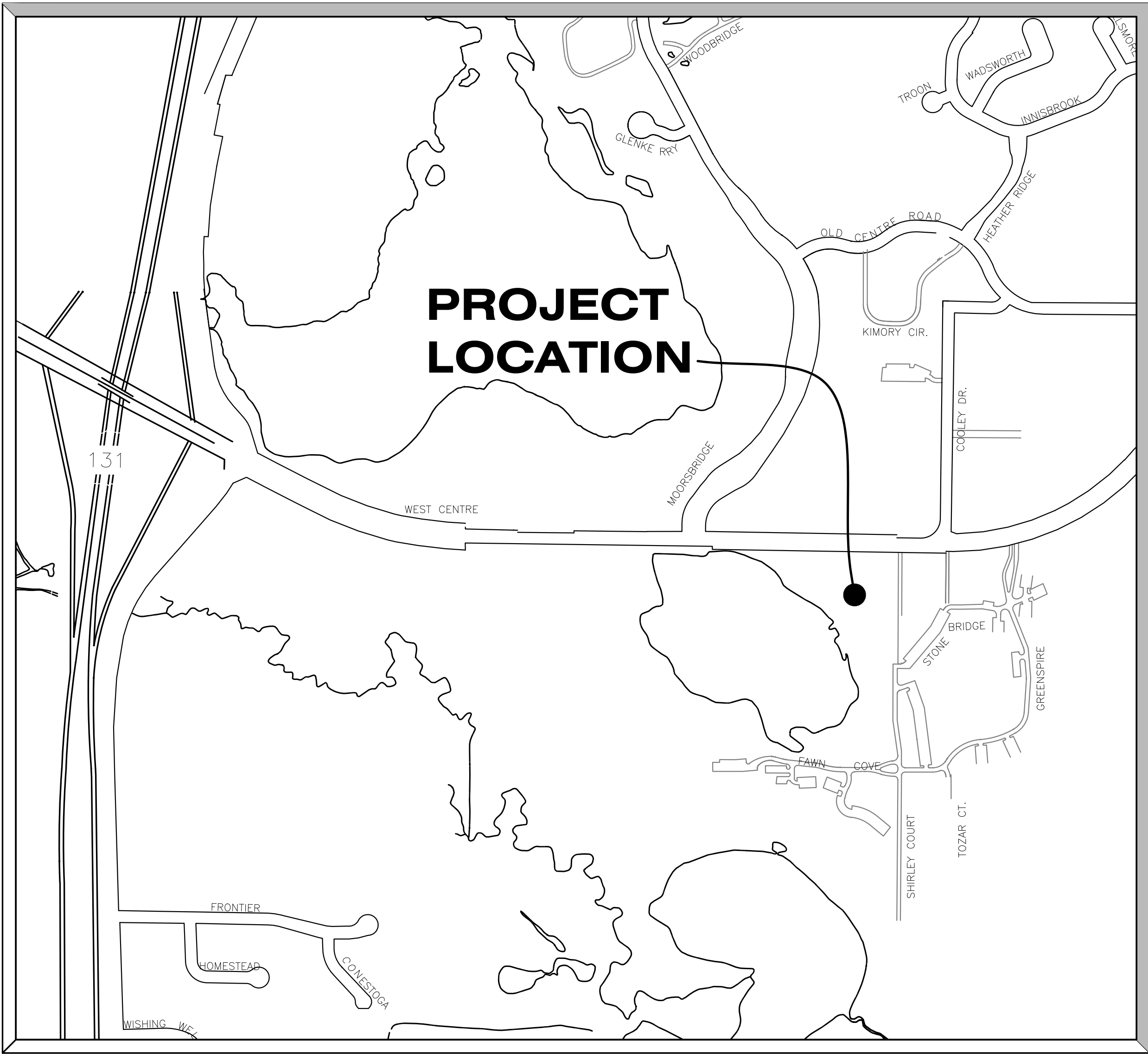


hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 552.4961
www.hurleystewart.com



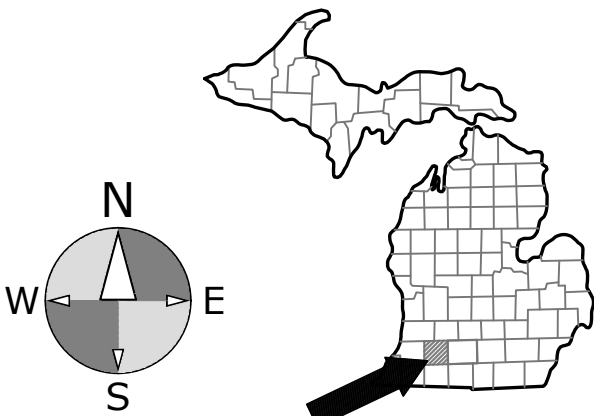
UTILITY CONTACTS:

CONSUMERS ENERGY CO. MIKE SOKOLOV 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2246	ELECTRIC
CONSUMERS ENERGY CO. KYLE OAK 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2366	GAS
CHARTER COMMUNICATIONS MARK BURKE 4176 COMMERCIAL AVE. PORTAGE, MI 49002 269.217.8152	CABLE TELEVISION
AT&T TODD SHIBAYAMA 2919 MILLCORK ST. KALAMAZOO, MI 49001 269.384.4436	TELEPHONE
CITY OF PORTAGE BOB MILLER-SUEZ 7719 S. WESTNEDGE AVENUE PORTAGE, MI 49024 269.324.9235	WATER/SANITARY



SITE LOCATION MAP

SCALE: 1" = 500'



DRAWING INDEX

SHT #	DESCRIPTION
C-1	EXISTING CONDITIONS AND DEMO PLAN
C-2	LAYOUT PLAN
C-3	GRADING PLAN
C-4	SESC PLAN
C-5	UTILITY PLAN
C-6	SITE DETAILS
C-7	SITE DETAILS
C-8	STORM WATER DETAILS
C-9	GRADING DETAILS
L-1	LANDSCAPE PLAN

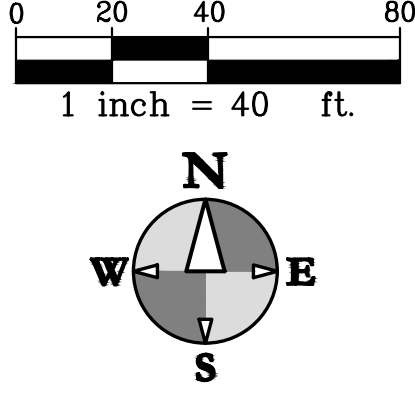
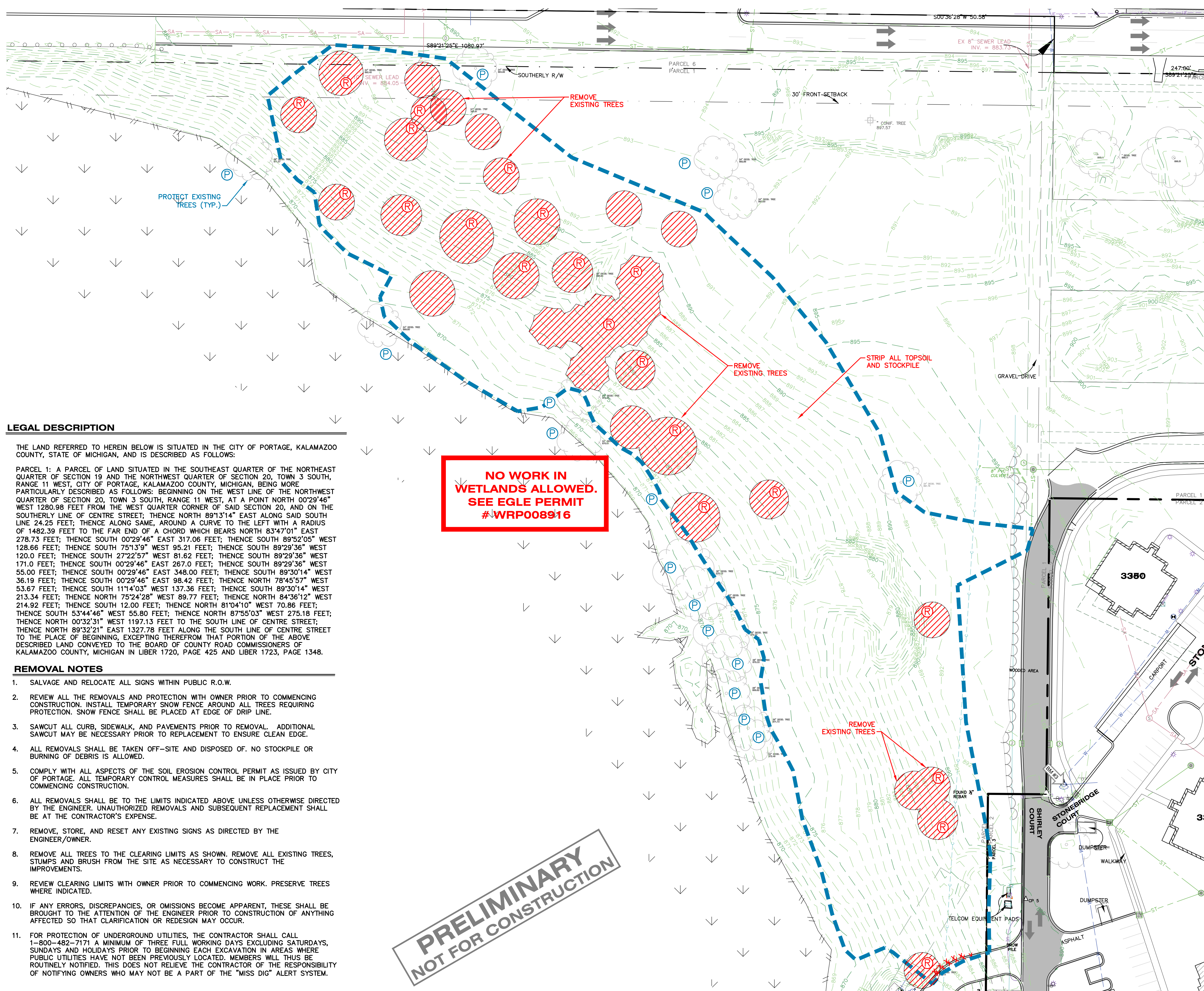
PRELIMINARY
NOT FOR CONSTRUCTION



Know what's below.
Call before you dig.

EXISTING TOPOGRAPHY PROVIDED BY CARR AND ASSOCIATES LAND SURVEYING. ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

ISSUED FOR:
CITY OF PORTAGE
2/28/22



REMOVALS LEGEND	
XXXXXX	CURB/ WALL REMOVAL
////	SAWCUT
XXXXXX	PAVEMENT/SIDEWALK REMOVAL
XXXXXX	BUILDING DEMOLITION
XXXXXX	UTILITY LINE REMOVAL
(R)	TREE REMOVAL
(P)	REMOVE
(S)	PROTECT
(S)	SALVAGE
---	LIMITS OF CONSTRUCTION

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PORTAGE, KALAMAZOO COUNTY, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 20, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20, TOWN 3 SOUTH, RANGE 11 WEST, AT A POINT NORTH 00°29'46" WEST 1280.98 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 20, AND ON THE SOUTHERLY LINE OF CENTRE STREET; THENCE NORTH 89°13'14" EAST ALONG SAID SOUTH LINE 24.25 FEET; THENCE ALONG SAME, AROUND A CURVE TO THE LEFT WITH A RADIUS OF 1482.39 FEET TO THE FAR END OF A CHORD WHICH BEARS NORTH 83°47'01" EAST 278.73 FEET; THENCE SOUTH 00°29'46" EAST 317.06 FEET; THENCE SOUTH 89°52'05" WEST 128.66 FEET; THENCE SOUTH 75°13'9" WEST 95.21 FEET; THENCE SOUTH 89°29'36" WEST 120.0 FEET; THENCE SOUTH 27°22'57" WEST 81.62 FEET; THENCE SOUTH 89°29'36" WEST 171.0 FEET; THENCE SOUTH 00°29'46" EAST 267.0 FEET; THENCE SOUTH 89°29'36" WEST 55.00 FEET; THENCE SOUTH 00°29'46" EAST 348.00 FEET; THENCE SOUTH 89°30'14" WEST 36.19 FEET; THENCE SOUTH 00°29'46" EAST 98.42 FEET; THENCE NORTH 78°45'57" WEST 53.67 FEET; THENCE SOUTH 11°14'03" WEST 137.36 FEET; THENCE SOUTH 89°30'14" WEST 213.34 FEET; THENCE NORTH 75°24'28" WEST 89.77 FEET; THENCE NORTH 84°36'12" WEST 214.92 FEET; THENCE SOUTH 12.00 FEET; THENCE NORTH 81°04'10" WEST 70.86 FEET; THENCE SOUTH 53°44'46" WEST 55.80 FEET; THENCE NORTH 87°55'03" WEST 275.18 FEET; THENCE NORTH 00°32'31" WEST 1197.13 FEET TO THE SOUTH LINE OF CENTRE STREET; THENCE NORTH 89°32'21" EAST 1327.78 FEET ALONG THE SOUTH LINE OF CENTRE STREET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED LAND CONVEYED TO THE BOARD OF COUNTY ROAD COMMISSIONERS OF KALAMAZOO COUNTY, MICHIGAN IN LIBER 1720, PAGE 425 AND LIBER 1723, PAGE 1348.

REMOVAL NOTES

1. SALVAGE AND RELOCATE ALL SIGNS WITHIN PUBLIC R.O.W.
2. REVIEW ALL THE REMOVALS AND PROTECTION WITH OWNER PRIOR TO COMMENCING CONSTRUCTION. INSTALL TEMPORARY SNOW FENCE AROUND ALL TREES REQUIRING PROTECTION. SNOW FENCE SHALL BE PLACED AT EDGE OF DRIP LINE.
3. SAWCUT ALL CURB, SIDEWALK, AND PAVEMENTS PRIOR TO REMOVAL. ADDITIONAL SAWCUT MAY BE NECESSARY PRIOR TO REPLACEMENT TO ENSURE CLEAN EDGE.
4. ALL REMOVALS SHALL BE TAKEN OFF-SITE AND DISPOSED OF. NO STOCKPILE OR BURNING OF DEBRIS IS ALLOWED.
5. COMPLY WITH ALL ASPECTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY CITY OF PORTAGE. ALL TEMPORARY CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
6. ALL REMOVALS SHALL BE TO THE LIMITS INDICATED ABOVE UNLESS OTHERWISE DIRECTED BY THE ENGINEER. UNAUTHORIZED REMOVALS AND SUBSEQUENT REPLACEMENT SHALL BE AT THE CONTRACTOR'S EXPENSE.
7. REMOVE, STORE, AND RESET ANY EXISTING SIGNS AS DIRECTED BY THE ENGINEER/OWNER.
8. REMOVE ALL TREES TO THE CLEARING LIMITS AS SHOWN. REMOVE ALL EXISTING TREES, STUMPS AND BRUSH FROM THE SITE AS NECESSARY TO CONSTRUCT THE IMPROVEMENTS.
9. REVIEW CLEARING LIMITS WITH OWNER PRIOR TO COMMENCING WORK. PRESERVE TREES WHERE INDICATED.
10. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
11. FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.

BENCHMARKS
BM # 3 ELEVATION = 893.12
HYDRANT NE CORNER OF SHIRLEY AND STONEBRIDGE NW BOLT



ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.
FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC

hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

ISSUED FOR/REVISIONS:	
1. PRELIMINARY SITE PLAN	05/26/21
2. OWNER REVIEW	8/31/21
3. CITY OF PORTAGE	9/3/21
4. CITY OF PORTAGE	2/28/22

EXISTING CONDITIONS AND DEMO PLAN
GREENSPIRE TALL TIMBERS
H&G II, LLC

Sheet Title:
Project:
Client:
2/28/22
Sheet
C-1

FIELD WORK PERFORMED
HURLEY & STEWART, LLC



HMA	HMA PAVEMENT
C4	C4 CURB AND GUTTER
E2	E2 CURB AND GUTTER
PS	PARKING STRIPING (9'x18')
W	WALL STONE
DE	DUMPSTER ENCLOSURE
TC	TREATMENT CELL
G	GRAVEL

	LIGHT DUTY HMA PAVEMENT
	HEAVY DUTY HMA PAVEMENT
	PROPOSED BUILDING
	GREEN ROOF
	CONCRETE SIDEWALK
	HEAVY DUTY CONCRETE PAVEMENT
	CONCRETE CURB AND GUTTER TYPE VARIES
	BOULDER RETAINING WALL DETERMINED IN FIELD

ZONING
THE SITE IS ZONED PD (PLANNED DEVELOPMENT)
SETBACKS: FRONT - 30'
SIDES - 30'
REAR - NA

MULTI-FAMILY APARTMENTS

TOTAL PARKING SPACES REQUIRED:
2 SPACES PER PROPOSED UNIT 180 X 2 = 360 SPACES

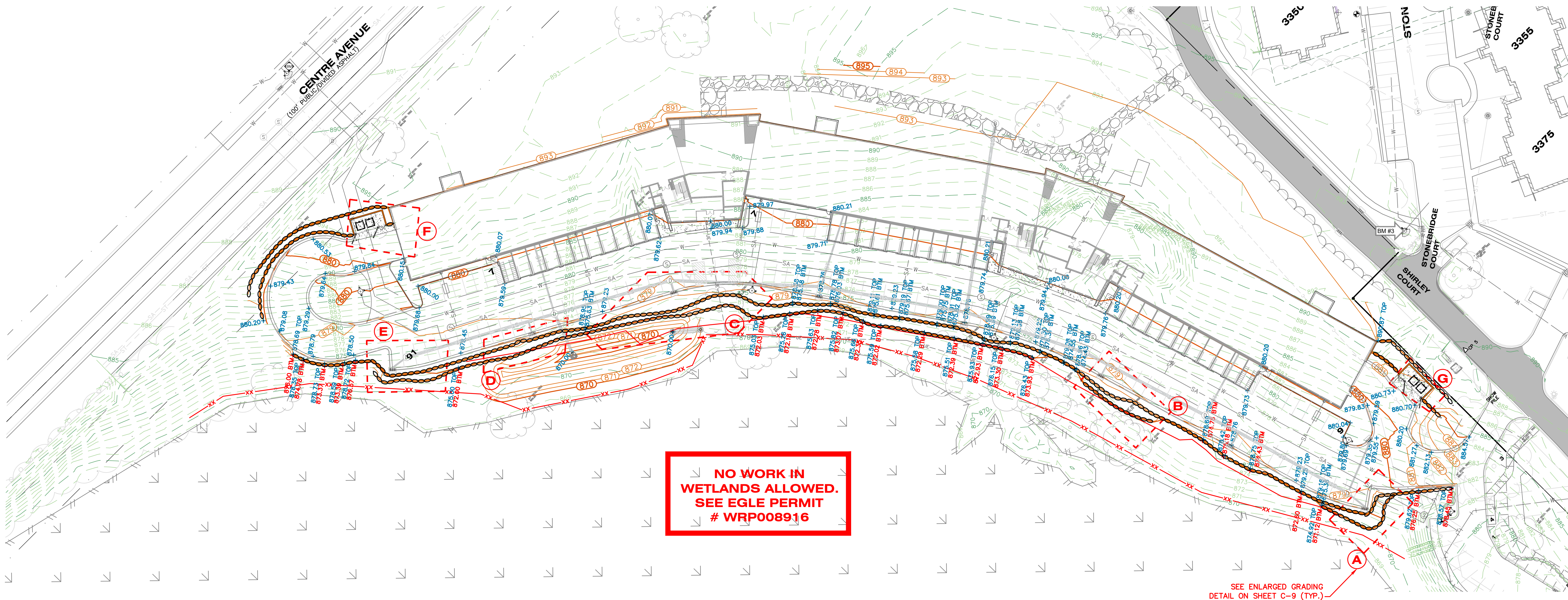
35 GARAGE SPACES
BARRIER FREE SPACES REQUIRED SURFACE LOT = 5
BARRIER FREE SPACES SURFACE LOT = 6 PROVIDED
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

BUILDING INFORMATION

THE PROPOSED BUILDING HAS FIVE STORIES
FIRST FLOOR: 63,804 SF
SECOND FLOOR: 58,471 SF
THIRD-FIFTH FLOOR: 46,284 SF
SEE FLOOR PLAN AND ELEVATIONS FOR MORE DETAIL.

LANDSCAPING AREA REQUIRED = 1,298 SFT
LANDSCAPING AREA PROVIDED = 2,542 SFT

1. ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
2. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
3. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
4. MATCH EXISTING CURB & GUTTER SECTIONS WHEN CONNECTING TO THEM.
5. EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2012 EDITION, AND CITY OF PORTAGE STANDARDS SPECIFICATIONS.
6. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
7. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
9. ANY BITUMINOUS OR CONCRETE PAVEMENT, SANITARY SEWER, SANITARY SEWER SERVICE LEADS, OR STORM SEWER, WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
10. ALL CONSTRUCTION SIGNING TO BE IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. REGULATORY SIGNAGE (IF SPECIFIED) SHALL BE PER MDOT.
11. ALL LIGHTING SHALL BE UPDATED TO MEET CURRENT PORTAGE STANDARDS. FIXTURES TO BE SHIELDED CUT-OFF STYLE. ANY ADDITIONAL FIXTURES TO BE NO GREATER THAN 25' HIGH.



GRADING NOTES

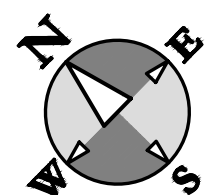
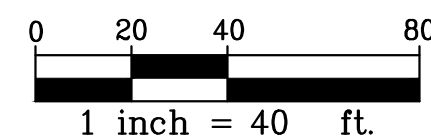
1. MATCH EXISTING GRADES AROUND PERIMETER WITH SLOPES AS SHOWN. MATCH AT 1 ON 3 IF NOT LABELED.
2. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
3. ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT GRADES AT EDGE OF METAL (EOM) UNLESS OTHERWISE NOTED.
4. ALL SOIL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO MASS GRADING.
5. ALL EXISTING ELEVATIONS ARE TO BE VERIFIED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
6. REMOVE AND REPLACE WITH CONTROLLED FILL ANY AREAS THAT HAVE BEEN SOFTENED BY RAINS, FREEZING, CONSTRUCTION EQUIPMENT, ETC.
7. ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS II GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
8. ALL GRANULAR FILL UNDER THE INFLUENCE OF THE ROADWAY AND PROCESSED ROAD GRAVEL SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
9. ALL COMPACTION SHALL BE ACCOMPLISHED BY PLACING THE FILL IN 12" LOOSE LIFTS AND MECHANICALLY COMPACTING EACH LIFT TO AT LEAST THE SPECIFIED MINIMUM DRY DENSITY. FIELD DENSITY TESTS SHOULD BE PERFORMED ON EACH LIFT AS NECESSARY TO ENSURE THAT ADEQUATE MOISTURE CONDITIONS AND COMPACTION ARE BEING ACHIEVED.
10. SITE CONTRACTOR SHALL REMOVE AND STOCKPILE ALL TOPSOIL AND BLACK ORGANIC SOILS ON-SITE TO BE USED IN THE REGRADING OF LANDSCAPE AREAS. THIS MATERIAL IS NOT TO BE USED FOR FILL OR PAVEMENT SUBBASE. REMOVAL OF ANY EXCESS SOIL OFF-SITE SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
11. CONTRACTOR RESPONSIBLE FOR VERIFYING EARTHWORK CALCULATIONS PRIOR TO COMMENCING WORK. NO EXTRA EARTHWORK WILL BE PAID FOR ONCE EARTHWORK HAS BEGUN. ANY DISCREPANCIES WITH THE EARTHWORK CALCULATIONS SHALL BE REVIEWED WITH THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION.
12. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.

SESC NOTES

1. AVOID UNNECESSARY DISTURBING OR REMOVING EXISTING VEGETATED TOPSOIL OR EARTH COVER. THESE AREAS ACT AS SEDIMENT FILTERS.
2. CONTRACTOR SHALL APPLY FOR AND COMPLY WITH THE SOIL EROSION CONTROL PERMIT FROM THE CITY OF PORTAGE AT ALL TIMES.
3. ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEANUP AND APPROVAL.
4. CONTRACTOR TO PROVIDE STRAW BALE DAMS OR SILT FENCES ACROSS ALL DITCHES, SWALES, AND ROUGH CUT ROADS WHICH EXIST FROM THE SITE TO ELIMINATE SEDIMENT RUNOFF. PROVIDE STRAW BALE DAMS, SILT FENCES OR INSTALL FILTER FABRIC UNDER INLETS AT ALL STORM SEWER STRUCTURES DURING CONSTRUCTION.
5. ALL SOIL PILES SHALL BE SURROUNDED BY SILT FENCE IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 7 DAYS. TOPSOIL PILES SHALL BE SEEDED IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 20 DAYS. SPOIL PILES SHALL NOT BE PLACED WITHIN 50' FROM ANY TEMPORARY OR PERMANENT WATERCOURSE.
6. THE CONTRACTOR SHALL COMPLY WITH THE WEEKLY RECOMMENDATIONS OF THE CERTIFIED STORM WATER OPERATOR.
7. ALL INLETS IN PAVED AREAS SHALL HAVE SILT SAVER SEDIMENTATION REDUCERS DURING CONSTRUCTION.
8. CLEAN ADJACENT ROADWAYS WHEN NECESSARY.
9. FINAL LANDSCAPING SHALL CONSIST OF MIN. 3" TOPSOIL, 200#/ACRE CLASS A SEEDING, 2T/ACRE MULCH AND 240#/ ACRE CHEMICAL FERTILIZER NUTRIENT.
10. COORDINATE TOPSOIL STOCKPILE WITH OWNER.
11. PLACE TRACK MATS AT THE ENTRANCE TO REDUCE MATERIAL TRACKED OFF SITE.
12. COORDINATE THE CLEARING LIMITS WITH THE OWNER PRIOR TO COMMENCING WORK.

GRADING PLAN LEGEND

- PROPOSED CONTOUR 5-FT
- PROPOSED CONTOUR NORMAL
- EXISTING CONTOUR 5-FT
- EXISTING CONTOUR NORMAL
- PROPOSED SPOT GRADE
- PROPOSED SPOT GRADES: TOP AND BOTTOM OF CURB/WALL
- EXISTING SPOT GRADE
- PROPOSED SURFACE SLOPE
- PROPOSED SILT FENCE
- PROPOSED GRADED SWALE
- SOIL BORING
- BENCH MARK
- SOIL EROSION MEASURE
- SEDIMENT CONTROL MEASURE



SEE ENLARGED GRADING
DETAIL ON SHEET C-9 (TYP.)

BENCHMARKS

ELEVATIONS OF THIS SURVEY ARE BASED ON NAVD 88 AS DERIVED FROM GPS.

*NONE SHOWN

BM 1 ELEVATION = 875.12
BOX CUT INTO CURB AT THE SOUTHWESTERLY CORNER OF PARKING LOT IN FRONT OF BUILDING 3681.

BM 2 ELEVATION = 873.88
CUT X ON THE NORTH BOLT OF A HYDRANT ON AN ISLAND IN THE PARKING LOT IN FRONT OF BUILDING 3603.

BM 3 ELEVATION = 889.40
SPIKE ON THE NORTHEAST FACE OF A 10" OAK TREE AT THE WEST Y OF FAWN COVE LANE AT INTERSECTION WITH SHIRLEY COURT.

BM 4 ELEVATION = 893.12
CUT X ON THE NORTHWEST BOLT ON A HYDRANT ON THE NORTHEAST CORNER OF SHIRLEY COURT AND STONEBRIDGE COURT.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC



Job No. 19-0182 P.M.T.H. Drt. BSC OA/QC 2/25/22

ISSUED FOR/REVISIONS:	
1 PRELIMINARY SITE PLAN	05/26/21
2 OWNER REVIEW	8/31/21
3 CITY OF PORTAGE	9/3/21
4 CITY OF PORTAGE	2/28/22

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GRADING PLAN
GREENSPIRE TALL TIMBERS
H&G II, LLC

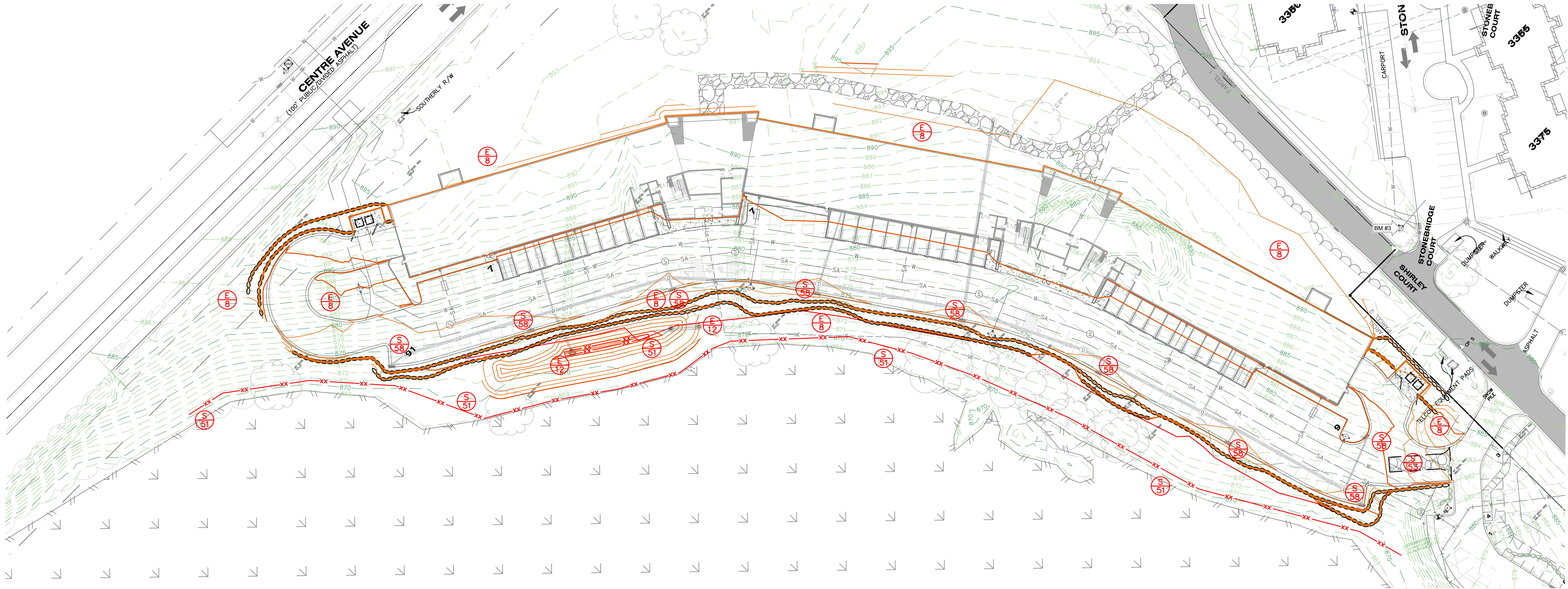
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Project:
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C-3

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DRAWING LOCATION: 14-19-018D (Greenspire 71) FINAL DRAWINGS: TALL TIMBERS Final Drawings C-4 SESC Plan: HURLEY & STEWART, LLC ON 2/28/22



**SOIL EROSION AND
SEDIMENTATION CONTROL MEASURES**

KEY	BEST MANAGEMENT PRACTICES	SYMBOL	WHERE USED
E8	PERMANENT SEEDING		Stabilization method utilized on sites where earth change has been completed (final grading attained).
E12	RIPRAP		Use along shorelines, waterways, or where concentrated flows occur. Slows velocity, reduces sediment load, and reduces erosion.
S51	SILT FENCE		Use adjacent to critical areas, to prevent sediment laden sheet flow from entering these areas.
S53	STABILIZED CONSTRUCTION ACCESS		Used at every point where construction traffic enters or leaves a construction site.
S58	INLET PROTECTION FABRIC DROP		Use at stormwater inlets, especially at construction sites.

SOIL EROSION MEASURE SEDIMENT CONTROL MEASURE

SESC NOTES

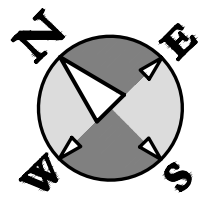
- CONTRACTOR MUST COMPLY WITH ALL REQUIREMENTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY CITY OF PORTAGE.
- PROVIDE SILT SACKS IN EACH CATCH BASIN UNTIL SITE IS STABILIZED.
- ALL SOIL EROSION MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING WORK.
- PLACE SILT FENCES ALONG THE TOE OF TOPSOIL STOCKPILES AND OTHER FILL AREAS. SEED TOPSOIL STOCKPILE AND MAINTAIN SILT FENCES UNTIL SITE IS STABILIZED.
- MAINTAIN A VEGETATIVE BUFFER WHEREVER POSSIBLE.
- PLACE TOPSOIL AND SEED ACCORDING TO THE LANDSCAPE PLANS AS SOON AS AREAS ARE BROUGHT TO GRADE.
- CLEAN ADJACENT ROADWAYS WHEN NECESSARY.
- WATER SITE WHEN NECESSARY TO PREVENT AIR BORNE SEDIMENT TRANSFER.
- PLACE MULCH BLANKET AN ALL SLOPES 1 ON 3 OR STEEPER. INSTALL IN ACCORDANCE WITH 2012 MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE STATE OF MICHIGAN SOIL EROSION AND SEDIMENTATION CONTROL GUIDEBOOK.
- COORDINATE THE LOCATION OF THE TOPSOIL STOCKPILE WITH OWNER. SEED STOCKPILE AND INSTALL SILT FENCE AT BOTTOM OF SLOPES.

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0 20 40 80
1 inch = 40 ft.



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ISSUED FOR/REVISIONS:	
1	PRELIMINARY SITE PLAN
2	OWNER REVIEW
3	CITY OF PORTAGE
4	CITY OF PORTAGE

SESC PLAN
GREENSPIRE TALL TIMBERS
H&G II, LLC

Sheet Title:
Project:
Client:

2/28/22
Sheet
C-4

DRAWING LOCATION: H-10-018D (Complete) FINAL DRAWINGS: All Drawings and Details are the property of HURLEY & STEWART, LLC. LAST SAVED BY: ASSIGNED ON 2/25/2022

Stonebridge Rd,
MI 49024

3500 W
Portage, MI

CENTRE AVENUE
(100' PUBLIC UTILITIES EASEMENT)

STONEBRIDGE CT

STONEBRIDGE COURT

STONEBRIDGE COURT

SHIRLEY COURT

1000 GALLON GREASE
TRAP. SEE MECHANICAL
PLANS FOR DETAILS (TYP.)

PRELIMINARY
NOT FOR CONSTRUCTION

NO WORK IN
WETLANDS ALLOWED.
SEE EGLE PERMIT
WRP008916

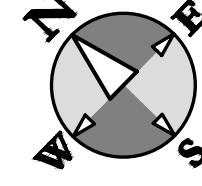
STORM SEWER STRUCTURE SCHEDULE					
STR. #	RIM EL.	DIAM.	CASTING	PIPES IN:	PIPES OUT
OS #1	871.00	6"	BAR GRATE		48" NW: 865.00
OS #2	870.00	6"	BAR GRATE	48" SE: 865.00	
STM #1	879.12	4'	1040 A	24" SE: 872.00 24" NW: 872.00 12" NE: 875.00	24" S: 872.00
STM #2	878.93	4'	1040 A	24" SE: 872.00 12" SW: 874.72	24" NW: 872.00
STM #3	878.91	4'	1040 A	24" SE: 872.00 12" SW: 874.73 12" NE: 875.00	24" NW: 872.00
STM #4	878.95	4'	1040 A	24" SE: 872.00 12" SW: 874.72 24" NE: 874.53	24" NW: 872.00
STM #5	879.08	4'	1040 A	24" S: 872.00	24" NW: 872.00
STM #6	879.21	4'	1040 A	24" S: 872.00 12" E: 875.00	24" N: 872.00
STM #7	879.00	4'	1040 A	12" E: 875.12 12" S: 874.67	24" N: 872.00
STM #8	879.35	2'	7045		12" W: 875.35
STM #9	878.76	2'	7045		12" N: 874.76
STM #10	878.76	2'	7045		12" E: 874.76
STM #11	878.76	2'	7045		12" E: 874.76
STM #12	878.76	2'	7045		12" NE: 874.76
STM #13	878.76	2'	7045		12" NE: 874.76
STM #14	878.76	2'	7045		12" NE: 874.76
STM #15	878.76	2'	7045		12" NE: 874.76
STM #16	878.27	4'	1040 A	12" W: 874.05	24" SE: 872.00
STM #17	878.12	2'	7045		12" E: 874.12
STM #18	892.91	6"	1040 A		24" SW: 875.00

NOTES

- COORDINATE ALL UTILITY LOCATIONS AND ELEVATIONS WITH MECHANICAL DRAWINGS AND BUILDING CONTRACTOR PRIOR TO INSTALLATION.
- REMOVE SEDIMENT FROM ALL STRUCTURES ONCE PAVING IS COMPLETE AND REMOVE SILT SACKS.
- VERIFY NUMBER OF FITTINGS PRIOR TO ORDERING. TOTALS DO NOT INCLUDE VERTICAL DEFLECTIONS THAT MAY BE NEEDED.
- PROVIDE 18" WATER MAIN SEPARATION WHEN CROSSING OTHER UTILITIES. DEFLECT UNDER OTHER UTILITIES W/O USING FITTINGS WHENEVER POSSIBLE. SEE WATER MAIN PROFILE SHEET.
- WATER MAIN AND SANITARY SEWER MATERIALS AND INSTALLATION SHALL COMPLY WITH CITY OF PORTAGE SPECIFICATIONS.
- THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
- CONTRACTOR SHALL REFER TO THE GEOTECHNICAL REPORT FOR GROUNDWATER AND SOILS INFORMATION. ANY UTILITIES REQUIRING DEWATERING SHALL BE INSTALLED TO THE CITY OF PORTAGE STANDARDS AND INCLUDED IN THE INSTALLATION COSTS. CONTRACTOR IS RESPONSIBLE FOR ALL DEWATERING NECESSARY TO CONSTRUCT UTILITIES IN THE DRY.
- IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
- ALL WATER AND SEWER MAIN SHALL BE IN RESPECTIVE 20' AND 30' WIDE EASEMENTS TO THE CITY OF PORTAGE.
- SEE PROFILE SHEET FOR ALL SANITARY AND STORM PIPE SIZES, LENGTHS, AND SLOPES.
- ALL EXISTING PIPE TO BE REMOVED SHALL NOT BE REUSED.
- ALL WATER MAIN INSTALLED IN GROUND WATER OR POOR SOILS SHALL BE WRAPPED WITH POLYETHYLENE.
- NO EXISTING WATER MAIN SHALL BE ALLOWED TO BE DEPRESSURIZED. IF ANY PORTION OF THE WATER MAIN IS DEPRESSURIZED, AT A MINIMUM, IT WILL NEED TO BE FLUSHED, DISINFECTED, AND BACTI TESTED.
- ALL WATER MAINS AND THEIR APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF PORTAGE SPECIFICATIONS AND AWWA STANDARD C600.
- WATER MAIN FLUSHING SHALL PROVIDE A MINIMUM WATER VELOCITY OF 3.0 FEET PER SECOND IN ACCORDANCE WITH AWWA STANDARD C651.
- METER PITS SHALL BE LOCATED ON THE HIGH SIDE OF RETAINING WALLS AND MAINTAIN A MINIMUM SEPARATION DISTANCE OF 5' HORIZONTALLY.

SANITARY SEWER STRUCTURE SCHEDULE					
STR. #	RIM EL.	DIAM.	CASTING	PIPES IN:	PIPES OUT
SAN #1	869.69	4'	1040 A	8" N: 869.00	
SAN #2	879.35	4'	1040 A	8" NW: 870.63	8" S: 870.53
SAN #3	879.30	4'	1040 A	8" NW: 871.21	8" SE: 871.11
SAN #4	879.48	4'	1040 A	8" NW: 872.32	8" SE: 872.22
SAN #5	879.19	4'	1040 A	8" NW: 872.71	8" SE: 872.61
SAN #6	879.04	4'	1040 A		8" SE: 873.62

0 20 40 80
1 inch = 40 ft.



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FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC

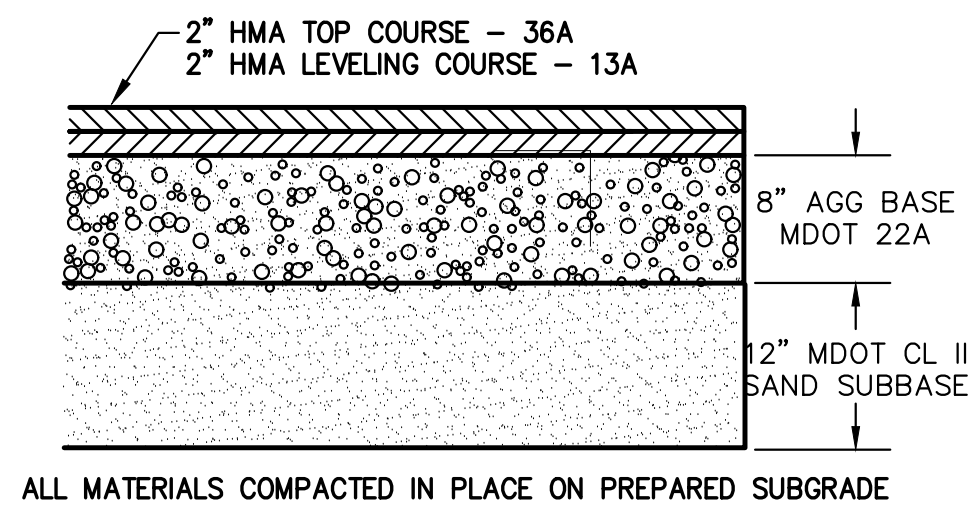
UTILITY PLAN
GREENSPIRE TALL TIMBERS
H&G II, LLC

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C-5

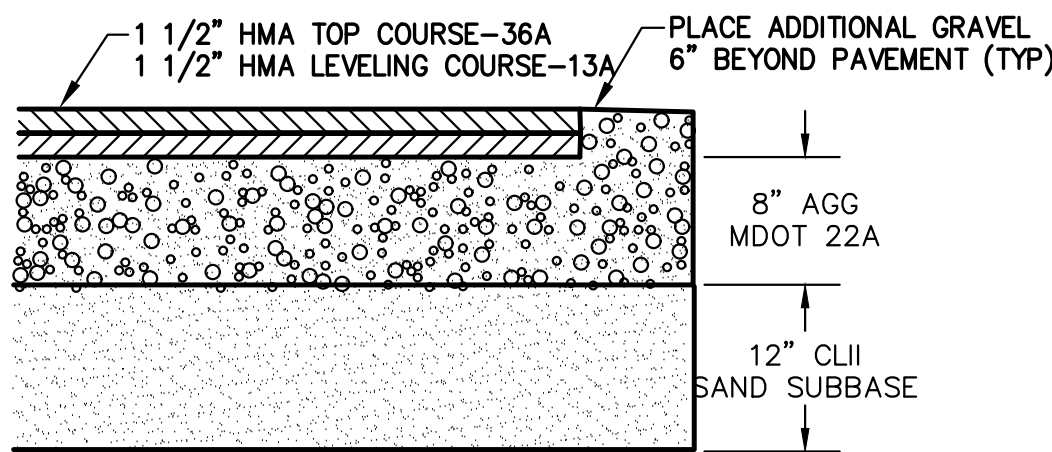
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ISSUED FOR/REVISIONS:
1 PRELIMINARY SITE PLAN 05/26/21
2 OWNER REVIEW 8/31/21
3 CITY OF PORTAGE 9/3/21
4 CITY OF PORTAGE 2/28/22
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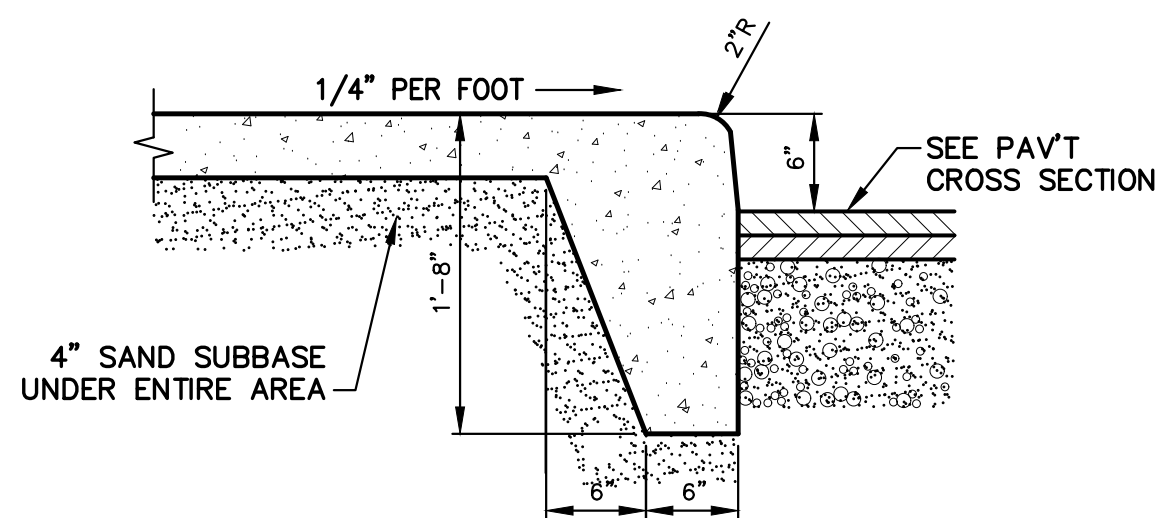
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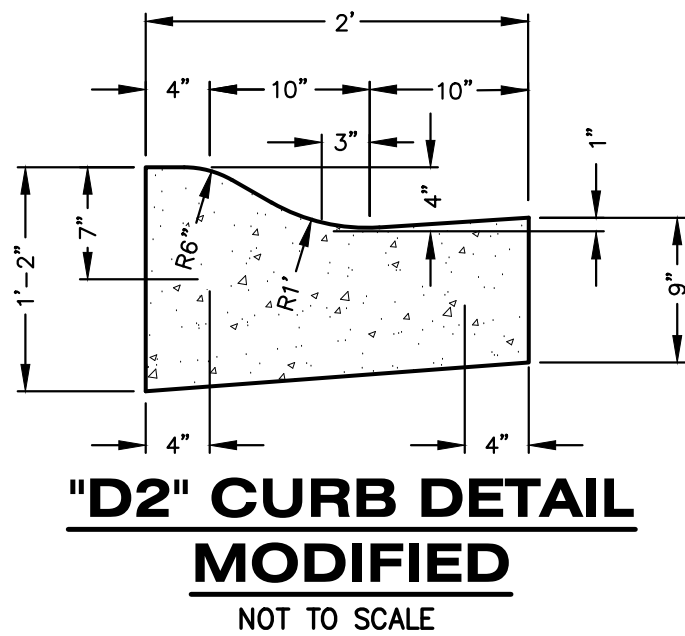


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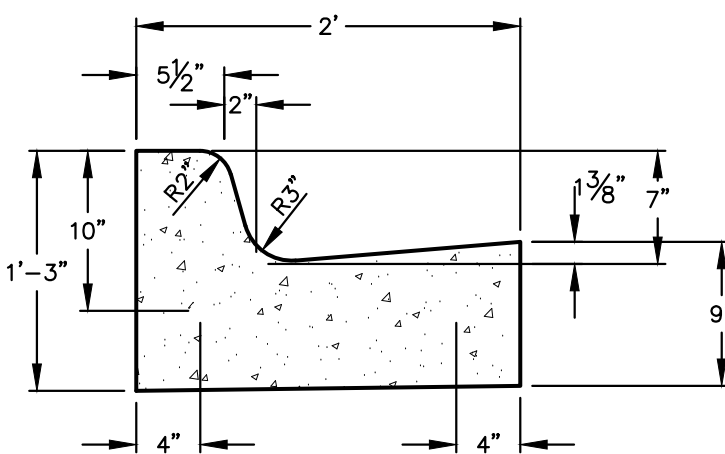
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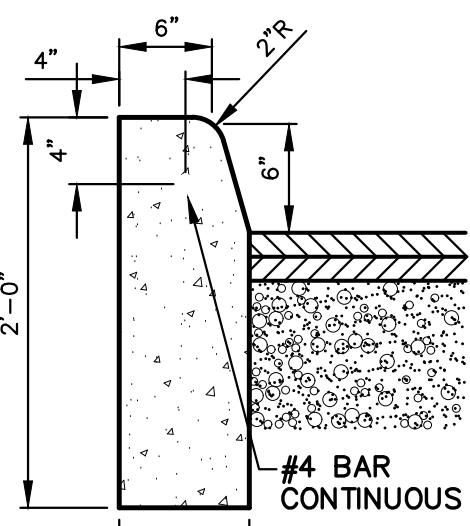
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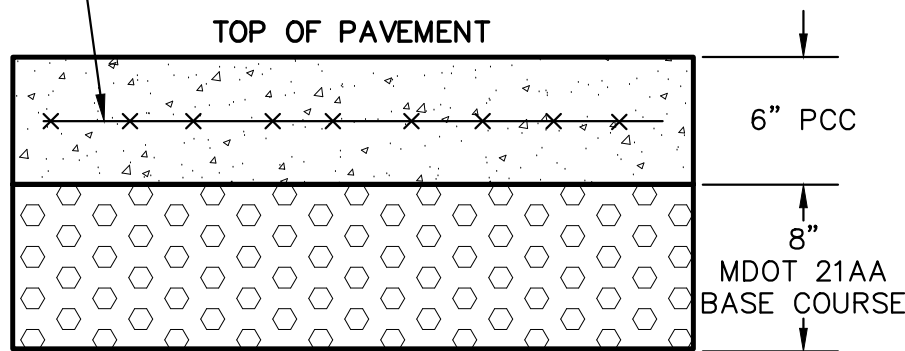
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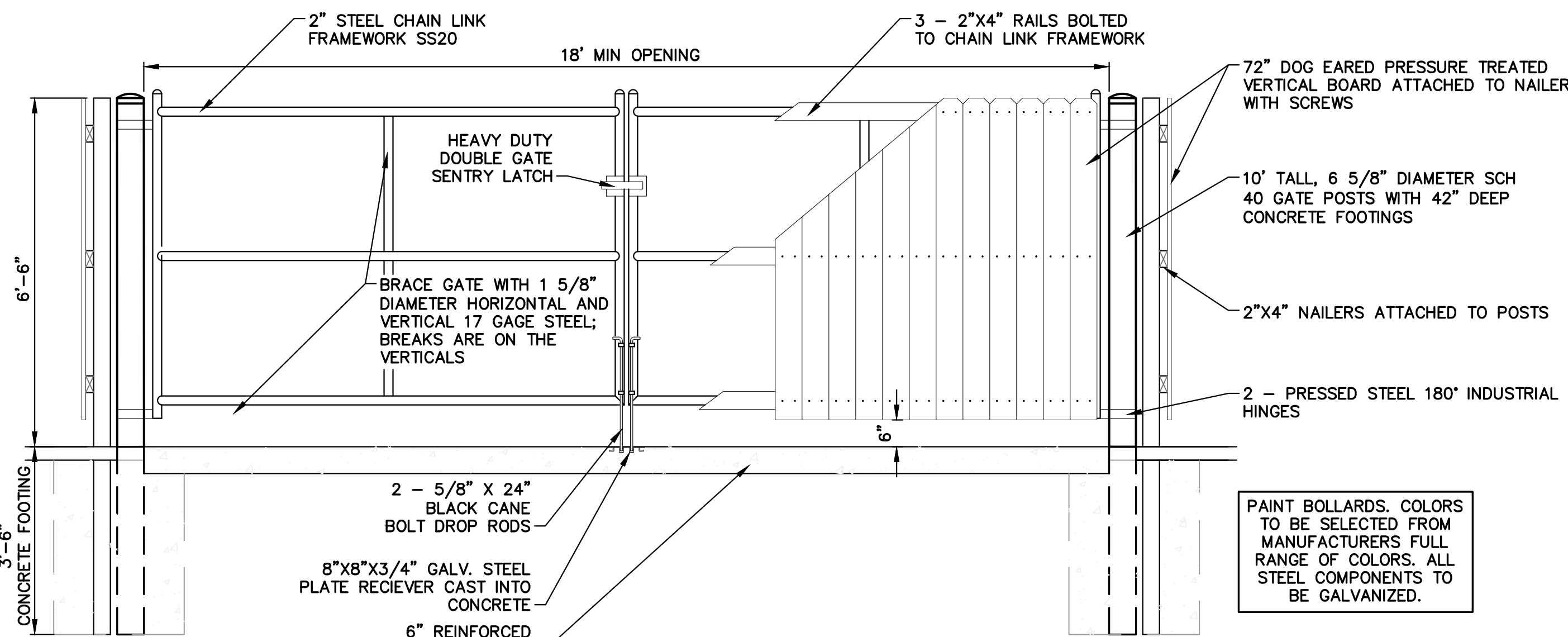


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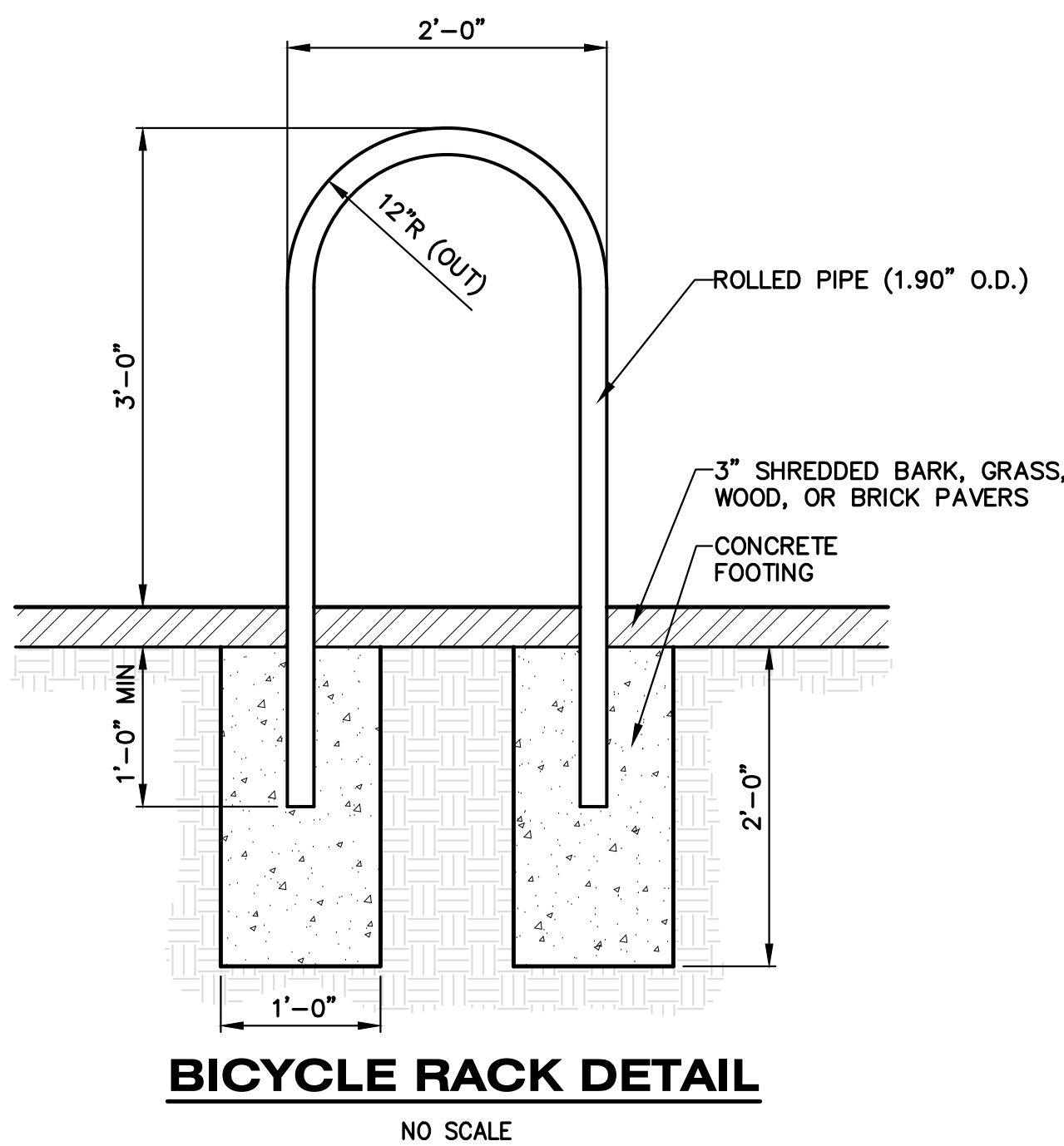


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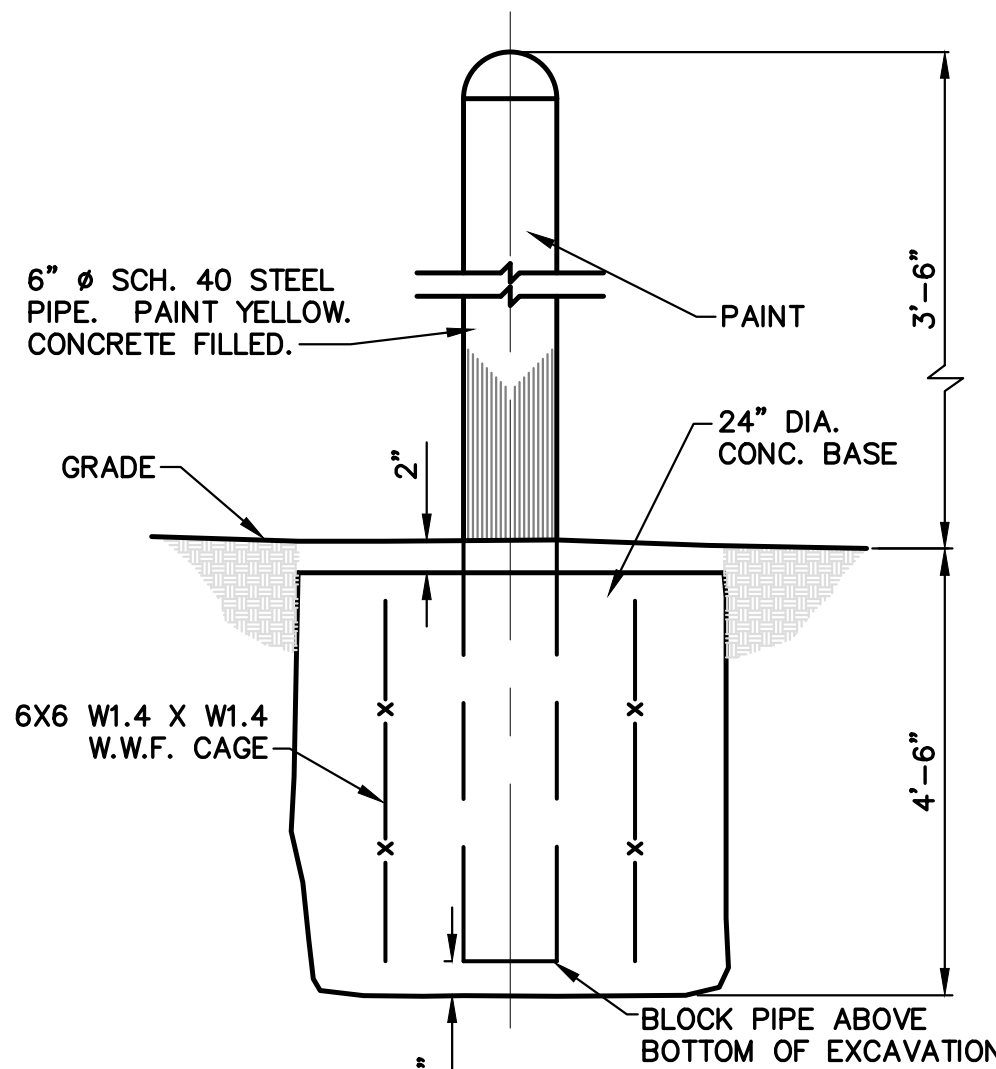
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DOUBLE DUMPSTER ENCLOSURE SECTION
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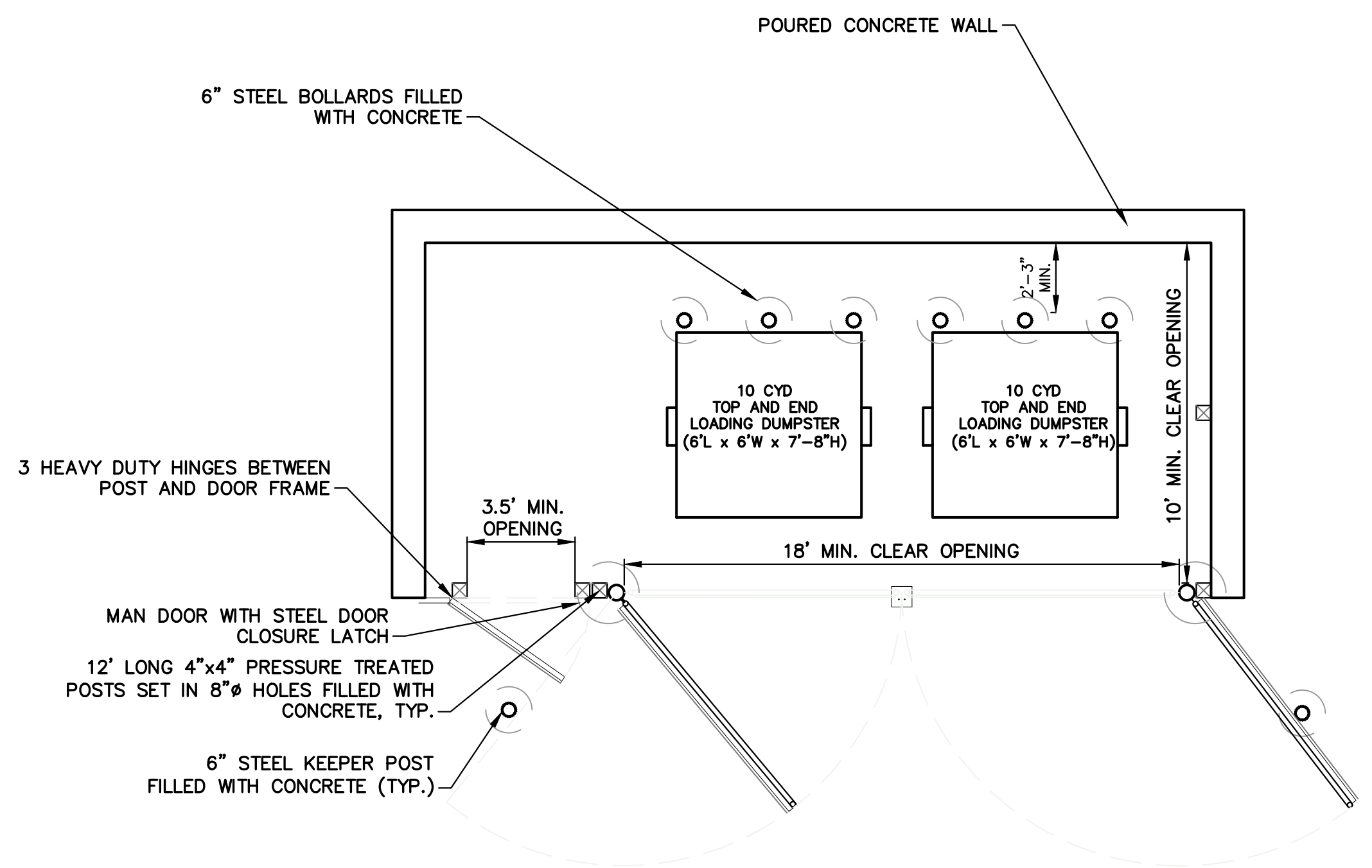
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6\"/>

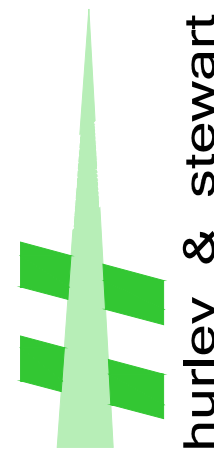
LEGEND			
	PROPOSED CONTOUR HIGHLIGHTED		EXISTING CONTOUR HIGHLIGHTED
	PROPOSED CONTOUR NORMAL		EXISTING CONTOUR NORMAL
	PROPOSED SANITARY SEWER		EXISTING SANITARY SEWER
	PROPOSED STORM SEWER		EXISTING STORM SEWER
	PROPOSED CATV		EXISTING CATV
	PROP ELEC (OVERHEAD)		EXIST ELEC (OVERHEAD)
	PROP ELEC (UNDERGROUND)		EXIST ELEC (UNDERGROUND)
	PROPOSED FIBEROPTIC CABLE		EXISTING FIBEROPTIC CABLE
	PROPOSED GAS		EXISTING GAS
	PROPOSED TELEPHONE		EXISTING TELEPHONE
	PROPOSED WATER MAIN		EXISTING WATER MAIN
	PROPOSED TREELINE		EXISTING TREELINE
	PROPOSED FENCE		EXISTING FENCE
	CURB CATCH BASIN		GAS METER
	SQUARE CATCH BASIN		TELEPHONE MANHOLE
	ROUND CATCH BASIN		TELEPHONE PEDESTAL
	MANHOLE STORM		TELEPHONE POLE
	MANHOLE SANITARY		PROPOSED SPOT GRADE
	SANITARY CLEANOUT		EXISTING SPOT GRADE
	FIRE HYDRANT		BENCH MARK
	WATER VALVE		POST/BOLLARD
	WATER VALVE IN VAULT		SIGN
	WATER METER		MAILBOX
	WATER REDUCER		SOIL BORING
	LIGHT POLE		MONITOR WELL
	POWER POLE		
	GUY WIRE		
	ELECTRIC MANHOLE		
	ELECTRIC METER		

NOTE: ALL SYMBOLS IN THIS LEGEND ARE SHOWN AS EXISTING. PROPOSED SYMBOLS WILL USE THE CORRESPONDING SYMBOL WITH A THICKER LINE.



DOUBLE DUMPSTER ENCLOSURE PLAN
SCALE: 1\"/>

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kalamazoo, michigan 49009
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Job No. 19-018D	P.M.T.H.	Draft LAD	QA/QC: 2/25/22
1	PRELIMINARY SITE PLAN	05/26/21	
2	OWNER REVIEW	8/31/21	
3	CITY OF PORTAGE	9/3/21	
4	CITY OF PORTAGE	2/28/22	

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SITE DETAILS
GREENSPIRE TALL TIMBERS
H&G II, LLC

Sheet Title:
Project:
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2/28/22

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C-6

Job No. 19-018D	P.M.-TDH	Draft LAD	QA/QC	2/25/22
ISSUED FOR/REVISIONS:				
1	PRELIMINARY SITE PLAN			05/26/21
2	OWNER REVIEW			8/31/21
3	CITY OF PORTAGE			9/3/21
4	CITY OF PORTAGE			2/28/22

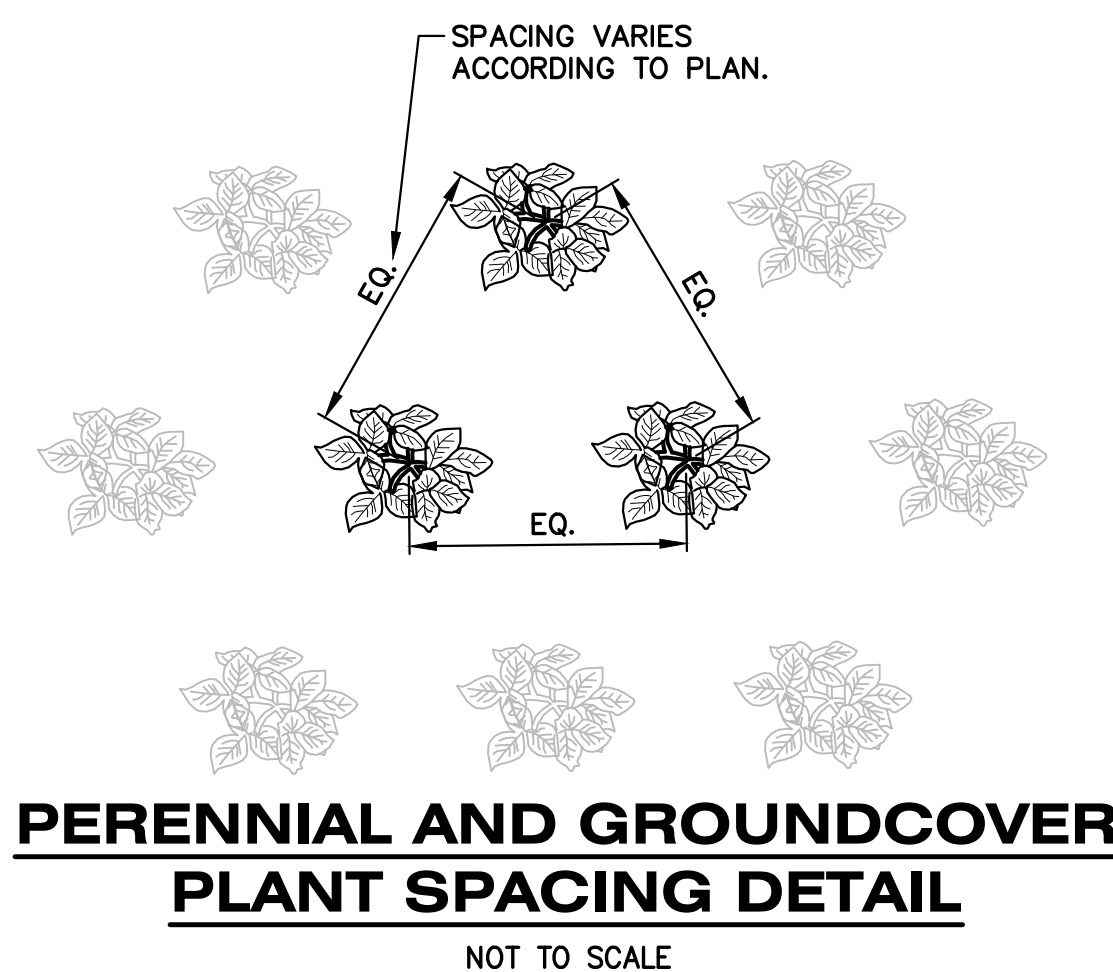
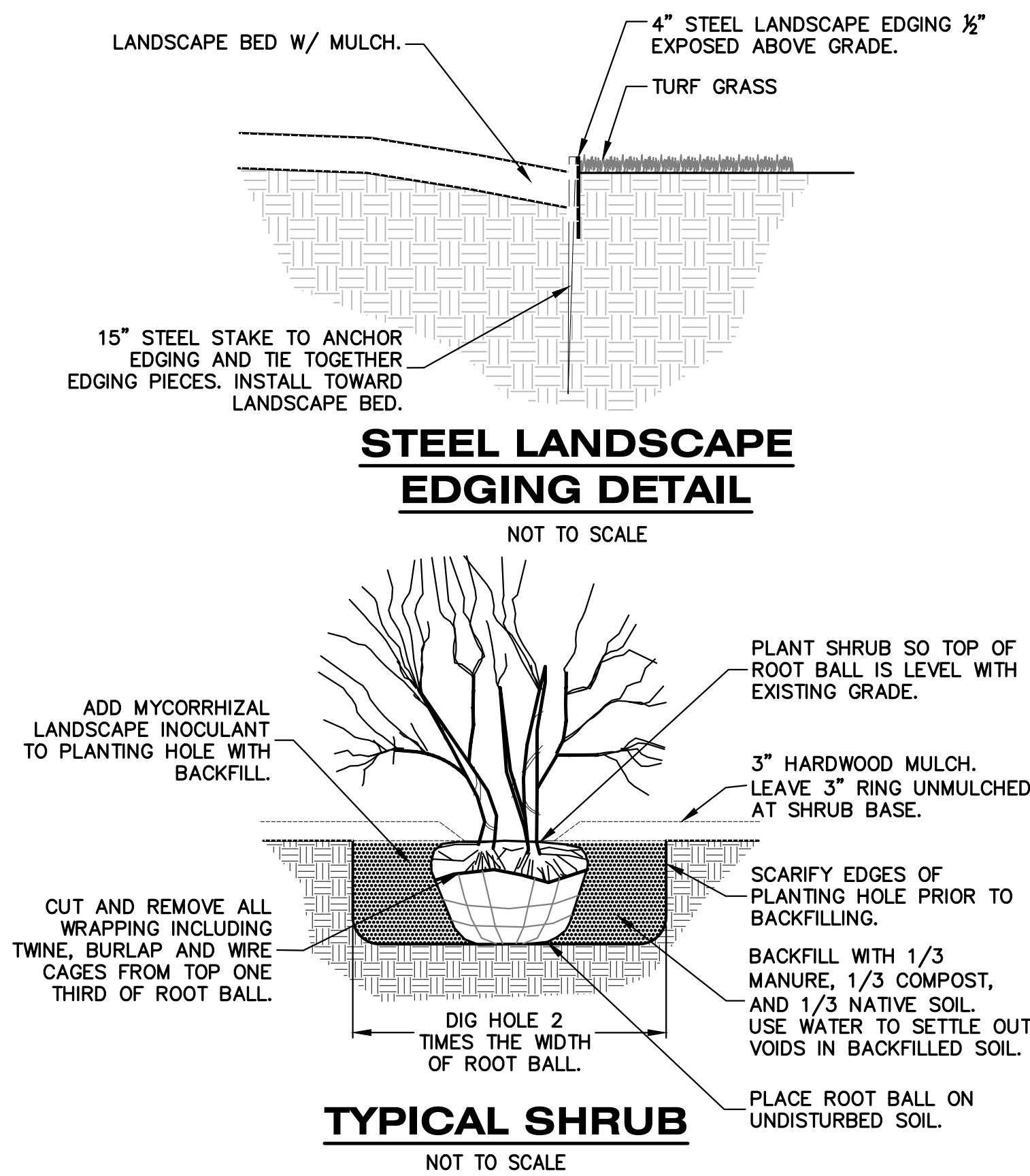
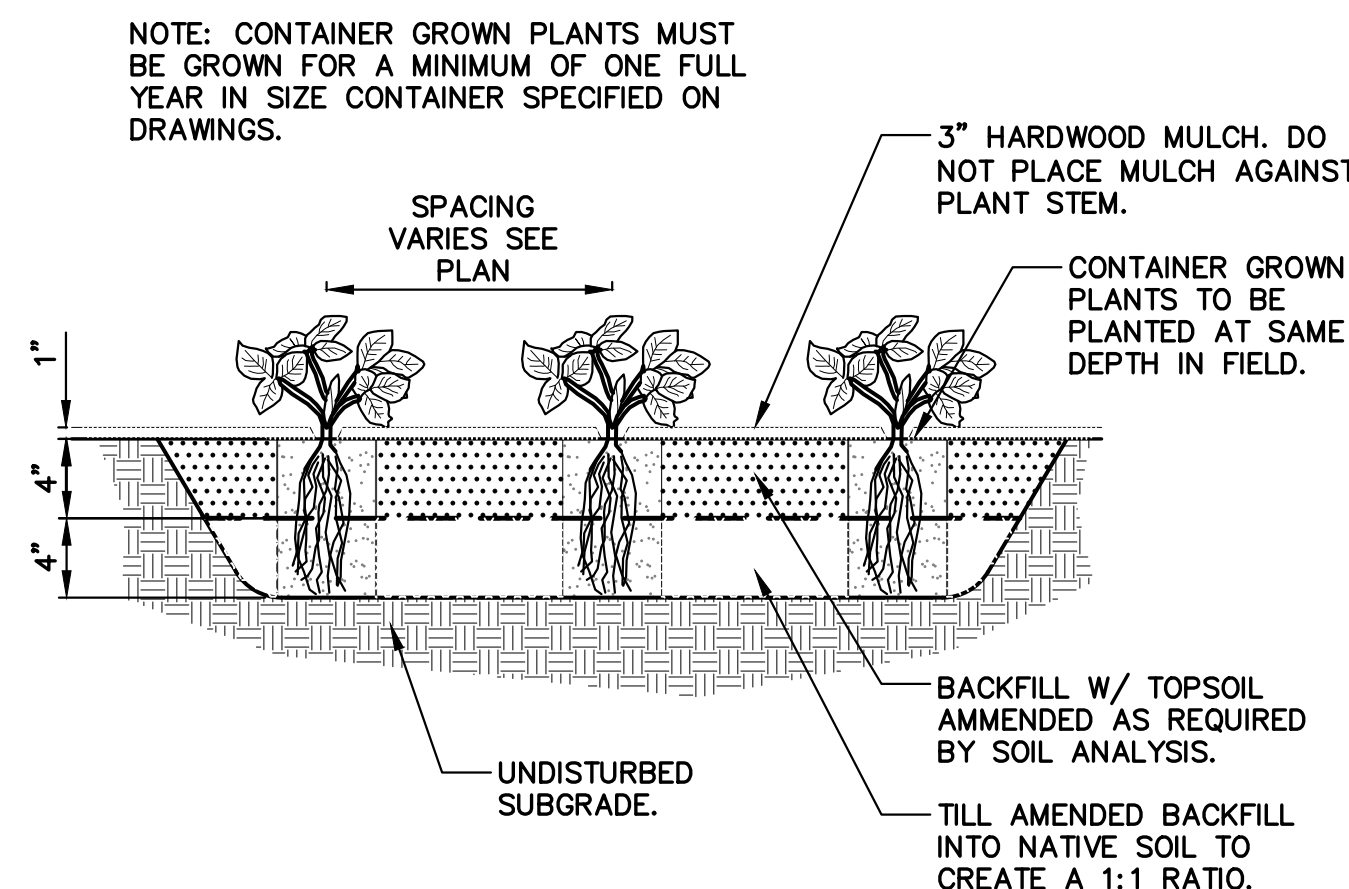
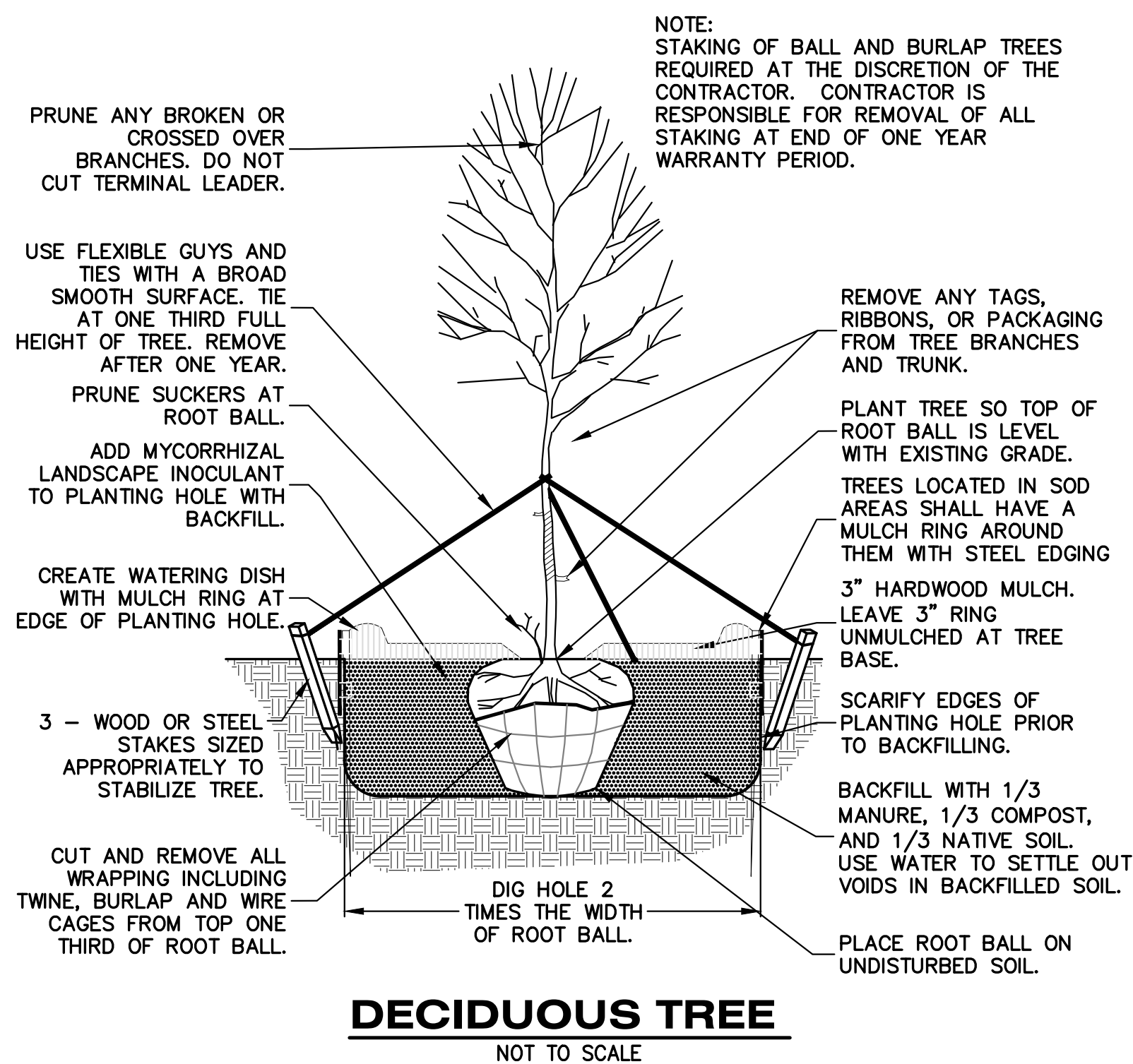
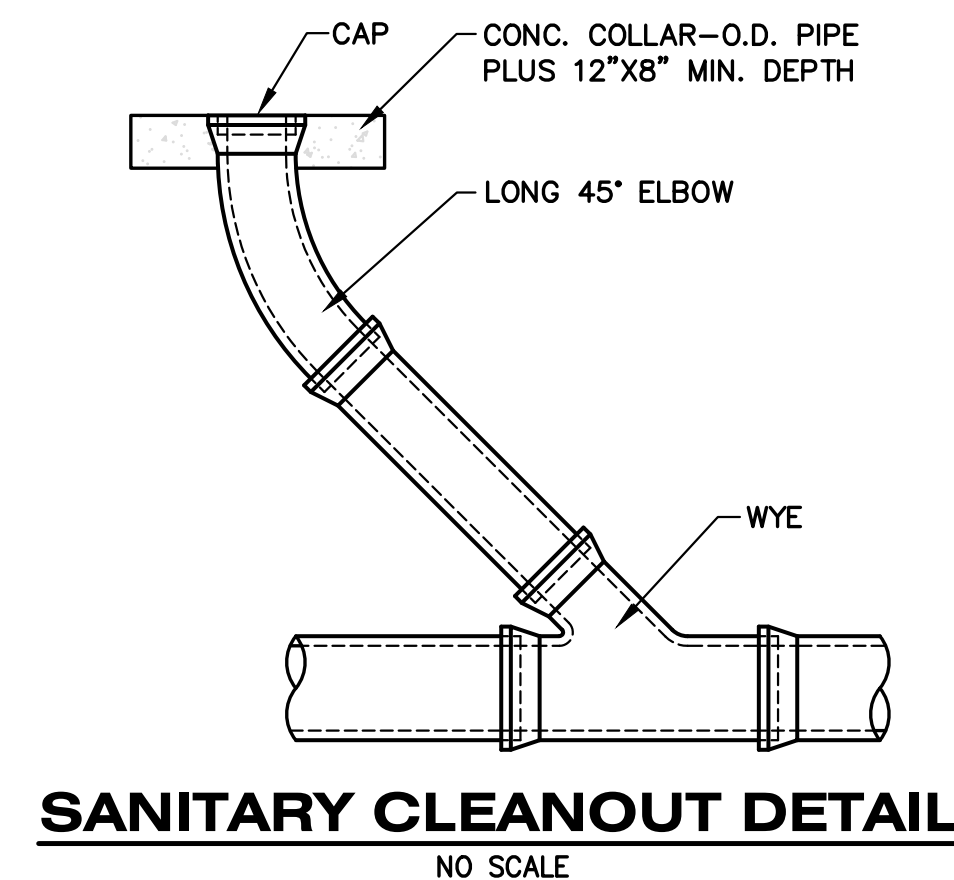
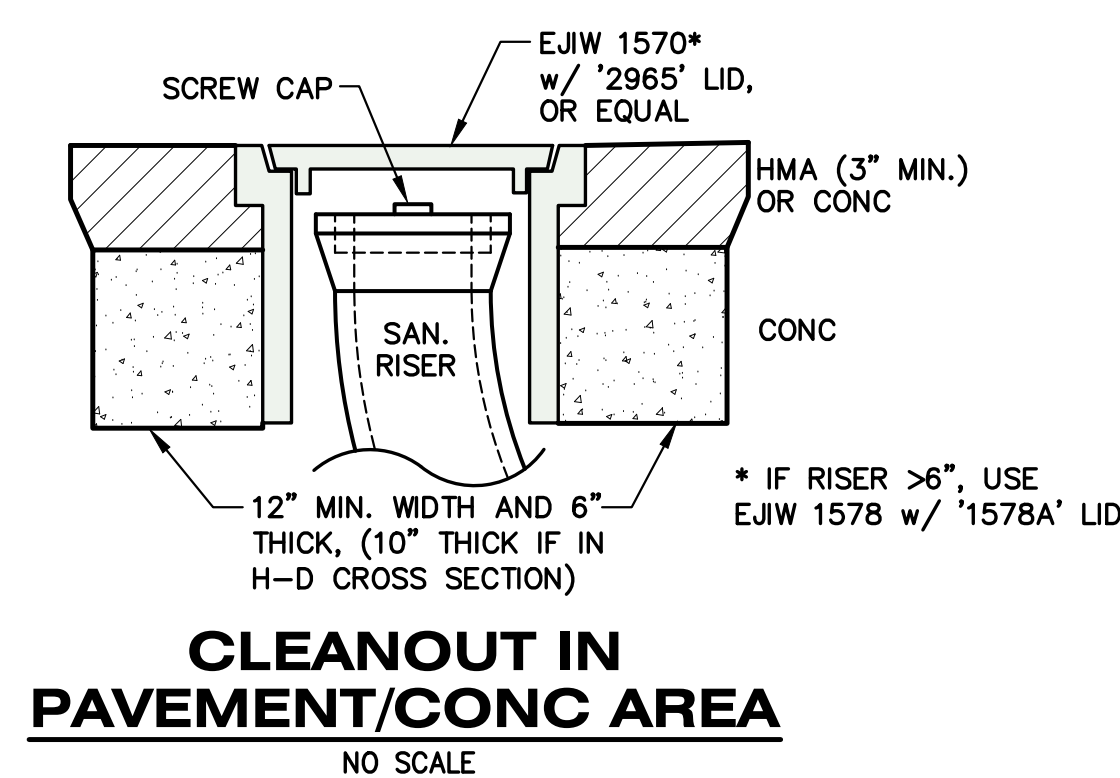
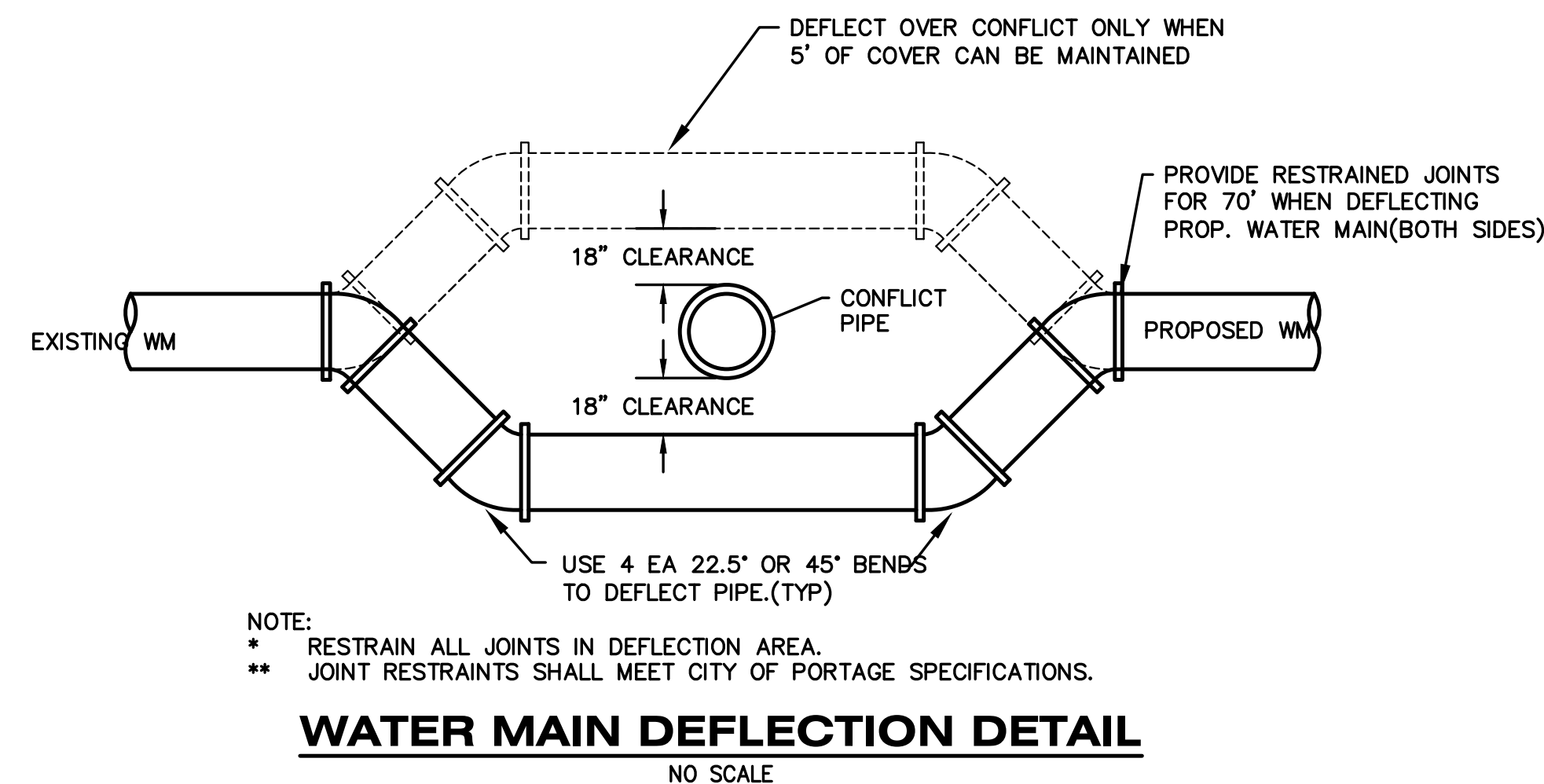
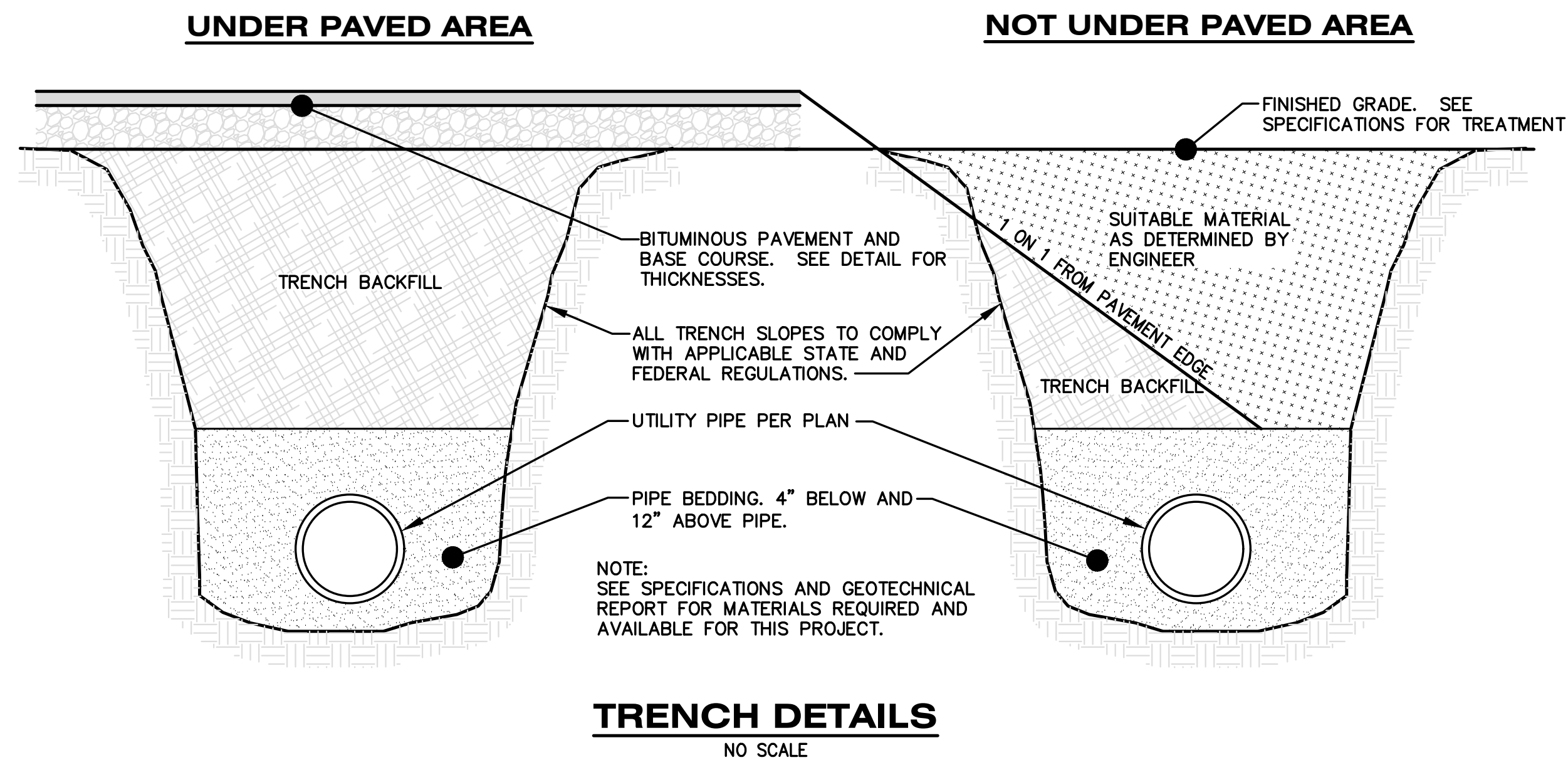
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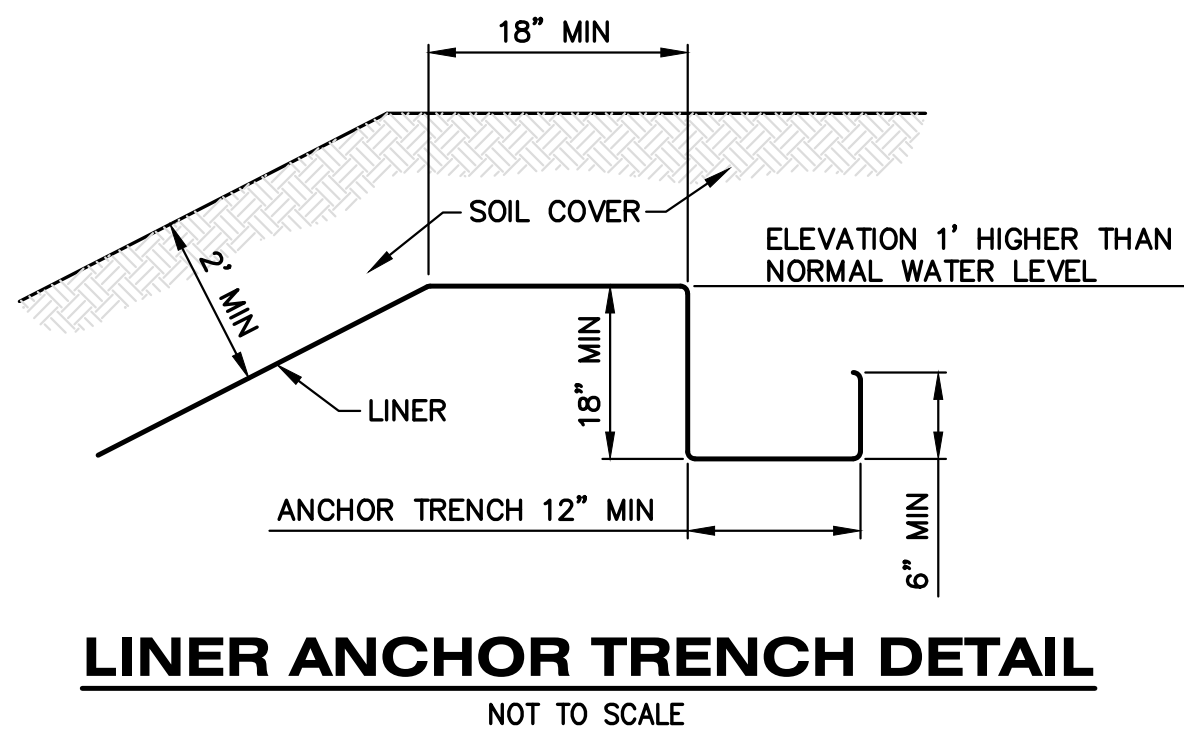
SITE DETAILS
GREENSPIRE TALL TIMBERS
H&G II, LLC

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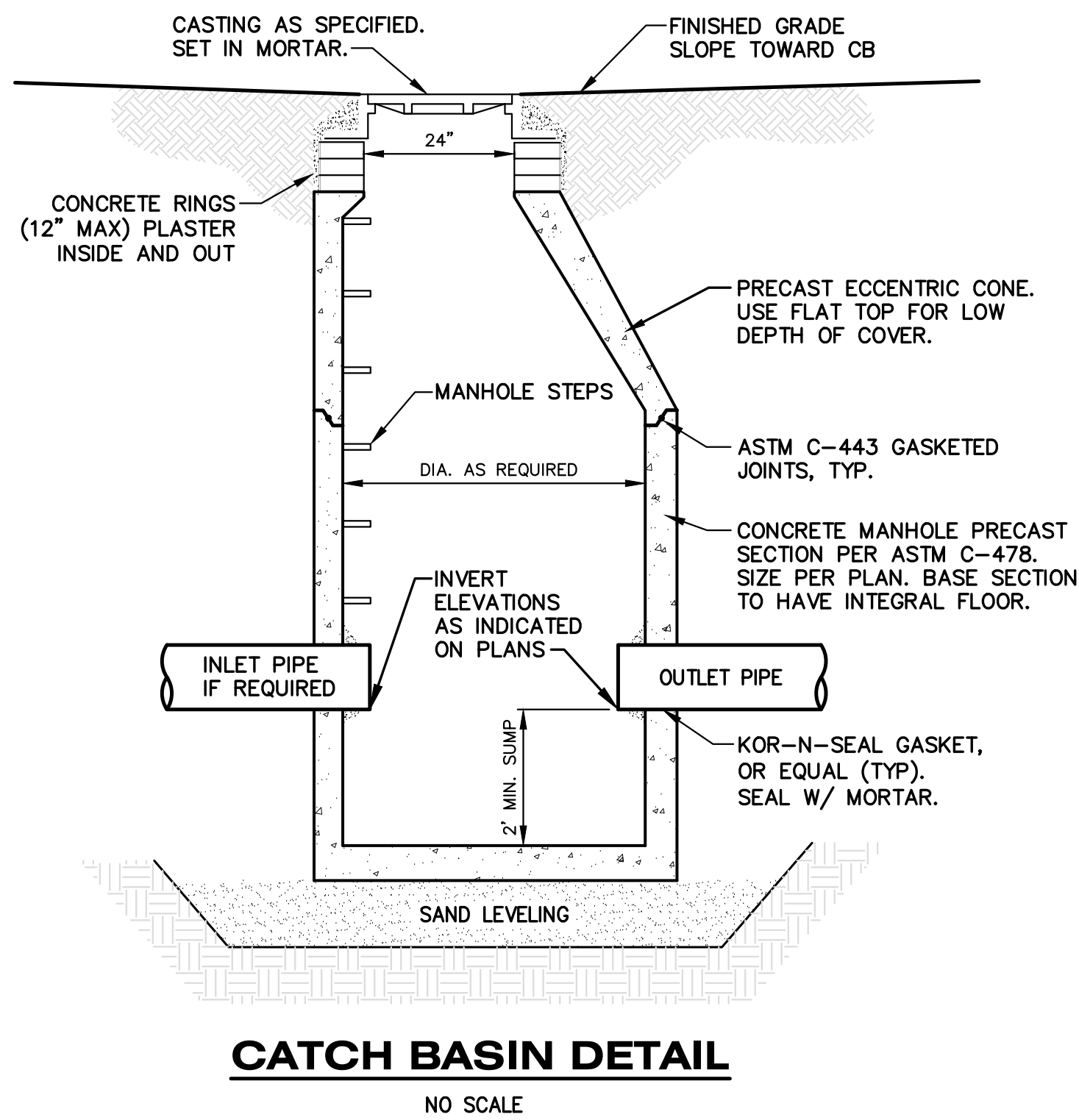
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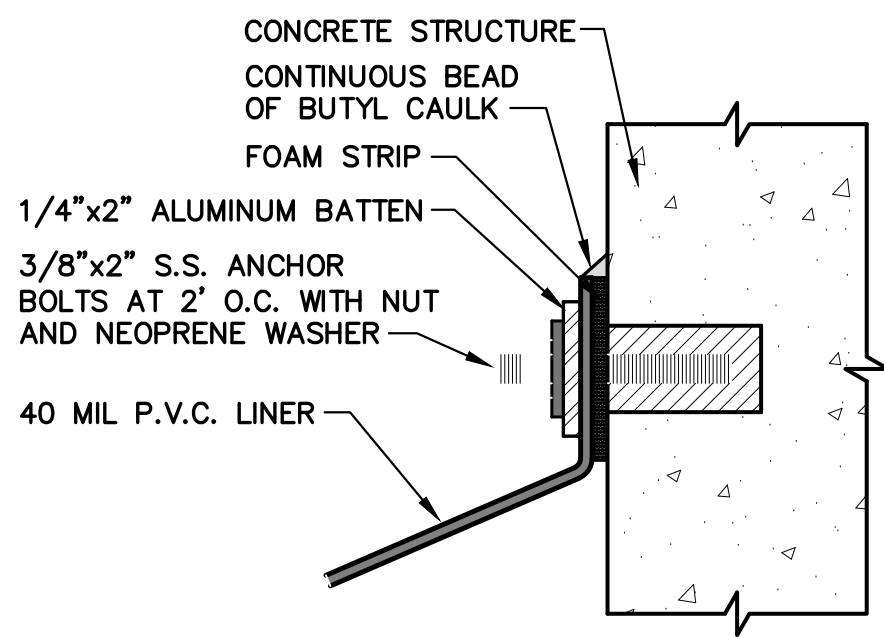




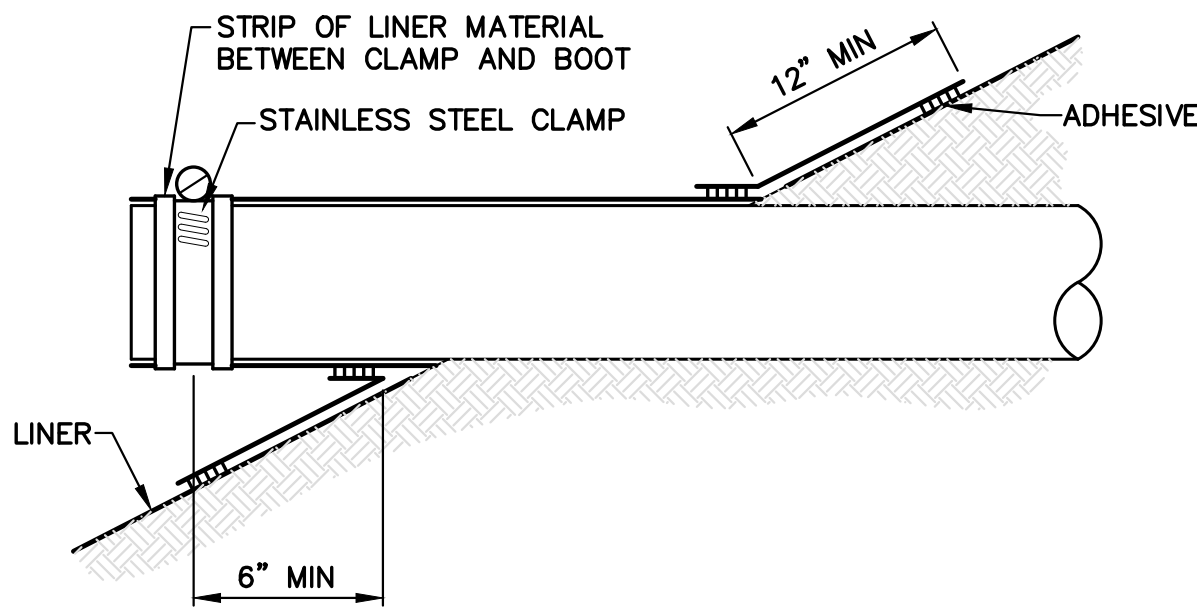
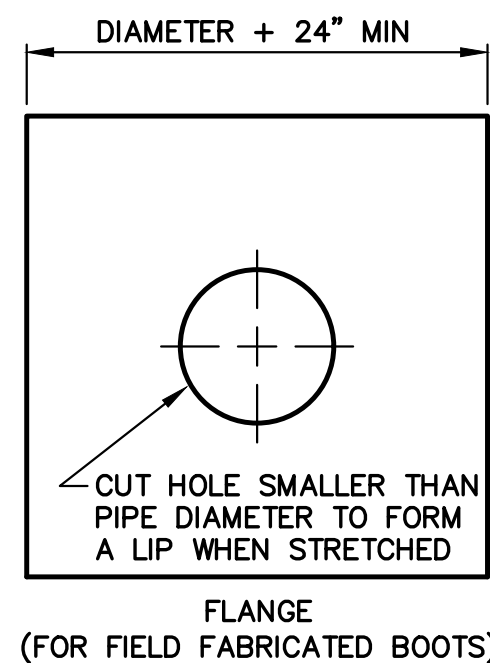
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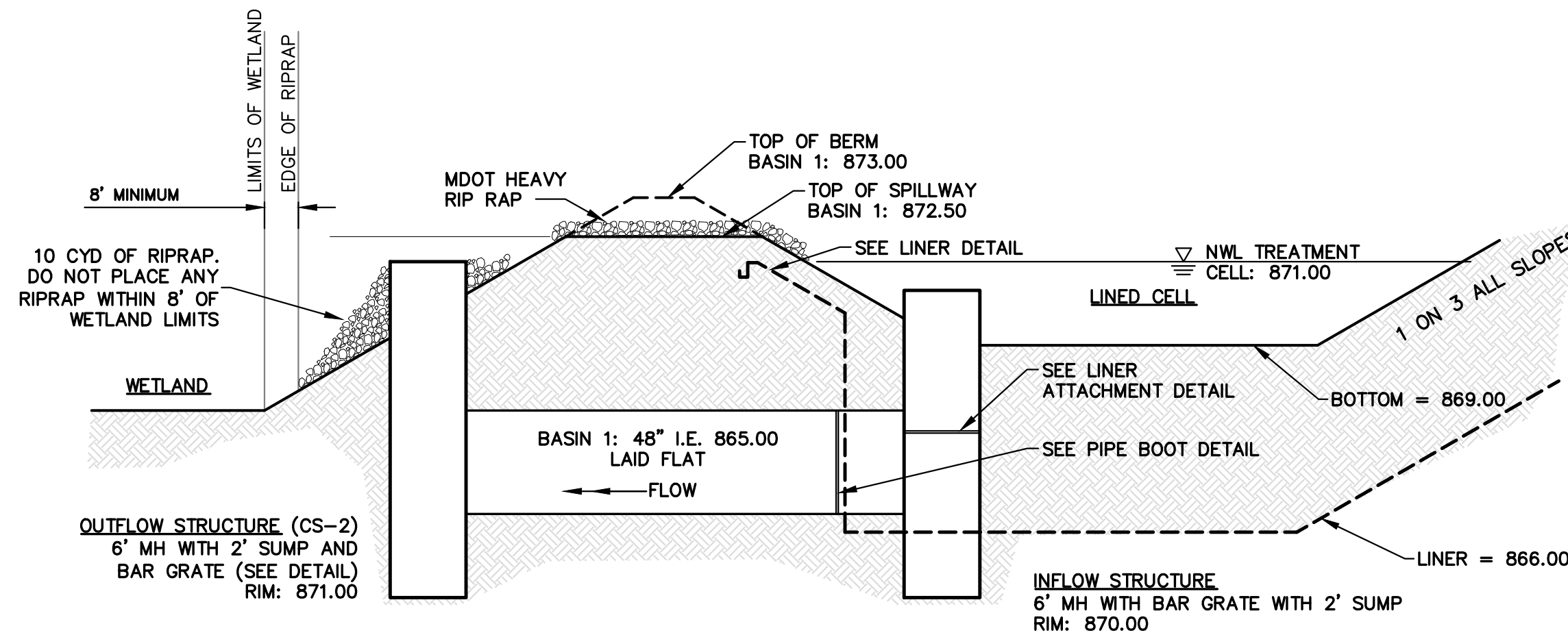
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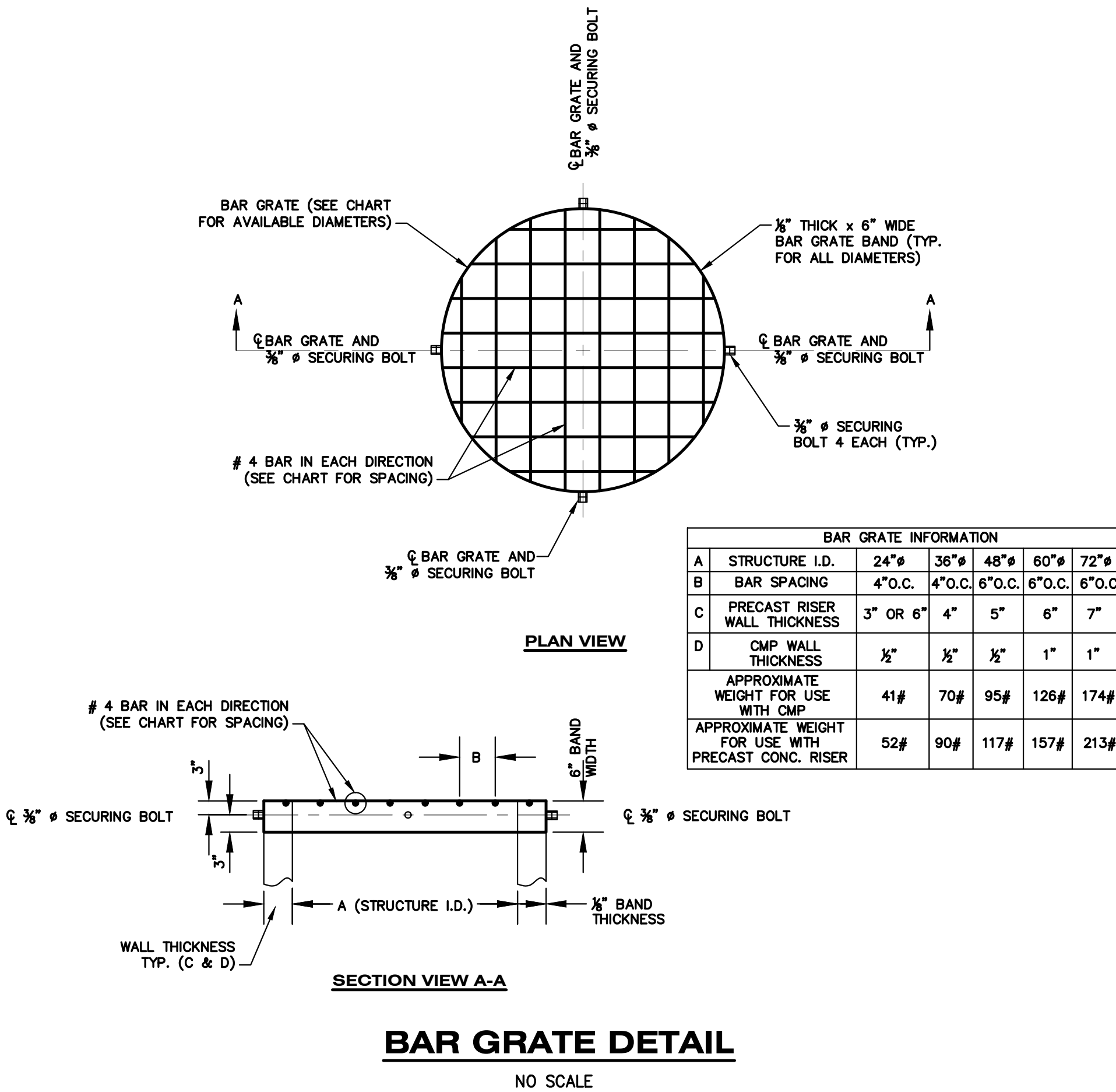


PIPE BOOT DETAIL
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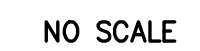
LINED TREATMENT BASIN
NO SCALE

NOTE: WATER LEVEL IN WETLANDS IS 868.75. DEWATER AS NEEDED TO INSTALL LINED BASIN



BAR GRATE DETAIL
NO SCALE

BAR GRATE INFORMATION					
A	STRUCTURE I.D.	24"ø	36"ø	48"ø	60"ø
B	BAR SPACING	4"O.C.	4"O.C.	6"O.C.	6"O.C.
C	PRECAST RISER WALL THICKNESS	3" OR 6"	4"	5"	6"
D	CMP WALL THICKNESS	1/2"	1/2"	1/2"	1"
	APPROXIMATE WEIGHT FOR USE WITH CMP	41#	70#	95#	126#
	APPROXIMATE WEIGHT FOR USE WITH PRECAST CONC. RISER	52#	90#	117#	213#



SCALE: 1" = 10'



SCALE: 1" = 10'



SCALE: 1" = 10'



SCALE: 1" = 10'



SCALE: 1" = 10'



SCALE: 1" = 10'



SCALE: 1" = 10'

DRAWING LOCATION: 15-19-018D (Greenhouse 71) - FINAL DRAWING(S) Call Timbers First Drawings - L Landscape Planning - LAST SAVED BY: LDCAL ON 2/26/2022

LEGEND

- 11 Cm NUMBER AND TYPE OF PLANTS TO BE PROVIDED AND INSTALLED.
- SEEDED LAWN.
- STONE COBBLE MULCH 2-3" DIA. NATURAL STONE COBBLE WASHED OVER FILTER FABRIC.
- WETLAND SEED MIX
- PROPOSED DECIDUOUS TREE
- PROPOSED SHRUBS, EVERGREEN AND DECIDUOUS
- STEEL LANDSCAPE EDGING.

IRRIGATION NOTES:

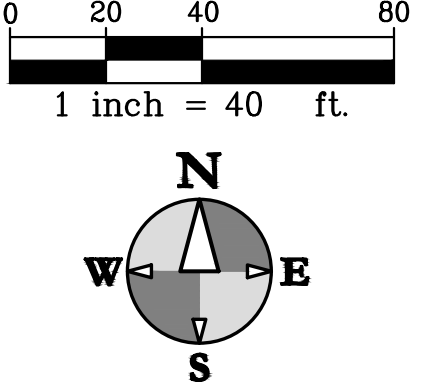
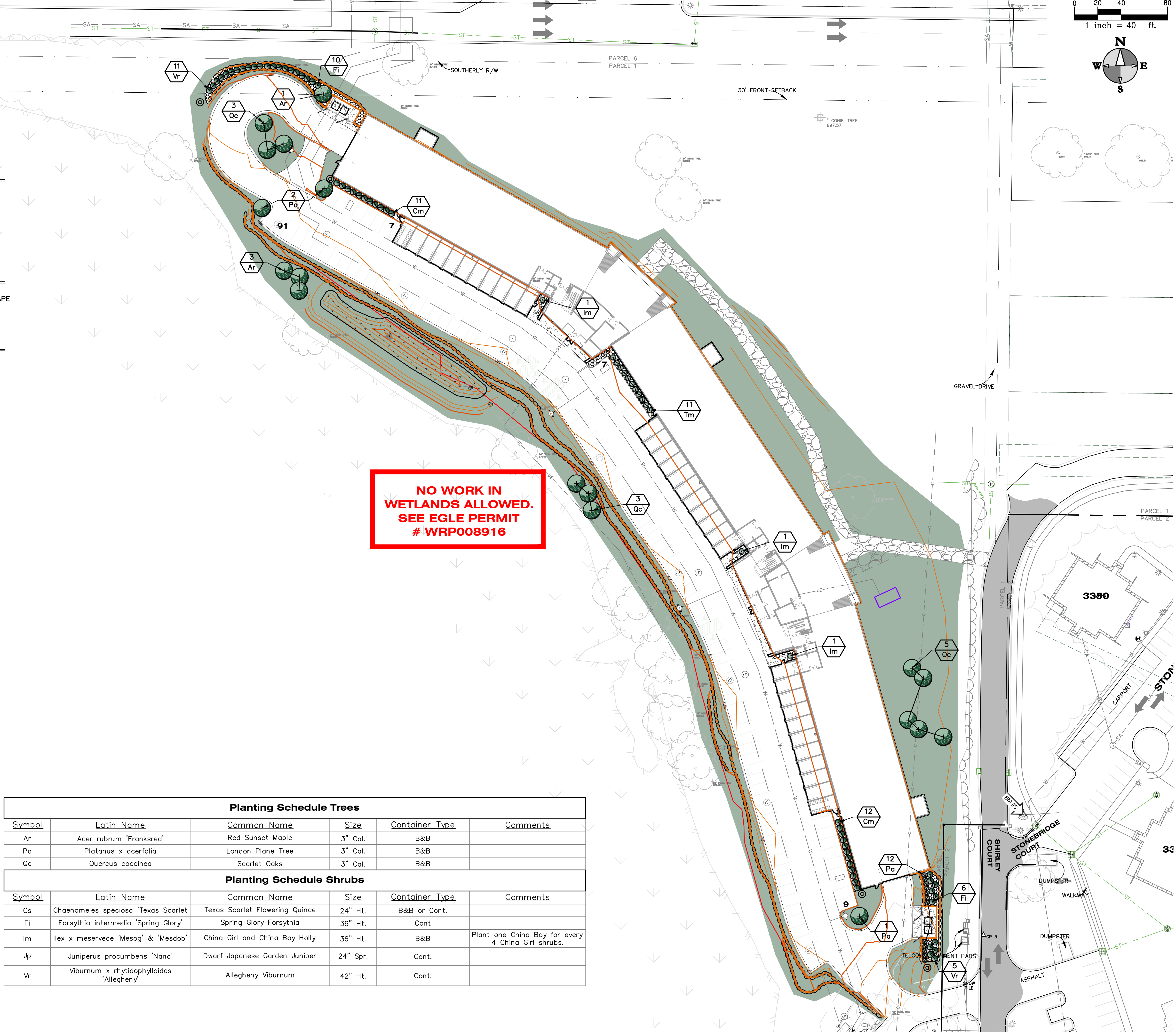
1. LANDSCAPE CONTRACTOR TO PROVIDE LAYOUT AND DETAILS FOR FULL IRRIGATION SYSTEM PRIOR TO INSTALLATION.
2. ALL LANDSCAPE AREAS AND LAWNS ADJACENT TO PAVED AREAS AND/OR STREETS ARE TO BE FULLY IRRIGATED.
3. IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES AND CONTROLLERS.
4. A SEPARATE METER AND BACKFLOW PREVENTER WILL BE REQUIRED.
5. LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT/ CURB.

CITY OF PORTAGE PLANTING REQUIREMENTS

- 1 SF OF INTERIOR LANDSCAPE / 15 SF OF PARKING AREA
19,467 SF OF PARKING AREA = 1,298 SF OF REQUIRED INTERIOR LANDSCAPE
2,542 SF OF INTERIOR LANDSCAPE PROVIDED
1 TREE PER 150 SF OF REQUIRED INTERIOR LANDSCAPE = 9 TREES REQUIRED
13 TREES PROVIDED

LANDSCAPE NOTES:

1. ALL LAWN AREAS SHALL BE SEEDED AND MULCHED WITH THE FOLLOWING MIXTURE: 20% IMPROVED PERENNIAL RYEGRASS, 40% FINE FESCUE, AND 40% KENTUCKY BLUEGRASS AT A RATE OF 8-10 LBS/ 1000 SFT. PROVIDE 19-19-19 STARTER FERTILIZER AT A RATE OF 5-7 LBS/1000 SFT.
2. ALL EDGING SHALL BE STANDARD COMMERCIAL-STEEL EDGING 3/8" X 4", ROLLED EDGE, FABRICATED IN SECTIONS OF STANDARD LENGTHS, WITH LOOPS STAMPED FROM OR WELDED TO FACE OF SECTIONS TO RECEIVE STAKES IN STANDARD FINISH OF GREEN PAINT.
3. PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1 "AMERICAN STANDARD FOR NURSERY STOCK." MEASURE ACCORDING TO ANSI Z60.1 STANDARDS.
4. WARRANT TREES AND SHRUBS FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.
5. REMOVE AND REPLACE DEAD PLANTS IMMEDIATELY. REPLACE PLANTS THAT ARE MORE THAN 25% DEAD OR IN AN UNHEALTHY CONDITION AT END OF WARRANTY PERIOD. A LIMIT OF ONE REPLACEMENT OF EACH PLANT WILL BE REQUIRED, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE TO COMPLY WITH REQUIREMENTS.
6. MAINTAIN TREES AND SHRUBS FOR ONE YEAR FROM DATE OF SUBSTANTIAL COMPLETION BY PRUNING, CULTIVATING, WATERING, WEEDING, FERTILIZING, RESTORING PLANTING SAUCERS, TIGHTENING AND REPAIRING STAKES AND GUY SUPPORTS, AND RESETTING TO PROPER GRADES OR VERTICAL POSITION, AS REQUIRED TO ESTABLISH HEALTHY VIABLE PLANTINGS. SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
7. BEGIN LAWN MAINTENANCE IMMEDIATELY AFTER EACH AREA IS PLANTED AND CONTINUE UNTIL ACCEPTABLE LAWN IS ESTABLISHED: A MINIMUM OF 60 DAYS AFTER SUBSTANTIAL COMPLETION.
8. MAINTAIN AND ESTABLISH LAWN BY WATERING, FERTILIZING, WEEDING, USING CHEMICAL TREATMENT TO ELIMINATE BROADLEAF AND NOXIOUS WEEDS, MOWING, TRIMMING, REPLANTING, AND OTHER OPERATIONS. ROLL, REGRADE, AND REPLANT BARE OR ERODED AREAS AND REMULCH TO PRODUCE A UNIFORMLY SMOOTH LAWN.
9. PROTECT ADJACENT AND ADJOINING STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND PLANTINGS FROM HYDROSEEDING OVER-SPRAY AND DAMAGE CAUSED BY PLANTING OPERATIONS.
10. REMOVE STONES LARGER THAN 1" IN ANY DIMENSION AND REMOVE STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER FROM SITE.
11. MAINTAIN LAWN UNTIL A HEALTHY, UNIFORM, CLOSE STAND OF GRASS HAS BEEN ESTABLISHED, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY 10 SQFT AND BARE SPOTS DO NOT EXCEED 5 BY 5 INCHES.
12. DO NOT PLACE STONE COBBLE DURING WET WEATHER. DO NOT PLACE DIRTY OR MUDDY COBBLE ON BARRIER FABRIC.
13. APPLY PRE-EMERGENT HERBICIDE TO ALL PLANTING BEDS ACCORDING TO MANUFACTURER'S RECOMMENDATIONS REAPPLY AS RECOMMENDED BY PRODUCT DURING ONE YEAR WARRANTY PERIOD.



hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

hurley & stewart

Job No.	19-018D	P.M.T.D.H.	Drft LAD	QA/QC	2/25/22
ISSUED FOR/REVISIONS:					
1	PRELIMINARY SITE PLAN				05/26/21
2	OWNER REVIEW				8/31/21
3	CITY OF PORTAGE				9/3/21
4	CITY OF PORTAGE				2/26/22

LANDSCAPE PLAN
GREENSPIRE TALL TIMBERS
H&G II, LLC

Sheet Title:
Project:
Client:

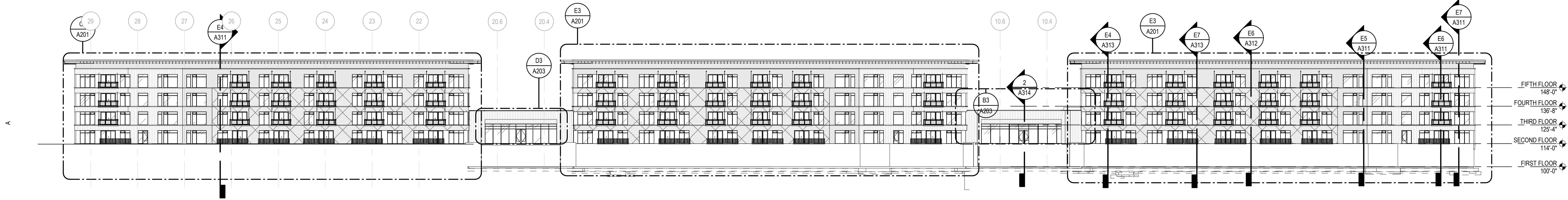
2/28/22
Sheet
L-1



E3 EAST ELEVATION - PART C
1/8" = 1'-0"
A201



C3 EAST ELEVATION - PART E
1/8" = 1'-0"
A201



A3 OVERALL EAST ELEVATION
1" = 30'-0"
A101

EXTERIOR MATERIALS LEGEND

- MP-1** HORIZONTAL METAL SIDING
BASIS OF DESIGN: IMARK ARCHITECTURAL METALS ALURAPANEL 5.25"
COLOR: TBD
- MP-2** HORIZONTAL METAL SIDING
BASIS OF DESIGN: IMARK ARCHITECTURAL METALS ALURAPANEL 5.25"
COLOR: TBD
- MP-3** VERTICAL METAL SIDING
BASIS OF DESIGN: RMP METAL PRODUCTS ALUMABOND
COLOR: WEATHERING STEEL (SPECIALTY FINISH)
- FC-1** FIBER CEMENT PANEL
BASIS OF DESIGN: JAMES HARDIE HARDIEPANEL
COLOR: TBD
- ST-1** STONE VENEER
BASIS OF DESIGN: K2 STONE
COLOR: 2", 4", 6" AND 8" COURSED PACIFIC ASHLAR
- IG-1** INSULATED GLAZING
- C/J — CONTROL JOINT / MOVEMENT JOINT

PAINT AND METAL COLORS TO BE VERIFIED WITH ACTUAL MANUFACTURER'S SAMPLES.
ENTIRE EXTERIOR MATERIAL PACKAGE TO BE REVIEWED AT ONE TIME TO ALLOW FOR
ADJUSTMENTS BASED ON COMPATIBILITY WITH THE ACTUAL COLOR OF ADJACENT
MATERIALS.

KEYNOTES

NUMBER	NOTE
A10	CUSTOM ALUMINUM GUARDRAIL, TO MATCH PREFABRICATED BALCONY GUARDRAIL

THE HINMAN COMPANY & AVB CONSTRUCTION
GREENSPIRE PHASE 7

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ISSUANCE

CONSTRUCTION DOCUMENTS
03/29/2022

REVISIONS

NO. DATE DESCRIPTION

FILE NUMBER 71330015
PROJECT MANAGER MAW
PROFESSIONAL MAW
DRAWN BY DSW
CHECKED BY MAW

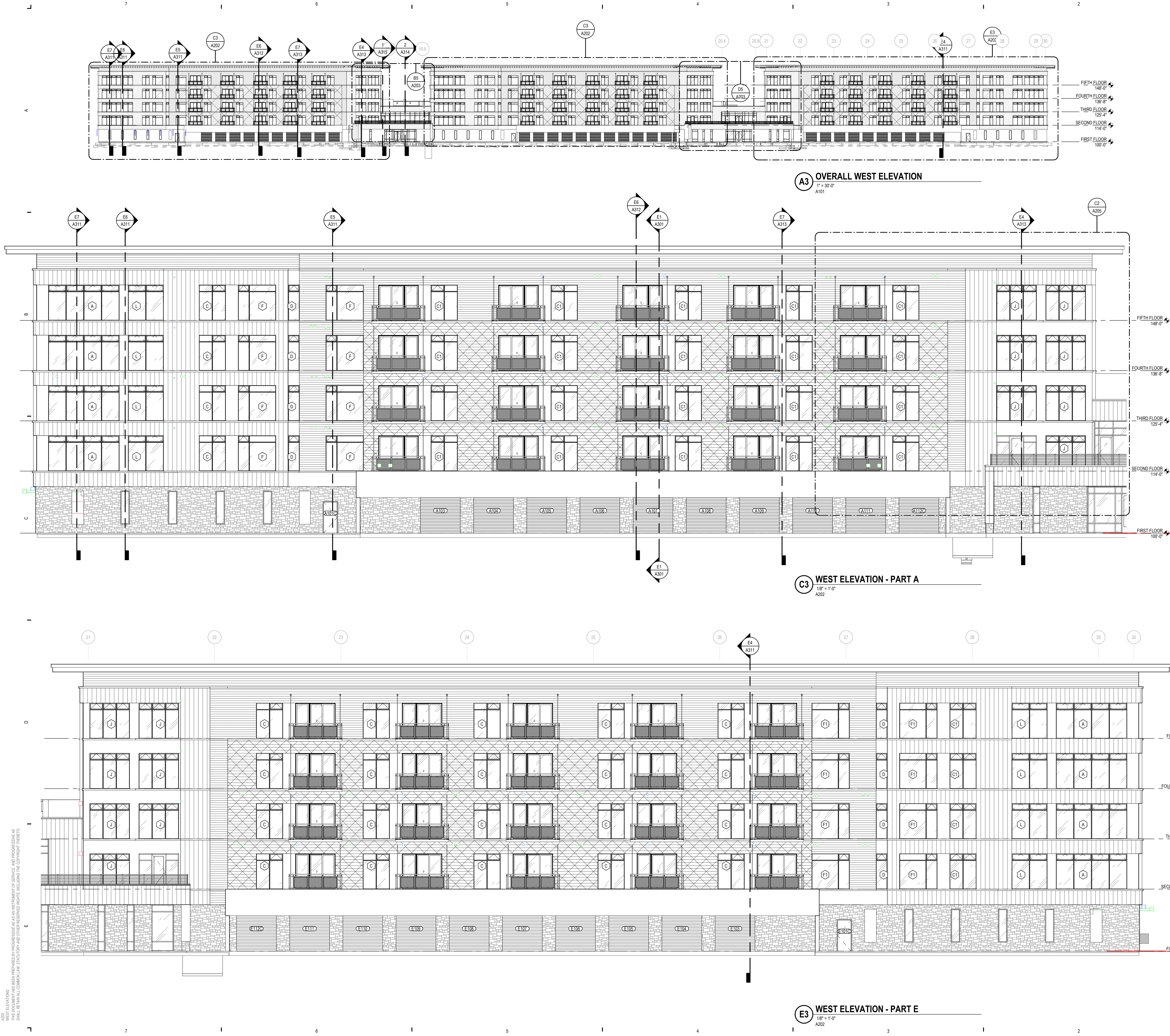
EAST
ELEVATIONS
A201

progressive ae

1811 4 Mile Rd NE, Grand Rapids, MI 49525 616.361.7264 | www.progressiveae.com

8407 GREENSPIRE DR, PORTAGE, MI 49607

2/26/2022 10:12:23 AM
A202
37
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DRAWN BY	DSW
CHECKED BY	MAW

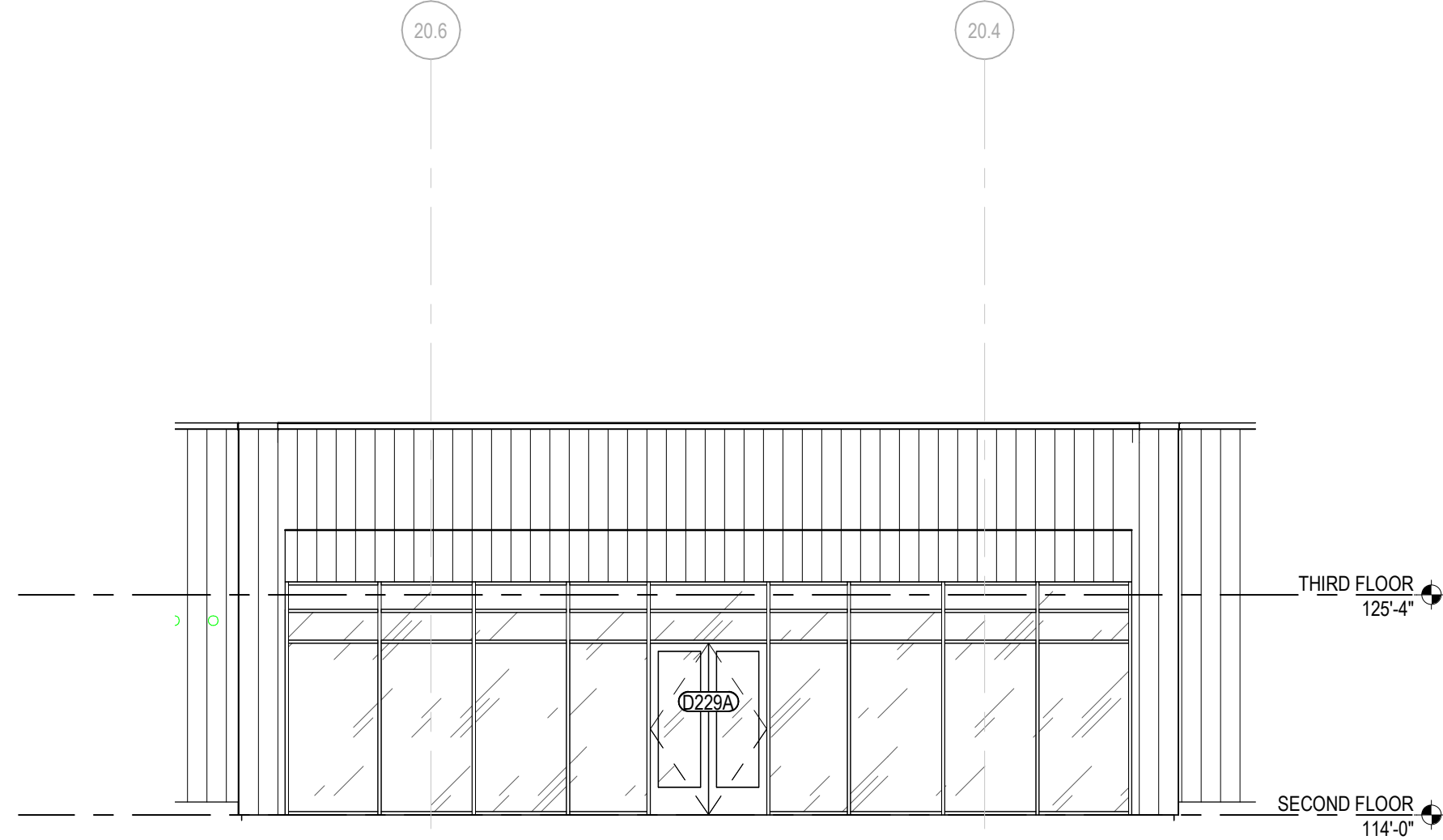
WEST
ELEVATIONS
A202

1811 4 Mile Rd NE, Grand Rapids, MI 49525 616.361.7264 | www.progressiveae.com

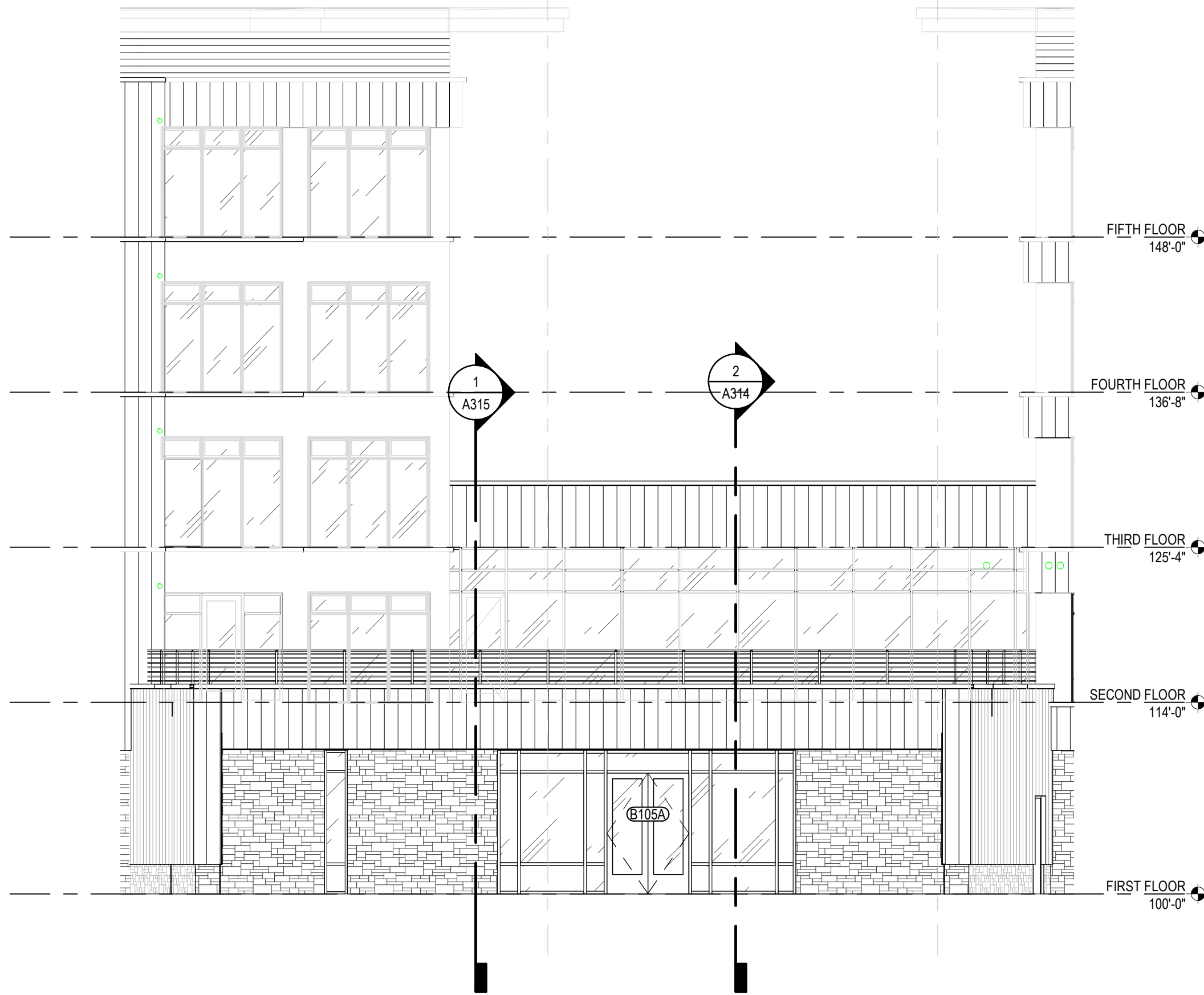
8407 GREENSPIRE DR, PORTAGE, MI 49687



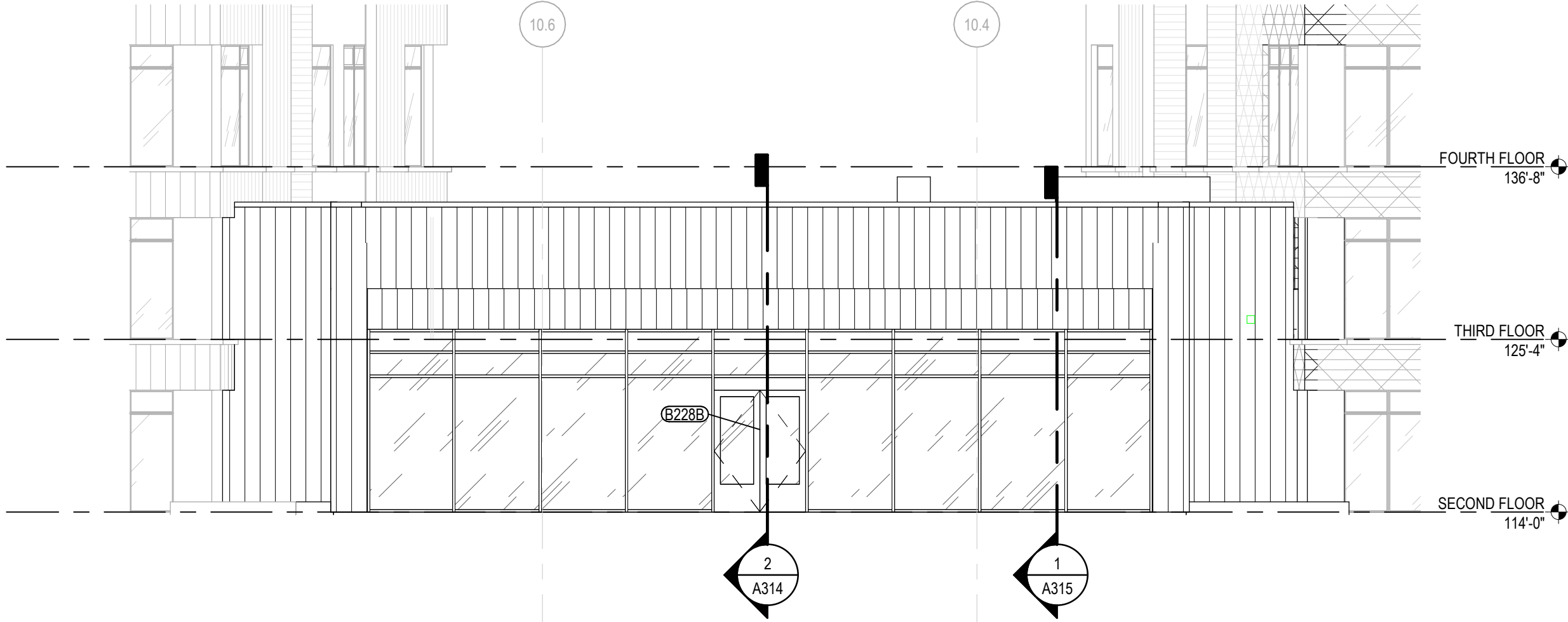
D5 BUILDING D WEST ELEVATION
1/8" = 1'-0"
A202



D3 BUILDING D EAST ELEVATION
1/8" = 1'-0"
A201



B5 BUILDING B WEST ELEVATION
1/8" = 1'-0"
A202



B3 BUILDING B EAST ELEVATION
1/8" = 1'-0"
A201

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THE HINMAN COMPANY & AVB CONSTRUCTION
GREENSPIRE PHASE 7

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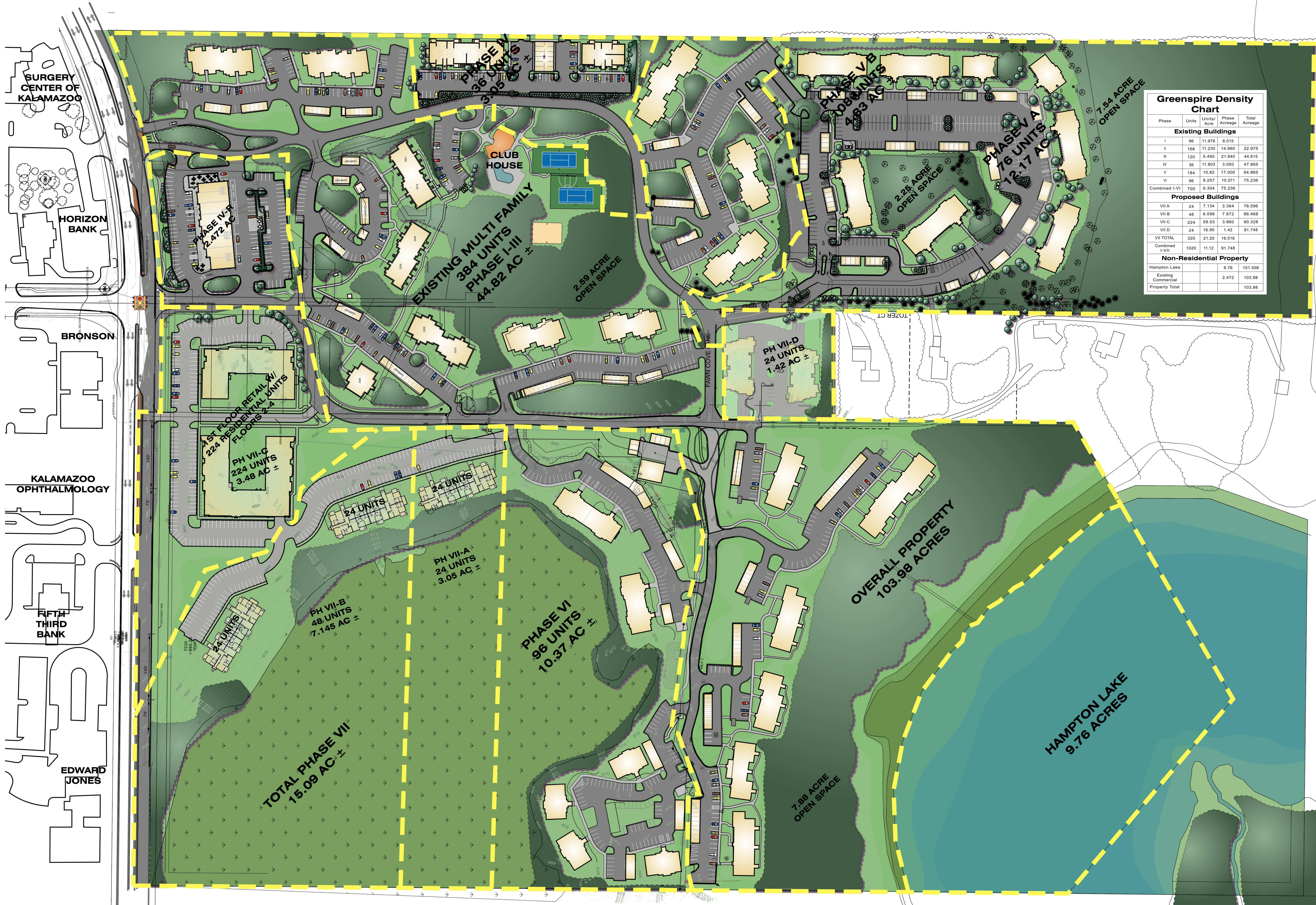
**PARTS B AND D
ELEVATIONS
A203**



	MP-1 HORIZONTAL METAL SIDING BASIS OF DESIGN: IMARK ARCHITECTURAL METALS ALLURAPANEL 5.25" COLOR: TBD MP-2 HORIZONTAL METAL SIDING BASIS OF DESIGN: IMARK ARCHITECTURAL METALS ALLURAPANEL 5.25" COLOR: TBD MP-3 HORIZONTAL METAL SIDING BASIS OF DESIGN: RMP METAL PRODUCTS ALUMABOND COLOR: WEATHERING STEEL (SPECIALTY FINISH)	FC-1 FIBER CEMENT PANEL BASIS OF DESIGN: JAMES HARDIE HARDEE/PANEL COLOR: TBD ST-1 STONE VENEER BASIS OF DESIGN: K2 STONE COLOR: 2", 4", 6" AND 8" COURSED PACIFIC ASHLAR	IG-1 INSULATED GLAZING
	CONTROL JOINT / MOVEMENT JOINT		
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**NORTH AND
SOUTH
ELEVATIONS
A204**



Greenspire Density Chart				
Phase	Units	Units/Acre	Phase Acreage	Total Acreage
Existing Buildings				
I	96	11.978	8.015	
II	168	11,230	14.960	22.975
III	120	5,495	21.840	44.815
IV	36	11,803	3.050	47.865
V	164	10.82	17.000	64.865
VI	96	9.257	10.371	75.236
Combined I-VI	700	9.254	75.236	
Proposed Buildings				
VII A	24	7.134	3.364	78.596
VII B	48	6.098	7.872	86.468
VII C	224	58.03	3.860	90.328
VII D	24	16.90	1.42	91.748
VII TOTAL	320	21.20	16.516	
Combined I-VII	1020	11.12	91.748	
Non-Residential Property				
Hampton Lake			9.76	101.508
Existing Commercial			2.472	103.98
Property Total				103.98

Minutes of Boards & Commissions

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – March 14, 2022

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

MEMBERS PRESENT: Lena Jomaa, Lynn Haddow, Winifred Kurtz, Tracy Ezell, Michael Reedy, Jay Eichstaedt, Linda Fry, Ken Seybold

MEMBERS EXCUSED: Linda Finch

Fry made a motion to excuse Finch and Haddow supported the motion. Upon voice vote, motion passed 7-0.

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

APPROVAL OF THE MINUTES:

Kurtz motioned to approve the December 13th minutes as submitted and Jomaa seconded the motion. Upon voice vote, motion passed 5-0.

Kurtz motioned to approve the February 14th minutes as submitted and Jomaa seconded. Motion passed 7-0

NEW BUSINESS:

ZBA #21-13; 9629 Woodlawn Drive: Mais summarized the request for a variance to construct a 24-foot by 30-foot detached garage five feet from the (west) front property line where a minimum 27-foot front yard setback is required. The property is lake front, non-conforming in the R1-A zoning district. Applicant proposes to remove an existing non-conforming garage and construct the detached garage. The location of the dwelling 44 feet from the (west) front property line poses practical difficulties for any garage construction. Staff recommends a lesser variance placing the garage as far back as practical from the right-of-way.

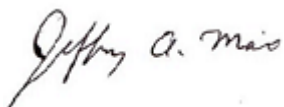
Eichstaedt opened a public hearing. Applicant was not present. Fry motioned to table the item until the next regularly scheduled meeting. Haddow seconded the motion. Upon roll call vote: Eichstaedt-Yes, Ezell-Yes, Haddow-Yes, Jomaa-Yes, Fry-Yes, Kurtz-Yes, Seybold-Yes. Motion passed 7-0. Item postponed until the April 11, 2022 meeting.

OTHER BUSINESS: None.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: Fry motioned to close the meeting. Jomaa supported the motion. Motion passed unanimously. Eichstaedt closed the meeting at 7:11pm.

Respectfully submitted,



Jeff Mais
Zoning & Codes Administrator

Minutes
Youth Advisory Committee ~~Agenda~~

March 21, 2022, 6:00 p.m.

I. Call to Order:

Time: 6:02

II. Introductions and Attendance:

Number of members present: 10

Question of the day: what are you looking forward to
in spring break?

III. Approval of February Meeting Minutes: change Agenda to Minutes

Motion by: Riley, seconded by: Alex

to approve the February meeting minutes.

IV. Board & Commission YAC Liaison Updates: none

a. Parks Board – Una, Margaret, Conor

b. Environmental Board – Mason, Grace, Amiti

c. Historic District Commission – Riley

d. Senior Citizens Advisory Board – Genevieve, Ashlyn, Natalia

same time interferes with school time

e. Human Services Board – Aanya, Mason, Riley

working on block grants

V. Sub-Committee Update: Climate Change

job/Task:

Look for green jobs!!

Fresh Thyme, Ramona

VI. YAC Volunteer Opportunity – Saturday, March 26, 2022

a. Michigan United Conservation Club (MUCC)

"green" work, tree planting etc

9am-2pm (Saturday)

VII. YAC Opportunity for an Earth Day 2022 Podcast → Friday 22nd

a. The City of Portage Communications office would like two guest speakers

On/near earth day, talking about greenathon,
YAC

Interested: Riley, Gen(?) , Amiti(?)

VIII. Spreading the Word about YAC

a. Recruitment for YAC 2022-2023

School Announcements - PCTV, WMS Announcements

Recruitment Video (?)

IX. Green-A-Thon 2022

- a. Sunday, May 1, 2022, from 11:00 a.m. to 3:00 p.m. (YAC will arrive at 10:00 a.m. to set up)

School Environmental Clubs

Environmental EFA

- b. City Hall Parking Lot

can use church parking

↳ winning to volunteer

- c. There will be a link for YAC Members to sign up for the event

sign up genius

Jazz Band (WMS)? Anya/Riley to ask.

- d. Vendors and Activities

7-8 vendors may have sponsored activity

+ 2 city boards

find others if possible (places you like)

X. Mark Your Calendars – YAC Events

- a. Discuss Respect for Law Event – Friday in August or September

Breakfast Optimist Club

6-8:30

motion: Amriti second: Alex

First Friday of August (August 5th 6-8:30 pm)

All about safety!

Self defense lessons (YMCA?) → suggestion

Veterans?

XI. Next Meeting

- a. April 18, 2022 at 6:00 p.m. (remaining 2022 dates on back)

motion: Riley, second: Alex

XII. Adjourn

Meeting adjourned: 6:30 pm

Youth Advisory Committee 2022 Meeting Dates:

Monday, April 18, 2022

(Green-A-Thon)

Monday, May 16, 2022

Monday, June 13, 2022

(Respect for Law event – August)

CITY OF PORTAGE PLANNING COMMISSION

Thursday, April 7, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of April 7, 2022 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Eric Feldt, City Planner

Biqi Zhao, Deputy Director of Planning and Zoning

Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); O'Dell (yes); Youngs (yes); and Freiman (yes).

APPROVAL OF MINUTES:

A motion was made by Vice Chair Joshi, supported by Commissioner Pezzoli to approve the March 17, 2022 meeting minutes. The motion was approved unanimously.

Public Hearings:

Ordinance Amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Mr. Feldt stated that the applicant, Northern Biomolecular Services (NBS), is requesting to locate their biotechnology business to 5528 Portage Rd., which is zoned B-3. He detailed staff reasoning for recommending approval of the ordinance amendment. Vice Chair Joshi asked if there is any foreseeable downside to allowing this use. Mr. Feldt stated staff does not anticipate any downside and that restrictions applied in the draft ordinance language for Special Land Use are in place. Commissioner O'Dell asked about condition three. Mr. Feldt clarified that the condition requires office as an adjunct use, meaning an office component is required in tandem with the laboratory or technology use. Chair Corradini asked about condition five which states 'shall not have access onto a residential street' and whether Yellow Brick Road is considered a residential street. Mr. Feldt stated the road is not residential.

Applicant, Shane Woods, representative from NBS, stated his support of the proposed ordinance amendment and acknowledged that others who are looking to relocate similar uses, so there might be other opportunities for new businesses.

Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Commissioner Fries motioned to waive the second public hearing and to recommend to City Council approval of ordinance amendment #22-03 to add 'technology'- and 'laboratory'- related office uses to the B-3 General Business District under Special Land Uses. Motion supported by Commissioner Pezzoli. Motion passed unanimously.

A Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue.

Mr. Feldt presented the project, proposed amendments and staff recommendation that the Tentative Plan Amendment be approved. Commissioner Pezzoli asked if a 5-story building would be a concern for the fire department.

As the fire marshal contributes to all plan reviews, Mr. Feldt stated this was not a concern for the fire department. Commissioner Youngs asked if the traffic light at Centre Avenue will be able to handle the

additional traffic. Mr. Feldt stated there will be no increase in total units for all phases of the plan that will negatively impact the intersection.

Applicant, Greg Dobson, representative from AVB, detailed the history of Greenspire, how this phase is different from previous phases, and explained the tree clearing that has already occurred. Chair Corradini clarified details regarding the buildings and units with the applicant. Commissioner Freiman asked about EV chargers for the parking garage. The applicant stated EV chargers, four fast paced chargers, are slated for the underground parking garage. Commissioner Fries asked if the EV chargers are Level 2. Applicant confirmed this to be true. Commissioner Fries asked if all the buildings are LEED certified. Applicant stated only the three buildings in the Phase VII will be LEED certified. Chair Corradini opened the public hearing. There being no public comment, Commissioner Baldwin motioned, and Vice Chair Joshi supported the motion to close the public hearing. Motion passed unanimously. Vice Chair Joshi motioned to waive the second public hearing, and to recommend to City Council approval of the Tentative Plan Amendment to modify the previously-approved Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Center Avenue. Chair Corradini supported the motion. Motion passed unanimously.

OLD BUSINESS

Chair Corradini explained the change in format of meetings where staff provides a summary before the applicant presents. He continued to state that all Commissioner requests for information, a meeting our tour with City staff, must be submitted in writing to Mr. Feldt. Finally. He stated that for next meeting after regular session, the Commission will move to Conference Room 1 for an informal meeting open to the public to discuss the city's public participation plan, a brief master plan update, overview of the city's sustainability initiatives, and subcommittees.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

None.

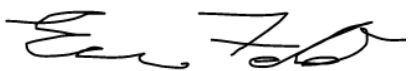
STATEMENT OF STAFF

Mr. Feldt confirmed that the Commission's request for a traffic study along W. Osterhout Avenue has been shared with the City Manager's Office and Transportation and Utility department.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager

April 8, 2022

Mayor Randall & Portage City Council
Mr. Adam Herringa, City Manager
Mr. Dan Corradini, Planning Commission Chair



Dear Friends:

With this letter, we are formally requesting a meeting with the City Manager to discuss the overwhelming traffic noise which has resulted from the City of Portage storm water basin relocation project located behind 950 West Trade Centre Way.

To summarize, in April 2020 we received a letter from the City Planning Department describing plans to amend the Conceptual Plan for the Trade Centre Commercial Development (300-1150 Trade Centre Way). We were invited to contact Mr. Dobson of AVB with any questions as well as request additional materials from the City Planning Office. We requested those additional materials and also reached out to Mr. Dobson to schedule a meeting for a better understanding of the new development. The City Planning Department sent us the *Preliminary Report to the Planning Commission* dated April 9, 2020, a hotel façade representation as well as a Google Earth photo with photoshopped images to show the placement of the hotel and the water basin lagoons.

At our April 9 meeting, Mr. Dobson detailed the hotel construction plans and answered all of our questions about the new hotel. We expressed our concerns about the fragile nature of the creek and surrounding wetlands and he indicated that the new storm water basin would be an asset to the City of Portage, improving on the original storm basin by protecting the creek from the runoff from several parking lots in the Trade Centre Development.

Having fully participated in the planning commission process we were confident that AVB had carefully considered the impact a hotel would have on the north bank of Portage Creek. Based on this information, we wrote a letter to the Planning Commission stating that we were satisfied that consideration was given to how the new hotel development would impact property owners to the north of Portage Creek as well as the creek itself. We also attended and spoke at the April 16, 2020 hearing; as citizens of Portage we were fully engaged in the process.

Fast forward to December 2020 when we witnessed the bulldozing of scores of trees from the north side of the 950 Trade Center parking area. The entire tree line between 950 Trade Centre and Portage Creek was removed as well as a large block of 80' trees clustered tightly together near the NW corner of the parking lot. These trees were the only sound barrier between our home and I-94. We sent an email to Mr. Dobson that day. He responded soon after and we scheduled a meeting in January when he returned from his travels.

Mr. Dobson came to our home on January 8, 2021 to assess the situation. He stood on our deck and was sympathetic over our new landscape and noise level and offered to underwrite the cost of planting trees on our side of Portage creek to mitigate the problem but of course, that would block our precious view of Portage Creek.

On January 22, 2021 we met with Mr. Forth of the Portage Planning Department who indicated that removal of these trees was always a part of the plan and that we should have attended the subsequent meeting when the storm basin relocation was discussed to voice our concerns. He reiterated that all plans had been carefully reviewed by the city and asked what we wanted him to do about it now.

Since we did not attend the 'subsequent meeting,' we asked Mr. Forth if, during their careful review, the Planning Department & Commission had considered and assessed all of the following factors which greatly exacerbate the sound from the highway:

- The removal of 50-60 trees, the majority of them which were 80' high and whose tightly-knit canopies were at eye-level to our home up on the hill and served to block/soften the traffic sound. Their removal opened up our property to a wall of sound carried by the prevailing winds from I-94 corridor;
- The large amount of water (perhaps doubled?) which is now released at the western edge of the 950 parking lot into the wetlands in & around Portage Creek—in addition to the two new lagoons stretching across the entire back of 950—all which serve to amplify traffic sound;
- The additional blacktop for the parking spaces which were added where the tree line once stood along the back of 950 which reflects sound;
- That the MDOT sound wall extends much further on the south side of I-94 than on the north side (to accommodate the Trade Center property) thereby reflecting the traffic sound to the north.

His disheartening response to those questions was "I am no sound expert" and "a property owner can remove as many trees as they wish." He again stated that the storm basin plans were carefully considered before approval. End of discussion.

We were dumbfounded. Based on Mr. Forth's responses, should we assume that the City Planning Department and Planning Commission were cognizant of all these factors, yet still voted to approve the project as proposed? How can it be that no one at the city level advocated for us even if we were not present at 'the meeting?' If the City truly knew these relocation plans would have this outcome, why didn't anyone at least question the ramifications to nearby property owners directly opposite of the new basin since our home is closer to the storm basin than the new hotel? Why weren't these important factors spelled out in a staff report as was all the other minutia on the hotel staff report? Mr. Forth was adamant that all "city policies were followed to a T" giving us the impression that it was more important to follow policy than address any negative ramifications this project may have on a small number of property owners.

Some questions/comments that we would like to clarify in our meeting with the City Manager:

- What City entity ultimately oversees Public Works projects such as the relocation of the storm water basins?
- Did staff members at the City level anticipate these noise problems given the proximity to I-94 and fail to include them on their staff report? When large numbers of trees are being removed why is that not specifically stated on the staff report for the public's enlightenment?
- Why is there no city code that protects residential areas in cases where commercial development and public works projects will result in a significant sound impact to residential areas?
- Why wouldn't city staff include those storm basin plan details when they sent us the plans for the April 16 hotel meeting? When we reviewed the May 7, 2020 City Planning Commission Minutes, we saw that more comprehensive, detailed plans for the project were posted but we did not see where the storm water basin relocation was specifically discussed. Did the discussion take place at the May 7th Final Approval Meeting?
- Did the Portage Planning Commission have oversight over any part of the storm water basin relocation and if so, are their comments/concerns a matter of record?

April 8, 2022

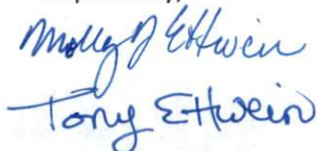
Page 3

- Why didn't the City or the Developer hire a professional to do a sound study to measure the full impact of the additional pavement, additional water and removal of trees since the city staff purportedly has no knowledge in that area? We noted that the 2020 proposed hotel plan quotes the same sound expert used in 2002 when the Trade Centre Development was first proposed.
- Clarification of perplexing comments about the development and nearby property values made by Mr. Edward VanderVries from the City Assessor's office during a brief encounter Tony had with him on January 28, 2021 as he walked on an adjacent property taking notes.

As an act of good faith and integrity, after our meetings with Mr. Dobson and Mr. Forth we decided to live with the current conditions through four seasons to honestly assess the impact this new landscape has on us. We love where we live, we love our home and we have never disparaged the Trade Centre Development, the Developers or the proposed hotel; we believe the Trade Centre Development is an asset to the City and we have no ax to grind. However, one year later we can honestly say that there is no outdoor venue at our home that we can use without the raw traffic sounds of I-94 and our assessment is that it primarily emanates from the western side of 950 Trade Centre. What used to be white noise from the traffic is now a continuous roar & vibration. We are no longer able to sit on our screen porch, on our back deck or our front porch without the overwhelming sounds of trucks/vehicles on the interstate. We have replaced several windows on the SW corner of our house to help mitigate the sound inside our home.

We have been in discernment for many months as to what our next steps should be. We wish to go on the record with the City Council and City Manager that this problem will not go away. We would like to meet with the City Manager as soon as possible to discuss the answers to our questions so that we may further discern our next steps. We look forward to your response in the near future.

Respectfully,

Handwritten signatures of Molly and Tony Ettwein in blue ink.

Molly & Tony Ettwein
5265 Bronson Blvd.
Portage, MI 49024
ettwein@charter.net



Tony and Molly Ettwein
5265 Bronson Blvd
Portage MI 49024-5747

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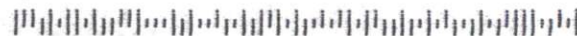
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Mayor Patricia Randall & City Council
City of Portage
7900 S. Westnedge
Portage, MT 49002

49002-511700



(195)

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: 2022 Utility Rate Financial Study

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Subsequent to the public hearing, consider adopting the 2022 sewer and water rate resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges as outlined in the 2022 Utility Rate Financial Study as recommended by the City Administration and the City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2022.

The City Council Water/Sewer (Utility) Rate Study Committee, comprised of Councilmembers Burns, Knapp and Ledbetter, and citizens Elma Pat Maye and Randy Orwig, has completed a review of the 2022 Utility Rate Financial Study as prepared by the City Administration. The study focused on ensuring the financial health and stability of the utility system. Following a thorough review and analysis of the 2022 Utility Rate Financial Study, the Committee voted (5 to 0) to recommend to City Council the water and sewer rates and charges as proposed.

For Fiscal Year 2022-2023, the sewer commodity rate is recommended to be increased from \$5.06 to \$5.33 per thousand gallons of metered water. The water commodity rate is recommended to be increased from \$3.14 to \$3.30 per thousand gallons of metered water. The basic quarterly charges for sewer and water are recommended to be increased, as noted in the 2022 Utility Rate Financial Study.

Items less significant in dollar amount, but still important to the continuing financial health of the utility systems, were also reviewed by the Utility Rate Study Committee. It is essential that the amount charged for these services covers the cost of providing such services. If charges are inadequate to allow for recovery of costs, ratepayers subsidize the service provided. Charges and fees reviewed in the context of the 2022 Utility Rate Financial Study include water connection charges, meter charges, meter box charges, hydrant meter charges, and water processing fees. All current charges are recommended as noted in the study. If approved, the proposed rate changes would be adopted and become effective July 1, 2022.

It is recommended that City Council consider adopting the 2022 Sewer and Water Rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees, and other fees and charges as set forth in the 2022 Utility Rate Financial Study and recommended by the City Administration and City Council Water and Sewer Rate Study Committee, with rates to be effective July 1, 2022.

FUNDING: N/A

- Attachments:**
1. 2022 Utility Rate Financial Study
 2. Resolution for Sewer Rates 2022
 3. Resolution for Water Rates 2022



2022 Utility Rate Financial Study

2022 UTILITY RATE FINANCIAL STUDY

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2022 UTILITY RATE FINANCIAL STUDY

SECTION I - UTILITY RATES

INTRODUCTION

The City Administration has reviewed the utility rate structure for the purpose of considering necessary adjustments to utility rates, while addressing long-term needs of the city utility system. During the development of the 2022 Utility Rate Financial Study, a review of the previous study and the present rate structure was conducted.

As part of the ongoing effort to control costs and maintain the lowest possible utility rates for water and sewer customers, the City Administration reviewed the overall utility operation in light of the privatization of the operation and maintenance functions of the utility initiated in March 1997. Privatization has been extremely effective in cutting overall utility costs while still providing a high level of service to customers. The city's contractor performs all routine operation and maintenance activities for the water utility, including operation of the pumping and overhead storage facilities; meter installation, repair and reading; water service repair and maintenance; water main repair; fire hydrant flushing and repair; MISS DIG staking and other miscellaneous activities. Routine operation and maintenance activities performed for the sewer utility include cleaning and inspection of sanitary sewers; cleaning of storm sewer piping and manholes; daily inspection, maintenance and repair of sanitary sewage pumping facilities; repair and cleaning of sanitary sewer manholes; street sweeping and other miscellaneous activities. On December 7, 2021 the City Council extended the contract with Suez Environmental Services, Incorporated to end June 2023.

The proposed Fiscal Year 2022-2023 utility rates are in large part based on the recommendations of the comprehensive rate analysis performed by Utility Financial Solutions, LLC (UFS) in 2011. On November 16, 2010, City Council awarded a contract to UFS to review past and current financial reports of the water and wastewater utilities, along with detailed accounting of the utilities finances. The purpose of the UFS analysis was to determine the actual cost to provide water and wastewater services to the utility customers. The cost of service analysis showed that the 2010 rate structure was insufficient to ensure the receipt of revenues necessary to recover the fixed costs of the utility. To address this concern, in Fiscal Year 2011–2012 utility rates began the trend of shifting revenue collection to basic quarterly charges based on meter size, while keeping the commodity rate increases in line with the normal inflationary costs to provide the water and wastewater service. This trend is continued in the 2022 Utility Rate Study.

Background

The Governmental Accounting Standards Board (GASB) requires that Sewer and Water Funds be enterprise funds and be operated in a manner similar to private business, with costs recovered primarily through user charges.

In 1986, the first Water and Sanitary Sewer Rate Committee reviewed the financial status of the Sanitary Sewer and Water Funds. The Water and Sanitary Sewer Rate Committee has met every year since to review the rates and make recommendations to the City Council. Prior to 1986, utility rates were reviewed and adjusted on an as needed basis, which lead to unpredictable rates and charges.

In 2008, the city received a letter from the State of Michigan requiring a financial plan to rectify a water fund deficit. The city has followed the plan submitted to the State of Michigan and the water fund deficit has been eliminated. Water and sanitary sewer rate increases required to eliminate the deficit, meet the conditions in the financial plan submitted to the State of Michigan and reach a positive working capital balance for the utility funds as a whole were substantial. Over the past several years the utility funds have been able to pay cash for capital improvement projects and pay off all callable debt and additional rate increases were not required. Rate adjustments since 2007 are as follows:

<u>Fiscal Year</u>	<u>Combined Water & Sewer % Rate Change (Typical Residential Customer)</u>
2007	14.89
2008	13.68
2009	12.22
2010	15.03
2011	10.85
2012	4.85
2013	2.73
2014	1.40
2015	0.94
2016	0.75
2017	0.62
2018	-3.91
2019	-3.56
2020	0.00
2021	5.47

Rate adjustments typically result from inflationary pressure, material changes in programs and operations, and other factors which cannot be controlled by the city, such as charges from the City of Kalamazoo for sewage treatment and Consumers Energy for gas and electricity.

CURRENT STATUS

A fundamental principle of utility fund financing is that user rates should be sufficient to fund the entire cost of utility system operations. This principle is accepted by all authoritative sources (Government Finance Officers Association, American Water Works Association, etc.) and is based on the enterprise fund status. Enterprise funds operate as a private business and all businesses must generate sufficient revenues to cover costs in order to be viable.

Utility System Rate Structure

For provision of sanitary sewer and water service, a two-part rate structure is in effect. For sanitary sewer and water customers, the rate consists of a fixed portion, referred to as the "basic quarterly charge" and a unit rate, referred to as the "commodity" rate.

For water and sewer activities of the utility, the basic quarterly charge is designed to cover the fixed costs of providing service. These costs, which are generally stable throughout the year despite the amount of water produced or sewage transported, include: Personnel salaries and fringes, the Suez operation and maintenance contract, office supplies, mailing expenses, telephone charges, environmental testing, water quality testing, printing and publishing and equipment repair and maintenance. The fixed costs are applied to the meter size using a formula which recognizes the capacity of the meter size and the impact on the water and sanitary sewer systems.

Commodity rates are designed to cover more variable costs, including sewage treatment costs, public utilities, sewer lead repair, equipment rental costs, equipment replacements, retention basin testing and administrative costs. Commodity rates are based on a dollar amount per thousand gallons of water metered for both water and sewer billings, with sewer billings capped for residences as described below. All classes of customers are billed quarterly with a quarter of the annual basic rate applied in addition to the commodity charge.

Sanitary Sewer System

The City of Portage sanitary sewer system consists of 239 miles of sewer main and 56 sewage lift stations. The sanitary sewer system has a capacity of 10.8 million gallons per day, with an average daily flow of 4 million gallons. Future expansion projects are prioritized to address the areas with greatest potential for groundwater contamination. Citizen petitions are also given high priority. Priorities are reviewed annually by the City Administration to ensure consistency with Council goals and environmental concerns. Current and projected resources of the Sanitary Sewer Fund appear adequate to accommodate increased expansion of the sanitary sewer system. The recommended six-year 2022-2028 Capital Improvement Program (CIP) includes \$9.175 million in sanitary sewer system improvements and expansions. The proposed improvements would be funded through various financing methods. The projects are considered important in order to pursue placement of sanitary sewer throughout the city and to continue with the mandatory sewer hookup program emphasis. In addition to extension of sanitary sewer mains, operational improvements over the next six years include:

- Installation of sewer leads where not included in original construction.
- Installation of mains in existing developed plats.
- Renovation of sanitary sewer lift stations and force mains

The proposed sanitary sewer rate structure was developed taking into account the capital expenditures necessary to meet these needs through various financing means.

Sanitary Sewer Billing Cap

Sewer bills are calculated based upon water usage with the assumption that water used within a residence is generally discharged to the sanitary sewer system as wastewater. A cap on sewer billing to residential customers limits the sewer bill to 125% of the customer's winter quarter water usage. The 125% cap was established based upon an analysis of residential accounts with separate water meters for irrigation. This analysis was undertaken to determine the quarterly water usage pattern of the "typical residential customer." Results of the analysis indicated that average summer water usage

discharged to the sanitary sewer system, for a single-family residence, is approximately 125% of the winter water consumption when external irrigation is excluded. Winter usage is defined as that quarter in which January occurs. The sanitary sewer billing cap ensures that residential customers are billed for flow to the sanitary sewer and not for outdoor water use.

Water System

The city water system consists of 20 production wells, one 750,000 gallon elevated storage tank, one 1,500,000 gallon elevated storage tank and 259.5 miles of water main. In 2006, the Environmental Protection Agency lowered the allowable arsenic levels in public drinking water to 10 micrograms per liter. As a result, two wells were abandoned, one well was decommissioned and the Garden Lane Water Treatment Plant was constructed to eliminate high arsenic levels in the water. The water system currently has a capacity of 26.35 million gallons per day. The average day production is 4.7 million gallons. Fishbeck, Thompson, Carr & Huber, Inc. completed a comprehensive Risk and Resilience Assessment in 2021, Water Reliability Study for the city in 2019 and updated the Wellhead Protection Program in 2015. These studies, together with current management information and system use data, are the basis for planned future system improvements.

The recommended six-year 2022-2028 CIP includes \$20.52 million in water system improvements. Current and future anticipated demands placed on the system necessitate provision of numerous operational improvements over the next ten years, including:

- Replacement of deteriorating water main that has reached the end of its useful life.
- Installation of service lines in developed plats.
- Improvement of the stormwater collection and recharge system.
- Additional treatment facility with iron removal capabilities.
- Renovation of water storage facilities.

The proposed water rate structure was developed taking in consideration of the capital expenditures necessary to meet the above noted needs through various types of financing.

On February 11, 2014, Portage City Council approved reinstatement of a 10% discount on water use charges for eligible senior citizens. Redistribution of the 10% discount to senior citizen customers to the remaining water customers was also taken into account in the development of the water rate structure. The subsidy for the Senior Citizen Discount in Calendar Year 2021 was \$86,027.69.

Utility Customer Growth

The utility customer base has grown to 16,052 sanitary sewer customers and 15,596 water customers as of January 1, 2022. An increase in the number of customers has a general impact of stabilizing system-wide operation costs as cost of service can be spread over a larger number of users. Although the total number of water and sewer customers continues to increase, the rate of increase in utility customers has slowed in recent years. The utility system is a mature system with 96.7 % of developed properties served by municipal sewer and 87.5% served by municipal water. In the future, new customer growth will be most directly related to new development occurring in the city.

FINANCIAL REVIEW

Using current information on the status of the utility systems as background, the 2022 Utility Rate Financial Study was conducted to determine appropriate cost recovery rate levels. These rates provide for operation of the utility systems, funding of utility-related capital improvement needs and repayment of Limited Tax General Obligation (LTGO), city share debt and Utility Revenue bond debt related to infrastructure extensions and replacements.

The Comprehensive Annual Financial Reports for prior fiscal years provide the primary source for review of the past financial condition of the Utility Funds. Additional sources include the Municipal Budget for Fiscal Year 2021-2022, the 2021-2031 CIP, the recommended 2022-2028 CIP and prior utility rate studies. Reduction in sanitary sewer loadings and an increase in capital improvements to the Kalamazoo Regional Sewage Treatment Plant will result in an increase in sewage treatment charges. As a result of the increases in treatment charges, an increase in City of Portage sanitary sewer rates are also necessary.

As of June 30, 2021, the Sewer Fund had a working capital balance of \$12,950,086, which was 157% of operating expenses, or 145% of operating expenses plus debt service, and the Water Fund had a working capital balance of \$4,958,892, which was 122% of operating expenses, or 74% of operating expenses plus debt service. These balances have been maintained through conservative budgeting and forecasting methods.

Typical Residential Customer

The typical residential customer in Portage purchases 19,000 gallons of water and is billed for 15,000 gallons of sewage flow per quarter. The typical residential customer has been defined based upon an analysis of all residential accounts and represents the baseline used for comparison since single-family residences represent about 90% of utility accounts. The table below demonstrates the typical average residential customer quarterly usage of water and billing of sewage flow.

TYPICAL RESIDENTIAL CUSTOMER

	Metered Water (x1000 gallons)	Billed Sewer (x1000 gallons)
Winter usage (quarter including January)	14	14
Spring usage	14	14
Summer usage	33	18
<u>Autumn usage</u>	<u>14</u>	<u>14</u>
Annual Total	75	60

The differential between the metered water and the billed sewer is a result of the 125% sewer cap. The cap impacts the summer sewage billing quarter by limiting it to 125% of the winter metered water.

RATE RECOMMENDATIONS

Tables 1, 2 & 3 summarize Sanitary Sewer Fund and Water Fund statements of estimated revenue and expenses for the fiscal years ending June 30, 2022 through 2027. Projected commodity rates, sales in millions of gallons and an analysis of capital/debt needs and funding are also presented. Factors that impact these projections include the cost of living increase, the number of utility customers, revised arsenic level standards promulgated by the USEPA, reduced flow from sewer customers and the sewage treatment costs by the City of Kalamazoo in the case of the Sewer Fund. Table 4 analyzes the recommendations as applied to the "typical residential customer." The following recommendations are presented regarding 2022 Utility Rates.

Sanitary Sewer Fund

It is recommended that the sewer commodity rate be increased from \$5.06 to \$5.33 per thousand gallons. The rate will: 1) provide for increased treatment charges billed by the City of Kalamazoo, 2) continue funding operations, capital improvement needs, repayment of outstanding sewer-related Limited Tax General Obligation (LTGO) bonds and 3) provide for future LTGO and revenue bond debt. Privatization of the utility operation has resulted in a significant savings in the sewer fund over the last eighteen years, in spite of a lower billable flow growth compared to previous years.

It is recommended that the sewer basic quarterly charges be increased as shown below:

SANITARY SEWER BASIC QUARTERLY CHARGE CITY OF PORTAGE CUSTOMERS

<u>Meter Size</u>	<u>Current Quarterly Charge</u>	<u>Proposed Quarterly Charge</u>
5/8"	\$ 29.60	\$ 31.20
3/4"	\$ 44.40	\$ 46.80
1"	\$ 66.60	\$ 70.20
1-1/2"	\$ 118.40	\$ 124.80
2"	\$ 177.60	\$ 187.20
3"	\$ 296.00	\$ 312.00
4"	\$ 592.00	\$ 624.00
6"	\$ 1,036.00	\$ 1,092.00
8"	\$ 1,480.00	\$ 1,560.00

The basic quarterly charges are designed to cover the fixed costs related to the operation of the sanitary sewer system. The increase in the Basic Quarterly Charge conforms to the recommendation in the 2011 Comprehensive Rate Analysis by Utility Finance Solutions, LLC. With the continuation of the sanitary sewer bill cap of 125%, the recommended basic quarterly charges and increasing the commodity rate at \$5.33 per thousand gallons will result in an added monthly expense of \$1.90 for the typical residential customer.

In previous utility rate studies, emphasis has been placed on stabilizing retained earnings in the Sanitary Sewer Fund at a level of \$1,500,000 as recommended by the city's financial advisor. An adequate cash balance must be maintained for operation of the utility and to make debt service payments. Basic Quarterly Charges are recommended to ensure sufficient resources are available within the Sanitary Sewer Fund to meet obligations to avoid the need for subsidy by non-utility related funds.

For Fiscal Year 2021-2022 the estimated working capital (i.e. cash) at the end of the year is \$11,353,286. Based on the recommended basic quarterly charges and commodity rate for Fiscal Year 2022-2023, an acceptable level of working capital balance can be maintained through Fiscal Year 2026-2027.

The recommended rate for Fiscal Year 2022-2023 is higher than the rate forecast in the 2021 Utility Financial Rate Study due to an increase in waste water treatment charges from the City of Kalamazoo. As shown in Table 1 (Utility Fund Statements of Revenues and Expenses – Sanitary Sewer Fund) no rate changes are recommended in subsequent years.

Sanitary Sewer Rate - Schoolcraft Township

The service agreement with Schoolcraft Township establishes the rate charged to customers in Schoolcraft Township. The basic quarterly charge is the same as charged to the City of Portage customers. There is a 5% surcharge on the commodity rate and a \$0.35 charge per thousand gallons for capital costs. It is recommended that the sanitary sewer commodity rate to Schoolcraft Township customers be increased from \$5.66 to \$5.95 per thousand gallons.

Water Fund

Water Service Charges

It is recommended that the water commodity rate be increased from \$3.14 to \$3.30 per thousand gallons. The basic quarterly costs are designed to cover fixed costs related to the operation of the water system. It is recommended that the water basic quarterly charges be increased as shown below:

WATER BASIC QUARTERLY CHARGE CITY OF PORTAGE CUSTOMERS

<u>Meter Size</u>	<u>Current Quarterly Charge</u>	<u>Proposed Quarterly Charge</u>
5/8"	\$ 20.59	\$ 21.62
3/4"	\$ 30.89	\$ 32.43
1"	\$ 46.33	\$ 48.65
1-1/2"	\$ 82.36	\$ 86.48
2"	\$ 123.54	\$ 129.72
3"	\$ 205.90	\$ 216.20
4"	\$ 411.80	\$ 432.40
6"	\$ 720.65	\$ 756.70
8"	\$ 1,029.50	\$ 1,081.00

These rates conform to the recommendation in the 2011 Comprehensive Utility Rate Study by Utility Financial Solutions, LLC. The proposed rate will result in no change in the monthly expense for the typical residential water customers.

Private Fire Protection Service Charges.

Dedicated fire protection service is defined as a separate water service line that solely provides fire protection to a property. The Basic Quarterly Charge will ensure that the cost of providing a dedicated fire service that only benefits one property is borne by the benefiting customer and not the utility customers at large. In addition to the Basic Quarterly Charge a \$6.40 per 1,000 gallon charge for all water use recorded on the fire service bypass meter is assessed. It is recommended that the Basic Quarterly Charge for fire protection services remain unchanged as shown in the table below.

Private Fire Protection - Basic Quarterly Charge

<u>Fire Protection Service Size</u>	<u>Current Basic Quarterly Charge</u>	<u>Proposed Basic Quarterly Charge</u>
4 – inch	\$15.00	\$15.00
6 – inch	\$35.00	\$35.00
8 – inch	\$60.00	\$60.00
10 – inch	\$95.00	\$95.00
12 – inch	\$135.00	\$135.00
16 – inch	\$240.00	\$240.00

As shown on Table 2 (Utility Fund Statements of Revenues and Expenses - Water Fund), no rate changes are recommended in subsequent years. The water quarterly basic charges and commodity rate can be decreased and continue to fund operations, meet major capital improvement needs, keep up with inflationary increases in water production costs (pumping, disinfection, etc.), repay outstanding water-related Limited Tax General Obligation (LTGO) bonds and provide for future LTGO and revenue bond debt. In future years, costly major water projects such as additional water storage and iron removal facilities will be required as demands on the Portage water system increase. In addition, the Water Fund will finance needed storm drainage improvements throughout the city.

Emphasis has been placed on stabilizing retained earnings in the Water Fund at a level of \$2,500,000 as recommended by the city's financial advisor. An adequate cash balance needs to be maintained for operation of the utility and to make debt service payments. There are sufficient resources available within the Water Fund to meet obligation to avoid the need for subsidy by non-utility related funds with the recommended rate over the coming years. For Fiscal Year 2021-2022, the estimated working capital (i.e. cash) at the end of the year is \$3,051,314. Based on the recommended basic quarterly charges and commodity rate for Fiscal Year 2022-2023 an acceptable level of working capital balance can be maintained through Fiscal Year 2026-2027.

It is important that the city continue to plan for the installation of new iron removal facilities at the Shuman well site (currently scheduled in Fiscal Year 2024 through 2026 in the recommended 2022-2028 CIP) to relieve pressure on the Kalamazoo/Portage groundwater aquifer and the Milham well field located north of Portage Northern High School. Exploration in southern Portage, Schoolcraft Township and Pavilion Township was not successful in locating any new suitable well sites with low iron content.

Water Rate — Pavilion Township and Schoolcraft Township

It is recommended that the basic quarterly charges for Pavilion Township and Schoolcraft Township residents be the same as charged to City of Portage customers. It is also recommended that the water commodity rate for Pavilion Township and Schoolcraft Township residents be increased from \$3.78 to \$3.96 per thousand gallons.

SUMMARY OF RECOMMENDATIONS

The effect of the combined recommendations on the typical City of Portage residential customer is projected through Fiscal Year 2026-2027 in Table 3. The Fiscal Year 2022-2023 combined rate increase for the typical residential customer is 5.23%. The typical residential customer having both municipal water and sewer service, the proposed rates will result in an added monthly expense of \$3.22. With operations, capital improvements and debt service continuing to be funded, the utility systems have been self-supporting since July 1989. Self-supporting status is essential for these important enterprise funds so that the funds do not become a financial drain on either the General Fund or the Capital Improvement Fund.

It is recommended that the effective date for rate adjustments be July 1, 2022.

SECTION II – UTILITY

FEES AND CHARGES

INTRODUCTION

Although the establishment of appropriate commodity rates and basic quarterly charges for water and sewer service is the primary focus of the annual Utility Rate Financial Study, it is also prudent to give attention to matters which may be less significant in dollar amounts but are still important to the financial health of the utility system, i.e. utility fees and charges.

Background

The establishment of adequate fees and charges for services performed in addition to the delivery of water and sewer service is necessary to fairly and equitably recover costs for services provided. When fees and charges are inadequate, the utility rate payer must bear the cost for services provided to others. Examples include costs for service connections, meters, turn-on fees, etc. In each case, if the charges for these services are inadequate to recover costs, the rate payers subsidize the service provided to some extent.

CURRENT STATUS AND RECOMMENDATIONS

Meter Charges

The current meter installation charges are based on the cost of the meter plus the cost of labor and equipment to install the meter. The current meter and installation costs have been reviewed and it was determined that several water meter charges need to be increased to reflect the current cost of installation. It is recommended that water meter charges be adjusted as shown in the table below.

<u>Meter Size</u>	<u>Current Charges</u>	<u>Actual Cost/Recommended Charges</u>
5/8"	\$225	\$230
3/4"	\$280	\$290
1"	\$345	\$355
1-1/2" SR (Irrigation)	\$1,050	\$1,090
1-1/2" Compound	\$1,580	\$1,645
2" SR (Irrigation)	\$1,350	\$1,400
2" Compound	\$2,225	\$2,315
3" Compound	\$2,925	\$3,050
4" Compound	\$4,530	\$4,710
6" Compound	\$7,840	\$8,155

Meter Box Charge

A meter box charge is based on the cost of materials to install the meter box. Meter boxes are used when a suitable location for meter installation is not available in the building or property being served. The charge has been reviewed and it was found that the cost has not increased. It is recommended that the meter box charge remain unchanged at \$1250.

Hydrant Meter Charges

The use of meters on fire hydrants is a service provided as a convenience to contractors or individuals who need to obtain large quantities of water in a short period of time. It is recommended that the minimum charge for use of a hydrant meter remain at \$150. The minimum charge for supplying and installing a meter on a fire hydrant includes the use of 15,000 gallons of water. It is also recommended that the commodity charge for use over 15,000 gallons of water remain at \$6.40 per 1,000 gallons. Furthermore, that the deposit required to ensure the return of all hydrant meter hoses and other items remain at \$250. This deposit eliminates the potential problem of collecting for the service provided.

Fire Hydrant Flow Test Charge

Fire hydrant flow tests are often requested by insurance companies and developers to determine the quantity of water available for fire protection at a property. The established charge for providing a flow test ensures that the cost is borne by the benefiting customer and not the utility customers at large. It is recommended that the charge for a hydrant flow test remain at \$135.

Reinstatement Processing Fee

A fee is charged for reinstating water service turned off due to delinquency or at the request of the customer. In the case of delinquency, three notices are sent to the customer with a shut-off date established on the third notice. Once a work order has been issued for water shut-off, the processing fee is automatically added to the customer's bill and payment of the delinquent bill plus the processing fee is required prior to reactivation of service. The current fee is \$50 and is recommended to be continued for Fiscal Year 2022-2023. When payment for the balance due has been made, including the \$50 fee, and a waiver has been completed, water service will be restored the same day up to 4PM; if paid after 4PM, service is restored the next business day. No fee is charged for a water turn-off and subsequent restoration of water service when requested by the customer or contractor due to an emergency, or scheduled maintenance activity. For home inspections, when service is requested to be turned on and off the same or next business day, the processing fee and charges for usage of less than 3,000 gallons are waived. For water service turn-on after normal working hours, the current processing fee of \$100 is recommended to be continued for Fiscal Year 2022-2023. The \$100 processing charge reflects the added hourly cost for the service technician associated with the provision of water service turn-on after normal working hours.

Other Charges and Policies

1. **Flat Rate:** Non-metered sewer customers are billed based on a water usage of 15,000 gallons per quarter (flat rate). It is recommended that this policy be continued.
2. **Irrigation Allowance:** Single family residences, residential condominiums and all other individually metered residential units may be given a discount for irrigation as follows:
 - a. Charges for such customers are based on actual water consumption, except that there is no sewage charge for water consumption exceeding 125% of the water consumption for the most recent quarter billing in which the month of January is included;
 - b. Residential customers who do not have a quarter billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January have the sewer charge for the other three quarters established at the maximum rate volume of 15,000 gallons or actual usage, if less, per quarter until such time as quarter billing information, in which the month of January is included, is available. It is recommended that the irrigation allowance be continued.
3. **Senior Citizen Water Allowance:** City of Portage water customers 65 years of age and older who submit an application and provide proof of age are eligible for a 10% discount on water use charges for their primary residence account.
4. **Non-Sufficient Funds (NSF) Check Fee:** It is recommended to maintain the current fee of \$30 per occurrence to reflect current administrative cost for any returned/unpaid check or other failed financial instrument which results in uncollected funds.
5. **Outstanding Charges Limit:** The amount of past due/outstanding charges necessitating water shut-off is recommended to be maintained at \$60.
6. **Utility Late Fee Waivers:** It is recommended that the utility billing late fee be waived if the customer:
 - a. has paid all of the last 8 or more utility bills on time and the customer requests that the late fee be waived/removed or;
 - b. signs up for automatic payment where the amount due is taken from their bank account on the due date.

SUMMARY OF RECOMMENDATIONS

Summarizing recommendations for Fiscal Year 2022-2023 utility fees and charges, it is advised that:

1. Charges for meters be adjusted to reflect the current cost of installation.
3. Charges for installation of meter box remain the same.
4. The current charge of a \$250 deposit for the installation of a hydrant meter remains the same and the current minimum charge including the use of up to 15,000 gallons of water remains at \$150. Further, the current commodity charge of \$6.40 per thousand gallons for all water used over 15,000 gallons remains the same.
5. The \$50 processing fee associated with turn-on or shut-off of a water service is continued, except the initial turn-on for first-time customers will be at no charge. When the city dispatches a person to turn on water during non-business hours, the processing fee of \$100 will be continued.
6. The flat rate based on a consumption of 15,000 gallons per quarter for non-metered sewer customers continues in effect.
7. The sewer billing cap for residential customers having a zero water meter reading in the quarter that contains January remains at 15,000 gallons.
8. The current charge of \$30 per occurrence will be assessed for any returned/unpaid check or other failed financial instrument which results in uncollected funds.
9. The utility billing late fee will be waived:
 - a. if the customer has paid all of the last 8 or more utility bills on time and the customer requests that the late fee be waived/removed or;
 - b. if the customer signs up for automatic payment.
10. An amount past due of more than \$60 remain as the shut-off level amount.

Utility Fund Statement of Revenues and Expenses

Table 1

SEWER FUND							
2022/2023 RATES							
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
	Audited	Estimated	Budgeted	Projected	Projected	Projected	Projected
SALES (million gallons)	1,148	1,154	1,160	1,166	1,171	1,177	1,183
RATE (per 1000 gallons)	\$4.60	\$5.06	\$5.33	\$5.33	\$5.33	\$5.33	\$5.33
BASE CHARGE (per quarter)	\$26.91	\$29.60	\$31.20	\$31.20	\$31.20	\$31.20	\$31.20
User charges	8,232,395	9,140,807	9,466,000	9,673,000	9,704,000	9,736,000	9,768,000
Tap in fees and other revenue	148,820	201,295	203,308	205,341	207,394	209,468	211,563
TOTAL OPERATING REVENUE	8,381,215	9,342,102	9,669,308	9,878,341	9,911,394	9,945,468	9,979,563
Operations and maintenance	2,542,959	2,662,611	2,703,000	2,744,000	2,785,000	2,827,000	2,869,000
Sewer treatment charges	3,422,396	3,844,558	4,216,000	4,279,000	4,343,000	4,408,000	4,474,000
General and administrative	1,310,016	1,382,888	1,475,717	1,498,000	1,520,000	1,543,000	1,566,000
Depreciation	971,539	983,046	1,012,034	1,047,434	1,074,434	1,093,559	1,112,309
TOTAL OPERATING EXPENSE	8,246,910	8,873,104	9,406,750	9,568,434	9,722,434	9,871,559	10,021,309
OPERATING GAIN (LOSS)	134,305	468,998	262,557	309,907	188,960	73,909	(41,746)
Interest income	122	62,600	62,900	63,200	63,500	63,800	64,100
Interest on outstanding debt	(59,102)	(49,531)	(31,560)	(22,332)	(14,836)	(8,671)	(9,152)
Gain (loss) on sale of capital assets	(23,925)	(15,349)	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)
NET NON-OPERATING REVENUE (EXPENSE)	(82,905)	(2,280)	15,340	24,868	32,664	39,129	38,948
NET GAIN (LOSS) BEFORE TRANSFERS	51,400	466,718	277,897	334,775	221,624	113,038	(2,798)
TRANSFERS IN (OUT)	(95,000)	(95,000)	(95,000)	(100,000)	(100,000)	(100,000)	(100,000)
CHANGE IN NET POSITION	(43,600)	371,718	182,897	234,775	121,624	13,038	(102,798)
CASH FLOW ANALYSIS							
Beginning Cash Balance	11,986,399	11,760,208	11,365,886	9,723,909	8,663,746	8,269,950	8,189,633
Net Cash from Operating Activities	691,209	1,452,044	1,274,591	1,357,341	1,263,394	1,167,468	1,070,563
Investing Activities	122	62,600	62,900	63,200	63,500	63,800	64,100
Proceeds of Bond Issuance	-	-	-	-	-	-	-
CASH AVAILABLE	12,677,730	13,274,852	12,703,377	11,144,450	9,990,640	9,501,218	9,324,296
Capital Improvement Needs	239,330	1,295,000	2,570,000	2,150,000	1,450,000	1,100,000	1,400,000
Principal & Interest on Long Term Debt	678,192	613,966	409,468	330,704	270,690	211,585	211,585
CASH OUTFLOW	917,522	1,908,966	2,979,468	2,480,704	1,720,690	1,311,585	1,611,585
ENDING CASH BALANCE	11,760,208	11,365,886	9,723,909	8,663,746	8,269,950	8,189,633	7,712,711
WORKING CAPITAL	12,950,086	12,515,867	10,707,758	9,540,329	9,106,690	9,018,247	8,493,070
Typical residential % change	0.00%	10.00%	5.40%	0.00%	0.00%	0.00%	0.00%

Utility Fund Statement of Revenues and Expenses

Table 2

WATER FUND							
2022/2023 RATES							
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
	Audited	Estimated	Budgeted	Projected	Projected	Projected	Projected
SALES (million gallons)	1,480	1,487	1,495	1,502	1,510	1,517	1,525
RATE (per 1000 gallons)	\$3.14	\$3.14	\$3.30	\$3.30	\$3.30	\$3.30	\$3.30
BASE CHARGE (per quarter)	\$20.59	\$20.59	\$21.62	\$21.62	\$21.62	\$21.62	\$21.62
User charges	7,027,909	7,064,252	7,324,000	7,350,000	7,377,000	7,403,000	7,430,000
Tap in fees and other revenue	289,771	168,304	258,842	261,430	264,045	266,685	269,352
TOTAL OPERATING REVENUE	7,317,680	7,232,556	7,582,842	7,611,430	7,641,045	7,669,685	7,699,352
Operations and maintenance	1,573,306	1,584,689	1,608,500	1,632,600	1,657,100	1,682,000	1,707,200
General and administrative	1,581,118	1,857,197	1,982,692	2,012,400	2,042,600	2,073,200	2,104,300
Depreciation	925,070	985,745	1,046,420	1,097,308	1,138,070	1,212,883	1,288,633
TOTAL OPERATING EXPENSE	4,079,494	4,427,632	4,637,612	4,742,308	4,837,770	4,968,083	5,100,133
OPERATING GAIN (LOSS)	3,238,186	2,804,924	2,945,230	2,869,123	2,803,275	2,701,603	2,599,220
Interest income	5,801	75,500	77,000	78,500	80,100	81,700	83,300
Interest on outstanding debt	(324,842)	(286,120)	(205,715)	(154,967)	(111,123)	(75,450)	(77,153)
Gain (loss) on sale of capital assets	(59,428)	(22,443)	(23,004)	(23,579)	(24,169)	(24,773)	(25,392)
NET NON-OPERATING REVENUE (EXPENSE)	(378,469)	(233,063)	(151,719)	(100,046)	(55,192)	(18,523)	(19,245)
NET GAIN (LOSS) BEFORE TRANSFERS	2,859,717	2,571,861	2,793,511	2,769,077	2,748,083	2,683,080	2,579,974
TRANSFERS IN (OUT)	940,000	(60,000)	140,000	(60,000)	(60,000)	(60,000)	(60,000)
CHANGE IN NET POSITION	3,799,717	2,511,861	2,933,511	2,709,077	2,688,083	2,623,080	2,519,974
CASH FLOW ANALYSIS							
Beginning Cash Balance	6,238,033	5,281,920	3,051,314	2,024,228	1,204,334	1,939,009	1,400,748
Net Cash from Operating Activities	3,506,550	3,557,606	3,839,931	3,866,384	3,886,153	3,895,962	3,868,607
Investing Activities	5,801	75,500	77,000	78,500	80,100	81,700	83,300
Proceeds of Bond Issuance	-	-	-	850,000		5,000,000	-
CASH AVAILABLE	9,750,384	8,915,026	6,968,245	6,819,113	5,170,587	10,916,671	5,352,655
Capital Improvement Needs	1,838,751	3,000,000	2,885,000	3,820,000	1,735,000	8,360,000	1,860,000
Principal & Interest on Long Term Debt	2,629,713	2,863,712	2,059,017	1,794,779	1,496,578	1,155,923	1,157,626
CASH OUTFLOW	4,468,464	5,863,712	4,944,017	5,614,779	3,231,578	9,515,923	3,017,626
ENDING CASH BALANCE	5,281,920	3,051,314	2,024,228	1,204,334	1,939,009	1,400,748	2,335,029
WORKING CAPITAL	4,958,892	2,864,704	1,900,432	1,130,680	1,820,424	1,315,082	2,192,225
Typical residential % change	0.00%	0.00%	5.00%	0.00%	0.00%	0.00%	0.00%

Utility Fund Statement of Revenues and Expenses

Table 3

SEWER AND WATER FUNDS							
2022/2023 RATES							
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
	Audited	Estimated	Projected	Projected	Projected	Projected	Projected
User charges	15,260,304	16,205,059	16,790,000	17,023,000	17,081,000	17,139,000	17,198,000
Tap fees	438,591	369,599	462,150	466,771	471,439	476,153	480,915
TOTAL OPERATING REVENUE	15,698,895	16,574,658	17,252,150	17,489,771	17,552,439	17,615,153	17,678,915
Operations and maintenance	4,116,265	4,247,301	4,311,500	4,376,600	4,442,100	4,509,000	4,576,200
Sewer treatment charges	3,422,396	3,844,558	4,216,000	4,279,000	4,343,000	4,408,000	4,474,000
General and administrative	2,891,134	3,240,086	3,458,409	3,510,400	3,562,600	3,616,200	3,670,300
Depreciation	1,896,609	1,968,791	2,058,454	2,144,741	2,212,504	2,306,441	2,400,941
TOTAL OPERATING EXPENSE	12,326,404	13,300,736	14,044,362	14,310,741	14,560,204	14,839,641	15,121,441
OPERATING GAIN (LOSS)	3,372,491	3,273,922	3,207,787	3,179,030	2,992,235	2,775,512	2,557,473
Interest income	5,923	138,100	139,900	141,700	143,600	145,500	147,400
Interest on outstanding debt	(383,944)	(335,651)	(237,275)	(177,299)	(125,959)	(84,121)	(86,305)
Capital outlay	(83,353)	(37,792)	(39,004)	(39,579)	(40,169)	(40,773)	(41,392)
NET NON-OPERATING REVENUE (EXPENSE)	(461,374)	(235,343)	(136,379)	(75,178)	(22,528)	20,606	19,703
NET GAIN (LOSS) BEFORE TRANSFERS	2,911,117	3,038,579	3,071,408	3,103,852	2,969,707	2,796,118	2,577,176
TRANSFERS IN (OUT)	845,000	(155,000)	45,000	(160,000)	(160,000)	(160,000)	(160,000)
CHANGE IN NET POSITION	3,756,117	2,883,579	3,116,408	2,943,852	2,809,707	2,636,118	2,417,176
CASH FLOW ANALYSIS							
Beginning Cash Balance	18,224,432	17,042,128	14,417,201	11,748,138	9,868,080	10,208,959	9,590,381
Net Cash from Operating Activities	4,197,759	5,009,651	5,114,522	5,223,725	5,149,547	5,063,430	4,939,170
Investing Activities	5,923	138,100	139,900	141,700	143,600	145,500	147,400
Bond issue Proceeds	-	-	-	850,000	0	5,000,000	0
CASH AVAILABLE	22,428,114	22,189,879	19,671,623	17,963,563	15,161,227	20,417,889	14,676,951
Capital Improvement Needs	2,078,081	4,295,000	5,455,000	5,970,000	3,185,000	9,460,000	3,260,000
Principal & Interest on Long Term Debt	3,307,905	3,477,678	2,468,485	2,125,483	1,767,268	1,367,508	1,369,211
CASH OUTFLOW	5,385,986	7,772,678	7,923,485	8,095,483	4,952,268	10,827,508	4,629,211
ENDING CASH BALANCE	17,042,128	14,417,201	11,748,138	9,868,080	10,208,959	9,590,381	10,047,740
WORKING CAPITAL	17,908,978	15,380,572	12,608,190	10,671,009	10,927,114	10,333,329	10,685,295
Typical residential % change	0.00%	5.47%	5.23%	0.00%	0.00%	0.00%	0.00%

Table 4

	Fiscal 2021-2022 Current Rates			Fiscal 2022-2023 Proposed rates		
	Sewer Cap = 125%			Sewer Cap = 125%		
	Sewer (000 Gal.)	Water (000 Gal.)	Total	Sewer (000 Gal.)	Water (000 Gal.)	Total
Winter	14	14		14	14	
Spring	14	14		14	14	
Summer	18	33		18	33	
Fall	14	14		14	14	
Total	60	75		60	75	
Rate per 1000 gallons	\$5.06	\$3.14		\$5.33	\$3.30	
Usage charge	\$303.60	\$235.50	\$539.10	\$319.99	\$247.28	\$567.27
Annual basic rate	118.40	82.36	200.76	124.80	86.48	211.28
Total	\$422.00	\$317.86	\$739.86	\$444.79	\$333.76	\$778.55
% change				5.40%	5.00%	5.23%

Increased cost for the Typical Portage Residential Customer

	<u>for sewer</u>	<u>for water</u>	<u>for both</u>
per year	\$22.79	\$15.90	\$38.69
per quarter	\$5.70	\$3.97	\$9.67
per month	\$1.90	\$1.32	\$3.22
per week	\$0.44	\$0.31	\$0.75
per day	\$0.06	\$0.04	\$0.10

City of Portage
Capital Improvement Program DRAFT
2022-2028

Table 5

SEWER										
Project Number	Dept.	Project Name	Funding (22-23)	Budget	Forecast		Projections			
				Fiscal Year						
				22-23	23-24	24-25	25-26	26-27	27-28	Total
1	T&U	Ramona Park Plat Sanitary Sewer	Cash	1,050,000	-	-	-	-	-	1,050,000
2	T&U	Lift Station Renovations	Cash	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	6,000,000
3	T&U	West End Dr Sanitary Sewer Lead Installation	Cash	350,000	-	-	-	-	-	350,000
4	T&U	Westnedge Sanitary Sewer Lead Installation		-	75,000	-	-	-	-	75,000
5	T&U	Portage Road Sanitary Sewer Extension		-	350,000	-	-	-	-	350,000
6	T&U	Zylman Sanitary Sewer (S Sprinkle to Deep Point)		-	700,000	-	-	-	-	700,000
7	T&U	Weaver Drive Sanitary Sewer (Charles St to North End)		-	-	350,000	-	-	-	350,000
8	T&U	Portage Road Emily Lift Station Force Main Replacement		-	-	-	-	300,000	-	300,000
SEWER TOTAL EXPENDITURES										
				2,400,000	2,125,000	1,350,000	1,000,000	1,300,000	1,000,000	9,175,000
FUNDING										
Sewer Fund Cash				2,400,000	2,125,000	1,350,000	1,000,000	1,300,000	1,000,000	9,175,000

City of Portage
Capital Improvement Program DRAFT
2022-2028

Table 6

WATER

Project Number	Dept.	Project Name	Funding (22-23)	Budget	Forecast		Projections			
				Fiscal Year						
				22-23	23-24	24-25	25-26	26-27	27-28	Total
1	T&U	Shaver Road Water Main Replacement (W Osterhout to Vanderbilt)	Cash	1,300,000	-	-	-	-	-	1,300,000
2	T&U	Ramona Park Plat Water Main	Cash	450,000	-	-	-	-	-	450,000
3	T&U	Storm Drainage Improvements Program	Cash	300,000	300,000	300,000	300,000	300,000	300,000	1,800,000
4	T&U	Local Street Water & Storm Improvements	Cash	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
5	T&U	Cooley Drive (W Centre Ave to Old Centre Ave)	Cash	225,000	-	-	-	-	-	225,000
6	T&U	Westnedge (Melody to Centre Ave)	Cash	150,000	-	-	-	-	-	150,000
7	T&U	Westnedge Ave (Velvet to S Shore)		-	500,000	-	-	-	-	500,000
8	T&U	Cox's Drive Storm Drainage Improvements		-	-	325,000	-	-	-	325,000
9	T&U	Meredith Street (E Milham to S Sprinkle Rd)		-	1,300,000	-	-	-	-	1,300,000
10	T&U	Portage Road Storm Drainage Improvements (Wetherbee to Lakeview)		-	850,000	-	-	-	-	850,000
11	T&U	Portage Road Water Main Extension (Helen to Byrd)		-	350,000	-	-	-	-	350,000
12	T&U	Water System Reliability Study Update		-	60,000	-	-	-	60,000	120,000
13	T&U	Woodland Elementary Water Main		-	150,000	-	-	-	-	150,000
14	T&U	Zylman Water Main (S Sprinkle to Deep Point)		-	350,000	-	-	-	-	350,000
15	T&U	Oakland Drive (Shaver to Katie Court)		-	-	100,000	-	-	-	100,000
16	T&U	Shuman Wellfield Iron Removal Facility		-	-	700,000	7,000,000	-	-	7,700,000
17	T&U	Oakland Drive/Vincent Intersection Improvements		-	-	-	450,000	-	-	450,000
18	T&U	Old Centre (Moorsbridge to W Centre)		-	-	-	250,000	-	-	250,000
19	T&U	Water System Risk & Resiliency Assessment		-	-	-	50,000	-	50,000	100,000
20	T&U	Garden Lane Storm Water Drainage Improvements		-	-	-	-	200,000	-	200,000
21	T&U	Mall Drive Storm Water Drainage Improvements		-	-	-	-	50,000	-	50,000
22	T&U	Portage Rd Water Main Replacement & Storm Drainage Improvements		-	-	-	-	1,000,000	-	1,000,000
23	T&U	East Centre Water Main Replacement (Shaver to Lovers Ln)		-	-	-	-	-	1,300,000	1,300,000
WATER TOTAL EXPENDITURES				2,675,000	4,110,000	1,675,000	8,300,000	1,800,000	1,960,000	20,520,000
FUNDING										
Water Fund Cash				2,675,000	3,260,000	1,675,000	3,300,000	1,800,000	1,960,000	14,670,000
Capital Improvement Bonds				-	850,000	-	5,000,000	-	-	5,850,000
WATER TOTAL FUNDING				2,675,000	4,110,000	1,675,000	8,300,000	1,800,000	1,960,000	20,520,000

CITY OF PORTAGE

RESOLUTION

SEWER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2022 at 7:00 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for sewer service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of wastewater service rendered by the wastewater system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2022.

A. CUSTOMER CHARGES

The charges to be paid by users of wastewater service rendered by the sewer system shall consist of a basic quarterly charge plus commodity charges as follows:

<u>Meter Size</u>	<u>Basic Quarterly Charge</u>
5/8"	\$ 31.20
3/4"	\$ 46.80
1"	\$ 70.20
1-1/2"	\$ 124.80
2"	\$ 187.20
3"	\$ 312.00
4"	\$ 624.00
6"	\$1,092.00
8"	\$1,560.00

COMMODITY CHARGES

For all metered use, except as may be provided under Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
Per 1000 Gallons
\$5.33

B. MINIMUM FOR NON-METERED (FLAT RATE) CUSTOMERS

The flat rate for non-metered customers shall be established based on water usage of 15,000 gallons per quarter.

	<u>Flat Charge</u>	<u>Basic Charge</u>	<u>Total Charge</u>
Per quarter based on commodity charge for 15,000 gallons	\$79.95	\$31.20	\$111.15

C. IRRIGATION ALLOWANCE

Residential customers shall be given a discount if the customer is eligible for an irrigation discount under City Ordinance as follows: 1) Charges for such customers shall be based on actual water consumption, except that there shall be no sewage charge for the water consumption exceeding 125 percent of the water consumption for the most recent quarter billing in which the month of January is included; 2) Residential customers who do not have a quarterly billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January, shall have the sewer charge for the other three quarters established at the maximum rate volume of 15,000 gallons or actual usage, if less, per quarter until such time as quarterly billing information, in which the month of January is included, is available.

D. SURCHARGES AND CREDITS

Surcharges for pollutant loadings above standard domestic waste will be charged rates established by ordinance of the City of Kalamazoo. Industries which pretreat may qualify for credits for pollutant loading at a strength below standard domestic strength in accordance with rates established by ordinances of the City of Kalamazoo.

E. ADDITIONAL CHARGES

Additional charges shall be as follows:

- (1) Equal to the actual expense incurred by the City for removing prohibited material discharged or caused or allowed to be discharged by the user and/or for the handling and/or treating of material in the wastewater system; and
- (2) Equal to the actual expense incurred by the City for cleaning or repairing the waste water system or any part thereof as required by a discharge by, or caused or allowed by, a user.

F. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Schoolcraft Township customers shall be the same as charged to city customers, as detailed in Section "A" above. Commodity charges for Schoolcraft Township customers shall be set at \$5.95 per thousand gallons of water used. Other charges and fees to township customers shall be the same as for City of Portage customers.

G. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

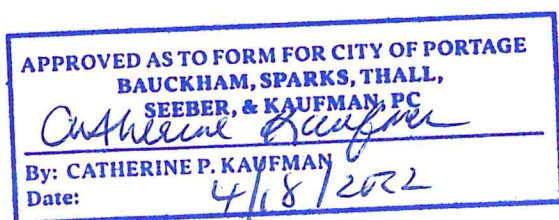
H. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 8 or more quarterly utility bills on time; and
(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:



ERICA EKLOV, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the _____ day of _____ 2022, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2022.

ERICA EKLOV, City Clerk

CITY OF PORTAGE

RESOLUTION

WATER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2022 at 7:00 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for water service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of water service rendered by the water system in the City of Portage, said rates to be in effect commencing with the first billing after June 30, 2022.

A. CUSTOMER CHARGES

The charges to be paid by users of water service rendered by the water system shall consist of a basic quarterly charge plus commodity charges as follows:

<u>Meter Size</u>	<u>Basic Quarterly Charge</u>
5/8"	\$ 21.62
3/4"	\$ 32.43
1"	\$ 48.65
1-1/2"	\$ 86.48
2"	\$ 129.72
3"	\$ 216.20
4"	\$ 432.40
6"	\$ 756.70
8"	\$1081.00

COMMODITY CHARGES

For all use, except as may be provided under Hydrant Meter Charges, Fire Protection Service Charges and Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
<u>Per 1000 Gallons</u>
\$3.30

B. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Pavilion Township and Schoolcraft Township customers shall be the same as charged to City customers, as detailed in section "A" above. Commodity charges for Pavilion Township and Schoolcraft Township customers shall be set at \$3.96 per thousand gallons of water used. Other charges and fees to township customers will be the same as for City of Portage customers.

C. FIRE PROTECTION SERVICE CHARGES

The charges to be paid by users of fire protection service rendered by the water system shall consist of a basic quarterly charge as follows:

Service <u>Size</u>	Basic Quarterly <u>Charge</u>
4"	\$ 15.00
6"	\$ 35.00
8"	\$ 60.00
10"	\$ 95.00
12"	\$135.00
16"	\$240.00

For all use metered on Fire Protection Services the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
<u>Per 1000 Gallons</u>
\$6.40

D. METER CHARGES

The charges to be paid for installing meters are as follows:

<u>Meter Size</u>	<u>Meter Charge</u>
5/8"	\$ 230
3/4"	\$ 290
1"	\$ 355
1 1/2" SR (Irrigation)	\$ 1,090
1 1/2" (Compound)	\$ 1,645
2" SR (Irrigation)	\$ 1,400
2" (Compound)	\$ 2,315
3" (Compound)	\$ 3,050
4" (Compound)	\$ 4,710
6" (Compound)	\$ 8,155

E. METER BOX CHARGE

The charges to be paid for Meter Boxes are as follows:

<u>Service Provided</u>	<u>Meter Box Charge</u>
Meter Box	\$1,250

F. HYDRANT METER CHARGES

The charges to be paid for installation of hydrant meters and use of hydrant water are as follows:

<u>Service Provided</u>	<u>Hydrant Meter Charge</u>
Meter installation	\$150*
Hydrant Use	\$6.40/thousand gallons

*Charge includes 15,000 gallons of water.

Furthermore, a deposit of \$250 will be required before installation of the hydrant meter. The deposit will be applied to the charges and water usage.

H. HYDRANT FLOW TEST

A charge of \$135 per occurrence will be charged for a fire hydrant flow test to determine the quantity of water available for fire fighting use.

I. PROCESSING FEE

The charge to be paid by users having water service turned on is as follows:

<u>Service Provided</u>	<u>Processing Fee</u>
Turning on water service	\$50 (except for first time customers and customer repairs) \$100 (turn on after normal working hours)

This fee also applies to services that are turned off for delinquency and is applied once a city work order has been issued.

J. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

K. WATER SHUT OFF DUE TO NON-PAYMENT

An amount past due of more than \$60.00 is established as the water shut-off level amount.

L. LATE FEE

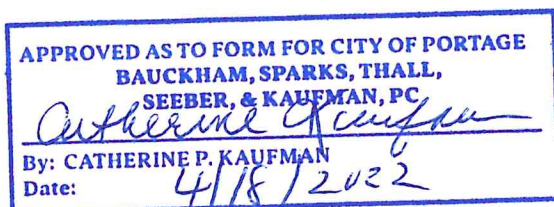
The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 8 or more quarterly utility bills on time; and

(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date.
However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:



ERICA EKLOV, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the _____ day of _____ 2022, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2022.

ERICA EKLOV, City Clerk

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Zoning Amendment #21/22-B (22-02)

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, consider approving Zoning Amendment #21/22-B (22-02) to add technology- and laboratory-related office uses to the OS-1 Office District under Special Land Uses.

The Hinman Company submitted the Zoning Amendment 21/22-B (#22-02) requesting the addition of technology- and laboratory-related office uses to the OS-1 Office District under Special Land Uses. The purpose of this amendment is to expand office-related uses in response to considering long-term shifts in the commercial office market, increasing area demand in the STEM-related industries, and general demand for technology- and laboratory-related office uses in Southwest Michigan. Zoning restrictions under Special Land Uses are included in this amendment to ensure appropriate compatibility and harmony within the zoning district and with adjacent uses. The ordinance amendment would enable future technology- and laboratory-related office businesses to locate at The Hinman Company property at 510/524 East Milham Avenue (subject site) and throughout the OS-1 zoning district citywide, through the special land use process.

The Planning Commission convened a public hearing on February 17, 2022. James Pollock (the applicant's representative) and Cole Rathgun (co-applicant) were present in support of the amendment. No additional citizens provided testimony during the public hearing to comment on the proposed zoning amendment. After careful consideration, the Planning Commission voted unanimously (9-0) to waive the second public hearing and recommend to the City Council approval of the zoning amendment.

Subsequent to the public hearing, it is recommended that City Council consider approving Zoning Amendment #21/22-B (22-02) to add technology- and laboratory-related office uses to the OS-1 Office District under Special Land Uses.

FUNDING: Not Applicable

Attachments:

1. Planning Commission transmittal dated March 17, 2022
2. Planning Commission meeting minutes dated February 17, 2022
3. Community Development staff report dated February 17, 2022
4. 2022 02 17 Final Planning Commission Agenda and Materials Transmitted
5. 21-22-B (22-02), ORDINANCE ADOPTION

TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

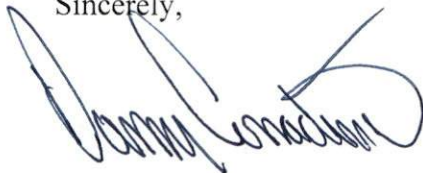
DATE: March 17, 2022

SUBJECT: Zoning Amendment #21/22-B (22-02) to add 'technology'- and 'laboratory'-related office uses in the OS-1 Office District under Special Land Uses

During the February 17, 2022 meeting, the Planning Commission reviewed and discussed the zoning amendment #21/22-B (22-02) to add 'technology'- and 'laboratory'-related office uses under Special Land Uses in the OS-1 Office District in response to changes in the office industry and growing changes in technology and laboratory industries, also to facilitate a future 'technology'- and 'laboratory'-related office business at 510/524 E Milham Avenue. James Pollock with the Hinman Company (Applicant's representative) and Cole Rathgun (Co-applicant) provided testimony to support the amendment. No citizens provided testimony during the public hearing to comment on the proposed amendment.

The Planning Commission voted unanimously to recommend to City Council approval of the Zoning Amendment #21/22-B (22-02) to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District under Special Land Uses.

Sincerely,



Dan Corradini
Chairman, Planning Commission

Attachment: February 17, 2022 Planning Commission Meeting Minutes

T:\COMMDEV\2021 2022 Department Files\Memos\City Council\Office Amendment - Lab, Tech Uses\2022 17 02 MCC Zoning Amendment, Lab and Tech-related Offices; O-1 - Approval.docx

CITY OF PORTAGE PLANNING COMMISSION

Thursday, February 17, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of February 17, 2022 was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

Adam Herringa, Acting City Manager
Kelly Peterson, Director of Community Development
Biqi Zhao, Senior City Planner
Eric Feldt, City Planner
Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); O'Dell (yes); Youngs (yes); and Freiman (yes).

APPROVAL OF MINUTES:

A motion was made by Vice Chair Joshi, supported by Commissioner Baldwin to approve the February 3, 2022 meeting minutes with corrections. The motion was approved unanimously.

Public Hearings:

Special Land Use Permit to operate a contractor's business at 8405 Portage Road, pursuant to Sec 42-461. Applicant, Amil Alwan, 1601 West Centre Suite 103, Portage, MI described building out the site for an office and a workshop. Commissioner Youngs asked about the movement of the current driveway. Mr. Alwan described moving the driveway to the South.

Mr. Feldt provided the staff recommendation that a special land use permit be granted due to consistency with Master Plan goals and the Lake Center District Study, in addition to meeting the criteria of Sec 42-461 Special Land Use Permit and Sec 42-262(c)(6) 'Offices and showrooms for building, plumbing, electrical, or mechanical contractors.' Chair Corradini opened the public hearing. There being no comment from the public, Commissioner Baldwin motioned to close the public hearing and Commissioner Pezzoli supported the motion. Vice Chair Joshi motioned to approve the Special Land Use Permit for the proposed contractor's business at 8405 Portage Road. Commissioner Baldwin supported the motion. Motion passed unanimously. Vice Chair Joshi motioned to approve the site plan for the proposed contractor's business at 8405 Portage Road Commissioner Baldwin supported the motion. Motion passed unanimously.

Ordinance Amendment to add 'technology'- and 'laboratory'- related office uses to the OS-1 Office District, pursuant to Sec 42-651. Co-applicant, Cole Rathgun, Regional Director of Leasing of the Hinman Company, 750 Trade Center Way, Portage, discussed the background on the companies work involving offices and how there is a shift in the types of companies interested in leasing offices. Applicant, Jim Pollock, General Counsel of the Hinman Company, 750 Trade Center Way, Portage, also described his discussion about expanding uses for office including technology and laboratories.

Mr. Feldt summarized the applicant's request for a zoning ordinance amendment to allow for technology and laboratory related use in the office district including their property. Commissioner Adams asked if a definition of 'technology' and 'laboratory' will be added in the motion. Mr. Feldt stated no definitions will be set. Commissioner Fries asked if staff sees any issues with this. Mr. Feldt responded that future

projects like this will fit harmoniously in the office district. He noted that special land use permits can be another avenue for similar projects and clarified that this amendment does not change the zoning district but adds a line item for what is allowed within the district. Chair Corradini opened the public hearing. There being no comment, Vice Chair Joshi motioned and Commission Baldwin supported the motion to close the public hearing.

Commissioner Pezzoli motioned to waive the second public hearing given there was no public and, that the Commission recommend approval to the City Council the Ordinance Amendment to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District. Vice Chair Joshi supported the motion. Motion passed unanimously.

New Business:

2022-2028 Capital Improvement Program (CIP) discussion and recommendation to City Council.

Acting City Manager Adam Herringa, addressed the commission. He described the draft CIP under review by the Planning Commission, funding sources, a focus on Portage Road, and the importance of maintaining existing projects. Commissioner Freiman asked if there were projects that did not make the list. Mr. Herringa stated there are projects that are more urgent and as a result some projects may be pursued in later years. Commissioner Youngs asked about Act 51 funding and the difficulty of projecting for the future. Mr. Herringa noted the shift from a 10-year plan to a 6-year plan to improve planning and project delivery. Commissioner Fries noted a decrease in parks funding and asked if the system is built out and the cost shifts to maintenance. Mr. Herringa noted that building trails is important but there are other capital projects that require funding. Chair Corradini inquired about open houses and public outreach. Mr. Herringa noted that feedback tends to be from the same individuals each year and open houses do not generate significant input. Chair Corradini asked if CIP surveys go out to employees. Mr. Herringa noted employees are aware of the CIP survey but there not a specific employee survey and expressed an openness to this suggestion. Vice Chair Joshi motioned to recommend approval of the 2022-2028 Capital Improvement Program. Commissioner Freiman supported the motion. Motion passed unanimously.

Kalamazoo County Housing Study Presentation.

Commissioner Adams gave a presentation on Countywide housing needs, trends, data, and an upcoming housing survey for Kalamazoo County.

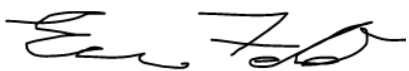
STATEMENT OF CITIZENS/COMMISSIONERS

Commissioner Fries noted a tree ordinance issue present in the Michigan Association of Planning magazine. Chair Corradini thanked Mr. Herringa and Ms. Peterson.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 8:14 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager

TO: Planning Commission**DATE:** February 17, 2022**FROM:** Kelly Peterson, Director of Community Development**SUBJECT:** Ordinance Amendment to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District, pursuant to Sec 42-651.**I. INTRODUCTION:**

The Applicant has submitted a Zoning Ordinance Amendment application to allow for 'technology'- and 'laboratory'-related office uses in the underlying OS-1 Office District, including their property at 510/ 524 E. Milham Avenue (OS-1). The zoning amendment process is provided under zoning code Sec 42-651, and if approved, would apply to all land zoned OS-1 Office.

II. BACKGROUND INFORMATION:**Ordinance Amendment Process**

The ordinance amendment process is provided under Sec 42-651 and requires a public hearing during Planning Commission and City Council meetings. The Commission considers the proposed amendment, evaluates if it is consistent with adopted city plans, affects existing neighborhood conditions and provides a recommendation to the City Council. If the Council approves the amendment, the prospective development may be pursued consistent with standard reviews, permits and processes.

Evolving Commercial Real Estate Environments and Tenants

The COVID pandemic has resulted in nationwide changes in how work occurs and where work occurs. The past few years has revealed a resulting decrease in demand for traditional commercial office space, and a difficult market in which to retain tenants and fill vacant tenant spaces. This has required the use of new marketing approaches and expanding beyond traditional office tenants. The applicant provides a firsthand example of these impacts during their efforts to fill office space at 510/ 524 E. Milham Avenue. The applicant details in their application, that they have been approached by several non-traditional office tenants interested, but that do not align precisely enough to fit into OS-1 zoning. One company proposed to utilize the spaces for office areas plus small work stations consisting of 3D-printing machines, small cutting and fabricating machines to facilitate assembly of electronic instruments. A second company related to health sciences proposed utilizing the space for office area plus laboratory work stations for researching and testing human tissue. The applicant indicates that while these businesses utilize office space, they also have non-traditional office uses that do not align with the existing OS-1 uses.

Continued Growth of STEM-related Businesses

At the same time, businesses focused on science, technology, engineering, and math (STEM), and STEM-related/supportive fields, continue to grow in our region. Some of these businesses include small-scale makerspaces, 3-D printing, graphic design, and robotic engineering. In the past, it would be common for communities to categorize and restrict these types of businesses to industrial zoning

districts as being related to manufacturing or industrial uses. However, as technology and engineering practices evolve, there are resulting small-scale operations that do not require traditional large-lot industrial acreage, large HVAC demands, or significant loading and transportation facilities. Currently in the City of Portage, there are large scale uses within STEM industries, such as Pfizer, Styker, Mann + Hummel, as well as smaller-scale businesses such as Acuren Inspections Inc. (an engineering, testing, and inspection company), S A Morman & Co (Commercial door, hardware, and security supplier), Depatie Fluid Power Co (hose supplier), etc. As such, commercial office owners looking to fill tenant spaces may wish to consider unique, small-scale STEM-related businesses to fill traditional office property.

Current OS-1 Office and OTR Zoning Districts

The OS-1 Office generally allows traditional office tenants, as detailed below. The three prospective businesses, detailed by the applicant, interested in 510/ 524 E. Milham Avenue have an office component. However, their unique operations do not align precisely in the Office district and, therefore, generally would not be permitted. Their proposed business uses are, however, permitted in the Office, Technology, and Research (OTR) zoning district. Generally, this district is intended to support production, research, and development facilities, and intended to provide for a community of those facilities. This district supports large-scale facilities that are targeted for technology- and research-related uses compared to general manufacturing facilities found in Industrial zoning districts. Smaller-scaled businesses in the office, technology, or research industries may be permitted in the OTR but may not align precisely with the intent of the OTR district.

Below is the OS-1 Office district intent and list of permitted uses and allowed special land uses. The proposed amendment seeks to add a special land use "F: Offices having laboratory- and technology-related uses ."

Subdivision 5. - OS-1 Office Service district

Sec 42-240 - Intent. The OS-1 office service district is designed to accommodate office and institutional land use activities and is planned to serve as transitional areas between residential districts and commercial districts and between major thoroughfares and residential districts.

Sec. 42-241. - Principal permitted uses. In the OS-1 office service district no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

- A. Office buildings for...executive, administrative, professional, accounting, writing, clerical, stenographic, drafting and sales.
- B. Medical offices, including clinics.
- C. Banks, credit unionsand similar uses.
- D. Art studios, photographic studios and interior decorating studios.
- E. Publicly owned buildings, exchanges and public utility offices, not including storage yards, transformer stations, substations or gas regulator stations.
- F. Personal service establishments that perform services on-premises.
- G. A specialized agricultural use of land operating .

H. Accessory uses customarily related to the uses permitted in this section, such as but not limited to pharmacies or apothecary stores, limited to such items as corrective garments, bandages or optical services.

Sec. 42-242. - Special land uses.

The following uses may be allowed in the OS-1 office service district, subject to the conditions imposed in this section and section 42-243 for each use, and subject further, to the review and approval of the planning commission in accordance with the provisions of division 5, subdivision 1 of this article:

A. Institutional uses, as listed below:

1. Public, parochial and other private elementary, intermediate and/or high schools offering courses in general education.
2. Public and private colleges, universities and other institutions of higher learning.
3. Religious institutions.
4. Private noncommercial recreational uses and institutional or community recreational centers.
5. Facilities for human care such as sanatoriums and rest and convalescent homes.

B. Vocational, trade and/or business schools, provided that all activities shall be conducted in completely enclosed buildings.

C. Funeral home establishments, funeral services, mortuaries and mortuary services .

D. General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have a contagious disease .

E. Work/live accommodations in accordance with the provisions of section 42-137.

Special Land Use Permits are those that may not always be appropriate on all such zoned lands and, therefore, require Planning Commission consideration and allows placement of conditions to increase neighborhood harmony, consistency with adopted plans, and preservation of general public safety and welfare.

2014 Comprehensive Plan

The following guidelines are relevant to the proposed amendment:

- Guideline C-2 'Commercial/ Office Uses in General': Allow commercial/ office uses: d) when the size, intensity, and character of the proposed use is compatible with adjacent areas; f) adjacent to older or redeveloping residential areas where the commercial/ office use does not create nuisances and is compatible with the surroundings.
- Guideline C-8 'Office/ Commercial Site Design': f) promotes a good transition between adjacent buildings and land uses in terms of building size, height, scale, and materials.
- Future Land Use: this map classifies land into various categories that helps guide rezones, zoning amendments, and certain land uses. The 'Office Corridors' and 'Research/ Development/ Technology' classifications can be reviewed as pertinent to the proposed amendment.

Best Practices Review

In considering the proposed amendment language, staff reviewed Michigan cities having robust STEM-

related or extensive research programs, and considered how their zoning codes addressed specialized businesses within the research, technology and small industrial industries. Related information is provided in the attachments.

Public Notice Requirement

- A public notice was published in the Kalamazoo Gazette on February 2, 2022.
- As the proposed amendment would apply citywide, and not to an individual subject property, mailings are not required.

III. ANALYSIS:

The proposed ordinance amendment has been developed in response to the applicant's request to facilitate the occupancy of an existing building located in the OS-1 Office district for a future 'technology'-related office business and a 'laboratory'-related office business. After reviewing the intent and list of permitted uses of the OS-1 Office district, considering long-term shifts in the commercial office market, and increasing area demand in the STEM-related industry, staff recommends allowing certain laboratory- and technology-related uses within the Office district.

In addressing external impacts from these unique office uses, staff considered current existing land use restrictions within the OS-1 and OTR zoning district, as well as from other Michigan areas. When considering adding these unique office uses, applicants would be held to the same building yard setbacks and height maximum (35-foot - 3 stories) as required under the OS-1 Office district. Because many Office districts are located adjacent to residential areas, adding more commercial uses to the district presents potential neighborhood impacts and, therefore staff took a conservative approach toward the proposed new uses and added restrictions. The existing required screening between new commercial uses and adjacent residential areas will continue to apply for the proposed new uses.

The proposed restrictions (F. 1-8 below) ensure that future 'technology'- and 'laboratory'-related office uses in the OS-1 Office District fit harmoniously within other allowed uses of the Office district, and operate in a way that does not result in negative impacts to adjacent residential areas.

Proposed Ordinance Amendment

Subdivision 5. - OS-1 Office Service District

Sec. 42-242. - Special land uses.

(NEW) F. Offices having laboratory- and technology-related uses when meeting the following standards:

1. When all operations are conducted and completely contained within the building.
2. No outdoor storage.
3. Must contain related offices as an adjunct use.

4. Shall not emit any noise, light, vibrations, odors, or other deleterious impacts towards adjacent property lines.
5. Shall not have access directly onto a residential street.
6. Loading facilities shall not face a Residential zoning district or Residential use.
7. All hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas.
8. The use and size of delivery vehicles shall be consistent with those typically found in an office use.

IV. RECOMMENDATION:

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the ordinance amendment consideration at a subsequent meeting, the Commission is advised to receive public comment during the February 17, 2022 meeting and adjourn the public hearing to the March 3, 2022 meeting.

If no public comment is received and the Commission is supportive of the proposed amendment, staff advises the Planning Commission to waive the second public hearing and recommend to City Council that the Ordinance Amendment to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District, be approved

Attachments:

1. Applicant's Submittal and Narrative
2. 2022 02 17 Gazette Notice CIP-Ordinance Amendment-Contractors Business
3. Ann Arbor, MI; Research, Office Zoning District Narrative

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date January 19, 2022

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 8, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at _____ between _____ Street and _____ Street on the _____ side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of _____ feet and a depth of _____ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

Parcel No. 10-00010-091-O; 6.86 acres

2. a. Do you own the property to be rezoned? Yes ☒ No ☐

b. Name of the owner of the property to be rezoned: 510 East Milham, LLC

Address 510/524 East Milham, Portage, MI 49002

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: To allow the property to be leased and occupied by a variety of light technology and biomolecular research ("Bio-Tech") and related uses thereto.

4. CURRENT ZONING: _____ PROPOSED ZONING: _____

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):
Allow research, design, and technology product development and research. Also allow labs/research facilities for testing and analysis of products or uses for biotech, computers, pharma, and similar fields.

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.
Chapter 42, Article 4, Division 4, Subdivision 5, Section 42-241.

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.
To allow the property to be leased to a variety of light technology and biomolecular research ("Bio-Tech"), development and related light industrial/manufacturing/warehousing related thereto ("Bio-Tech")

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

[Signature]
(Signature of Applicant)

[Signature]
(Signature of Applicant)

750 Trade Center Way, Suite 100, Portage, MI 49002
(Address)

(Address)

(269) 342-8600
(Phone)

(Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

MEMORANDUM

DATE: January 21, 2022.

TO: City of Portage Planning Commission.

FROM: James M. Pollock, General Counsel, The Hinman Company. 

RE: Narrative for 510 East Milham, LLC's Zoning Text Amendment For OS-1, Office District.

510 East Milham, LLC, by and through its affiliate The Hinman Company is requesting that the Planning Commission recommend a zoning text amendment to the City Council that would expand the OS-1 district to allow low-impact, high technology, research, laboratory, manufacturing, warehouse/distribution (collectively "low-impact tech and office") businesses in the OS-1 zoning district. We believe the low-impact user can coexist and thrive in the OS-1 district while still preserving the intent of the OS-1 district as transitional areas between residential districts and commercial districts.

As the City's larger health science companies (e.g. Stryker, Pfizer, etc.) continue to expand innovation, technology and research in the City of Portage, the low-impact tech and office user is a growing segment of business that will continue to form a supportive fabric to these health science companies and their future needs. As a regional developer with almost 50 years in the commercial office market, we are seeing unprecedented changes in how office space is speculated to be used across a wide range of industries where there is a growing need to desegregate low-impact tech and office users from a traditional office space user (i.e. professional offices where only office-related work is performed).

And while the City of Portage currently has an Office, Technology and Research ("OTR") district that may cover similar uses in some areas of the City, we believe that many properties in the OS-1 districts throughout the City could continue to be substantially impacted by high vacancy rates as traditional office market norms shift to remote work and flexible scheduling. This is especially true for much older office buildings in the OS-1 that are difficult to attract "traditional" office users.

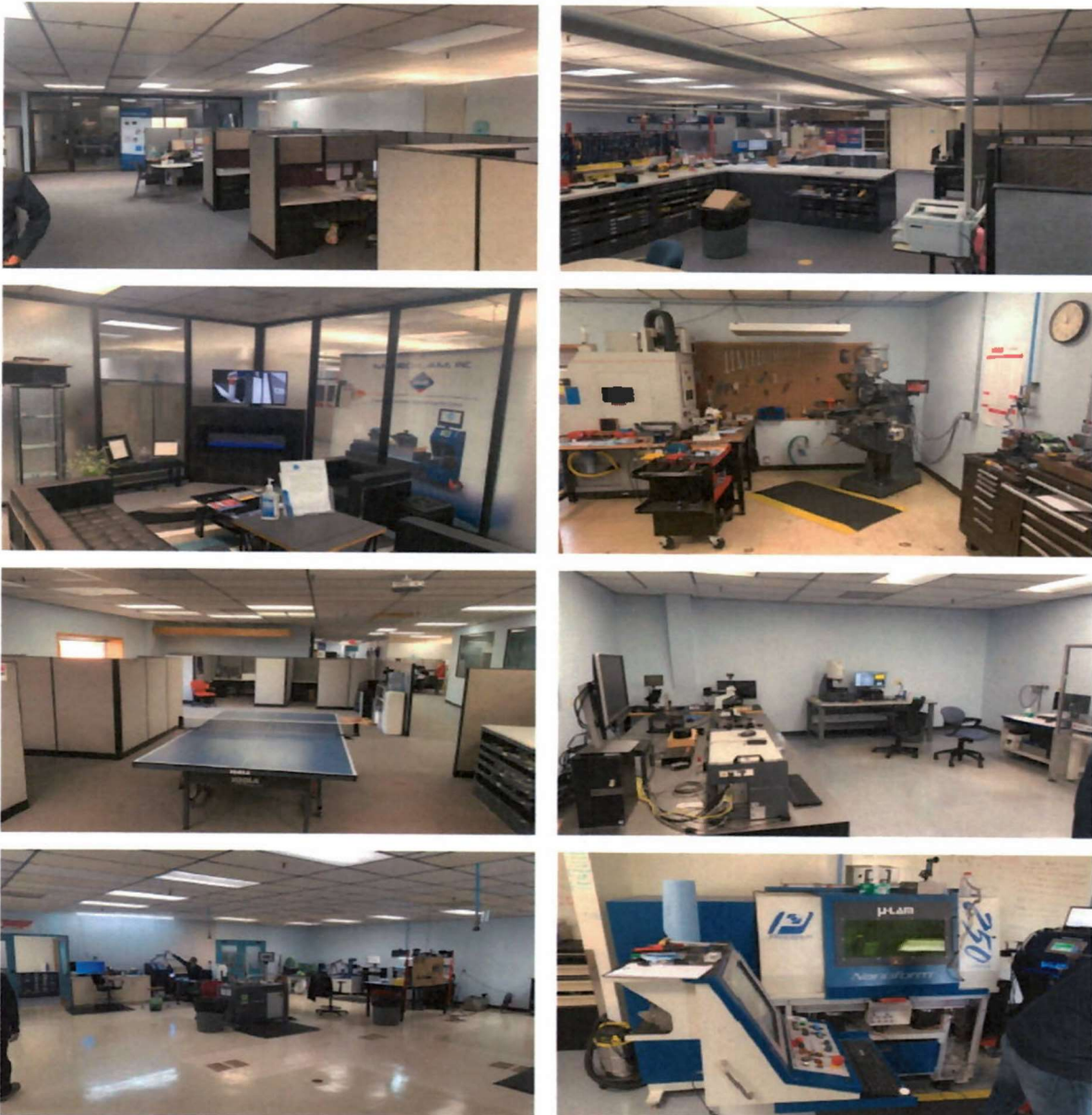
For example, Hinman is working with two local technology and micro-laboratory companies to occupy the 54-year-old office building owned by Hinman through 510 East Milham, LLC at 510/524 E. Milham, Portage, MI 49002. Both users have traditional office needs but are also requesting connected flexible space that will allow office employees to work in concert with other individuals and components of their business related to low-impact manufacturing, technology, laboratory testing and warehousing. Examples of the potential types of uses within the low-impact tech and office buildings are as follows:

- 3D printers, microscopes, precision tools, etc.
- Computer Numerical Control (known as "CNC") machines that make parts out of plastics, metals, aluminum, wood and many other hard materials. These machines emit little noise and no smells.
- Ping Pong table sized laser cutting machines (makes no noise).
- Assembly of merchandise such as electronic or precision instruments and articles of similar nature.
- Product warehousing and light distribution centers provided all products and materials are enclosed within a building. Total traffic impacts would be comparable to uses currently allowed under OS-1 zoning. Fed-Ex and UPS may make frequent deliveries, but not in an uncommon

frequency from what you would find at a traditional office building. Offsetting this would be fewer office workers per square foot which would mitigate total traffic counts.

- Low-impact manufacturing which by nature of the materials, equipment and process utilized are clean, quiet and free from objectionable or dangerous nuisances or hazards. Example: Soldering tools.
- Trash / waste would be comparable to uses currently allowed under OS-1 zoning
- Building hours of operation would be comparable to uses currently allowed under OS-1 zoning (i.e. 8 a.m. to 5 p.m.).

Below is an example of the office setting of one of Hinman's prospective 510 East Milham tenants:



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

NOTICE IS HEREBY GIVEN that the City of Portage Planning Commission will conduct a public hearing on **Thursday, February 17, 2022** in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue at 7:00 p.m. (or as soon thereafter as may be heard) on the following:

Special Land Use Permit: The applicant, Amil Alwan, is requesting a Special Land Use Permit to operate a contractor's business at 8405 Portage Road, pursuant to Sec 42-461.

Ordinance Amendment #21/22-B: Ordinance to amend Chapter 42, Article 4: Division 4, Subdivision 5 – Office Service District (OS-1) to add 'technology-' and 'laboratory-' related Office uses to the OS-1 District.

Proposed FY 2022-2027 Capital Improvement Program (CIP): Planning Commission discussion and recommendation of the proposed FY 2022-2027 Capital Improvement Program to City Council.

All interested persons are welcome to attend the public hearing and comment on the proposed Special Land Use Permit. Written comments may also be submitted to the Department of Community Development prior to 12:00pm (noon) the day of the public hearing. A copy of the application is available for review between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday in the Department of Community Development, Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan, 49002. In addition, the application and Community Development staff report will be available as part of the February 17, 2022 meeting agenda, which will be posted to the City of Portage website at <https://www.portagemi.gov/439/Planning-Commission> no later than 5:00 p.m. on Monday, February 14, 2022. Finally, interested persons may contact the Department of Community Development at (269) 329-4477 for additional customer assistance.

Dated: February 02, 2022

T:\COMMDEV\2021 2022 Department Files\Board Files\Planning Commission\Gazette notices\2022 02 17 Gazette Notice CIP-Ordinance Amendment-Contractors Business.docx

particularly the Sustainability Framework, the Land Use Element, the Climate Action Plan, and the Comprehensive Transportation Plan.

B. Specific Purpose Statements

When approving a petition to rezone a site from its current designation to TC1, the Planning Commission and City Council should consider the following specific purpose statements:

1. This district may replace the O, RE, ORL, C2B, C3, P, R5 and M1 districts. It should only replace other zoning designations in unique and rare instances where another zoning district is entirely surrounded by the specifically mentioned districts.
2. This district should be located proximate to a transit corridor, meaning a street with existing fixed transit service. All areas of parcels zoned TC1 should be no more than ½ mile from a transit stop.

5.13 Nonresidential and Special Purpose Zoning Districts

5.13.1 R5 Hotel District

This district is intended to permit Hotels and certain institutional housing uses that provide nursing care for convalescence from illness or special care for the elderly.

5.13.2 P Parking District

This district is intended for off-street storage of noncommercial vehicles where no repair, sales, or services are rendered from the Parking Lot.

5.13.3 PL Public Land District

This district is intended to classify publicly-owned uses and land and permit the normal principal and incidental uses required to carry out governmental functions and services.

5.13.4 RE Research District

A. Purpose Statement

This district is intended for research facilities to serve the needs of commerce, industry, business, and education. The prime characteristics of this district are the low intensity of land coverage, campus-like developments, preservation of significant Natural Features, and the absence of nuisance factors such as excess noise, heat or glare, air pollution or waste water production.

B. Special Standards

All uses established in the RE district must comply with the following requirements:

1. Outdoor Storage of Equipment, goods, or materials is prohibited unless contained within a screened area shown on an approved site plan.

2. All automobile ingress and egress shall be screened from residential zoning districts and no parking shall be allowed within a Required Setback Area that abuts a residential zoning district.
3. No process carried on within a Building shall cause noise discernible at the Lot Lines in excess of the average intensity of street and traffic noise at the Lot Lines, nor any production of heat, glare, dust, vibration, light, or odor discernible at the Lot Lines.
4. All hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas.
5. The emissions of air pollution shall not be detrimental to the public welfare.

5.13.5 ORL Office/Research/Limited Industrial District

A. Purpose Statement

This district is intended to provide for a mixture of research, Office and light industrial uses whose external effects are restricted to the Site and do not adversely impact surrounding districts. The ORL district is structured to permit the manufacturing, processing, packaging, assembly, or treatment of finished or semi-finished products from previously prepared materials. The preservation of significant Natural Features and the encouragement of low-density, campus-like layouts are objectives for the establishment of such zones.

B. Special Standards

All uses established in the ORL District must comply with the following requirements:

1. Outdoor Storage of equipment, goods, or materials is prohibited unless contained within a screened area shown on an approved site plan.
2. Loading facilities shall be provided. Truck storage areas shall be provided in addition to the parking required by Section 5.19 where such storage is necessary for the operation of the use. Truck storage areas shall meet the Parking Lot standards of Section 5.19 . Loading facilities and truck storage areas shall be screened from abutting residential uses and public street rights-of-way according to Section 5.20.3
3. All automobile ingress and egress shall be screened from residential zoning districts and no parking shall be allowed within a Required Setback Area that abuts a residential zoning district.
4. No process carried on within a Building or Structure shall cause noise discernible at the Lot Lines in excess of the average intensity of street and traffic noise at the Lot Lines, nor any production of heat, glare, dust, vibration, light, or odor discernible at the Lot Lines.

5. All Hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of abutting areas.
6. The emissions of air pollution shall not be detrimental to the public welfare.

5.13.6 M1 Limited Industrial District

This district is intended to provide land for various types of industrial and manufacturing uses that are compatible with one another. Properties included in this district are suited for use primarily by industries characterized by low land coverage, the absence of objectionable external effects and the possibility of large setbacks, attractive architecture and large, landscaped park-like areas. The purpose of the district is to provide suitable Sites for such uses while making certain that the allowed uses will be compatible with adjacent or surrounding districts. Development is limited to a low concentration, external effects are minimized, and permitted uses are limited to those which are adapted to an environment of this nature. Manufacturing plants and uses shall have performance characteristics similar to those uses allowed in this district in that they emit a minimum of noise, vibration, smoke, dust, dirt, toxic, or offensive odors or gases, glare, electromagnetic or atomic radiation. All uses shall be designed, constructed and operated so that there is no production of noise discernible at the Lot Lines in excess of the average intensity of street and traffic noise at the Lot Lines, nor any production of heat or glare discernible at the Lots Lines.

5.13.7 M1A Limited Light Industrial District.

This district is intended to provide land for various types of industrial manufacturing and certain low intensity commercial activity uses that are compatible with one another. The lands included in this district are those suited for use primarily by industries characterized by low land coverage, the absence of objectionable external effects and the possibility of large, landscaped, park-like areas. Manufacturing plants and uses shall have performance characteristics similar to those uses allowed in this district in that they emit a minimum of noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, glare, electromagnetic or atomic radiation. All uses located within this district shall be designed, constructed and operated so that there is no production of noise discernible at the Lot Lines in excess of the average intensity of street and traffic noise at the lines, nor any production of heat or glare discernible at the Lot Lines.

5.13.8 M2 Heavy Industrial District

This district is intended to provide land for more intense types of industrial and manufacturing uses that are usually located deep within the industrial areas of the City and downwind from residential and Business areas. Regulations to minimize their incompatibility with other residential zoning districts are the minimum required for mutual protection of the industrial areas. The district should not be adjacent to any residential or mixed-use district if that can possibly be avoided.

CITY OF PORTAGE PLANNING COMMISSION

FINAL AGENDA

**February 17, 2022
(7:00 p.m.)**

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

- * 1. Planning Commission Meeting Minutes dated February 3, 2022

PUBLIC HEARINGS

- * 1. A Special Land Use permit to operate a contractor's business at 8408 Portage Road, pursuant to Sec 42-461.
 - Email from applicant Amil Alwan, 8405 Portage Road
- * 2. Ordinance Amendment to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District, pursuant to Sec 42-651.
 - Revised recommendation
 - Survey of Existing Property at 510/524 E. Milham

SITE/FINAL PLANS:

OLD BUSINESS:

NEW BUSINESS:

- 1. 2022-2028 Capital Improvement Program discussion and recommendation to City Council.
 - Draft CIP Planning Commission questions & responses from the administration
 - CIP overview charts
 - Draft CIP Portage Road Corridor Projects

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

Star (*) indicates printed material within the agenda packet.

From: [Kelly Peterson](#)
To: [Tamara Stephens](#)
Subject: MT FOR PC: 8405 Portage Rd
Date: Thursday, February 17, 2022 3:07:26 PM

MT "Email from 8405 Portage Road Applicant"

From: Amil Alwan <amil@bluelineremod.com>
Sent: Friday, February 11, 2022 4:51 PM
To: Eric Feldt <feldte@portagemi.gov>
Subject: 8405 Portage Rd

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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

Blue Line Remodeling and Construction, LLC

Blue Line Remodeling & Construction, LLC is a small, Portage based company of 16 years servicing Kalamazoo, Van Buren, Allegan and Calhoun Counties. We take pride in our work and ourselves. Blue Line Remodeling & Construction, LLC is a licensed residential builder and insured. Founded in 2006, the owner, Amil Alwan, has created a reputable and honest business. We take pride in being a family company with long time relationships. A majority of the work we do is in the City of Portage. We sponsor several events and schools in Portage. We want to stay in the City of Portage because we take pride in our community.

Our plan for 8405 Portage Rd, which is our quiet shop, is to extend it to be our permanent home for BLRC. It will be our office, training center, showroom, and shop. We have a plan to continue the vision that Portage has for the Portage Rd corridor. We are hoping our vision will create an environment that our neighbors (Speedway Gas) will follow and show some Portage pride.

Thank you

Amil Alwan

Blue Line Remodeling & Construction, LLC

Making Your House *a Home*

[\(269\) 329-2920](#) (Office)

Amil@BlueLineRemod.com

*****Please wear a mask when on job site. Use sanitizer upon re-entry each time. Stay home if displaying COVID related symptoms. Report Positive COVID test results ASAP so we can properly notify and quarantine if needed. See job site binders for more info as well as sign in sheets. Thank you for your care while we all work through this. *****

MI Builder's License #2101186922 & #2101186089

EPA Lead Renovator Certified

GAF Master Elite Certified Roofing Contractor

Mastic Preferred Contractor

Vinyl Siding Institute Certified

Better Business Bureau A+

Member of the Home Builders Association of Greater Kalamazoo

CITY OF PORTAGE

COMMUNICATION

TO: Planning Commission

DATE: February 17, 2022

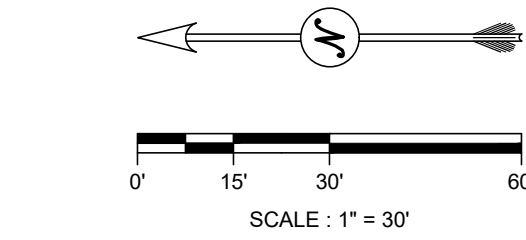
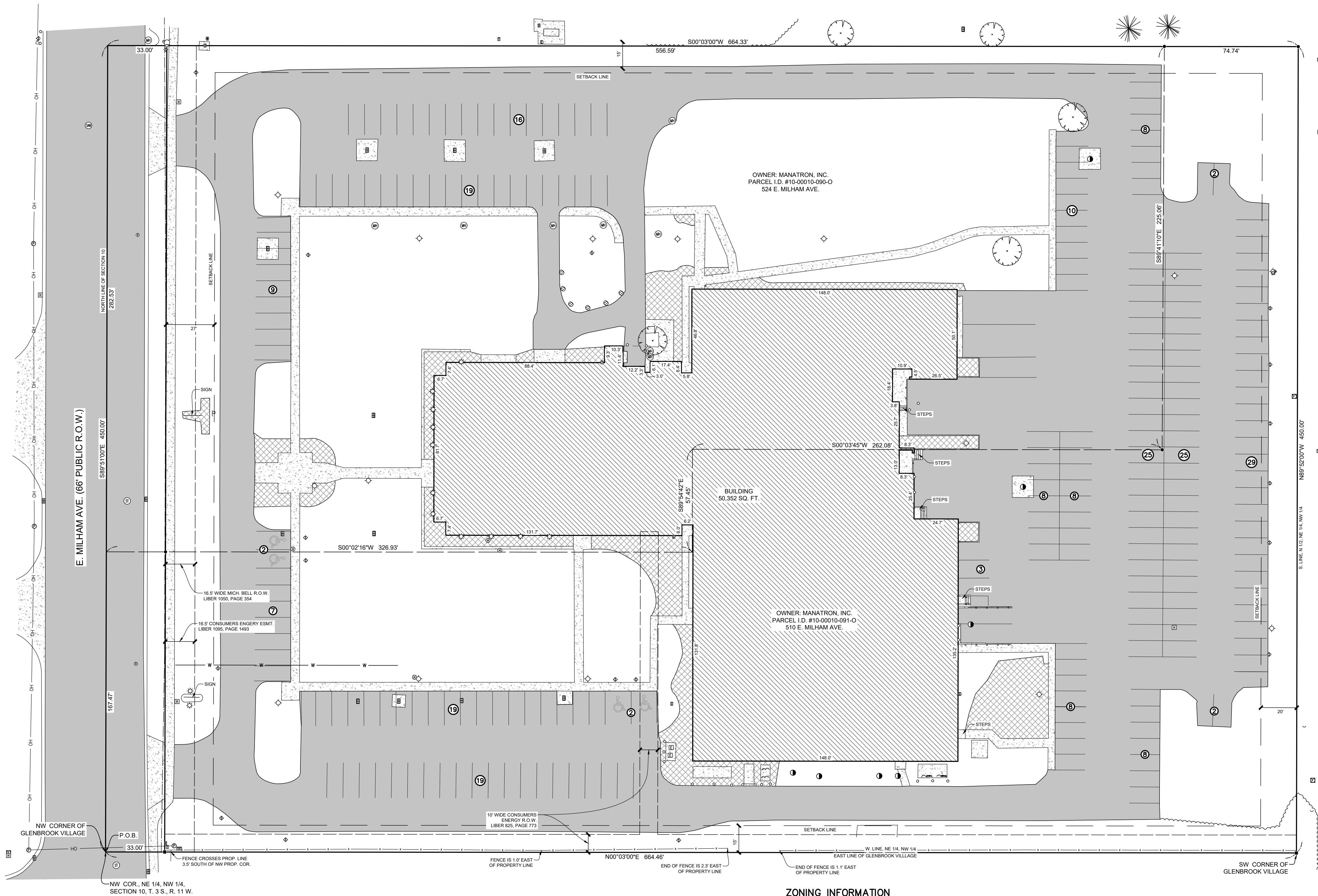
FROM: Kelly Peterson, Director of Community Development

SUBJECT: Revised Staff Report Recommendation regarding Ordinance Amendment to add 'technology'- and 'laboratory'-related office uses to the OS-1 Office District, pursuant to Sec 42-651.

Upon further discussion with the applicant and additional staff analysis of the existing codes related to conflicting use screening, lighting standards, and site plan approval requirements, which provide existing protections, the revised staff recommendation is as follows:

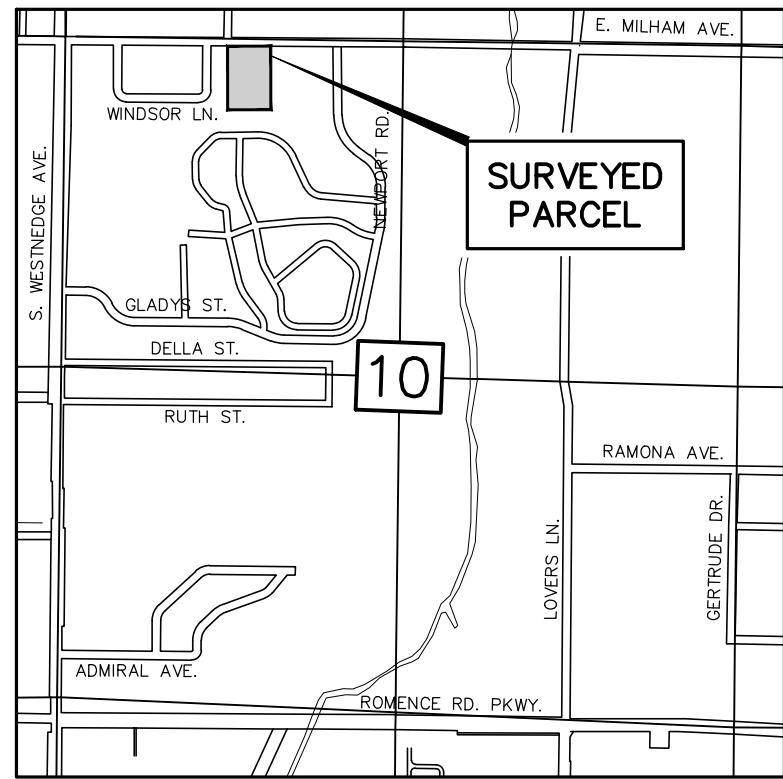
Proposed revisions are noted below in *italics* for reference.

Original Staff Recommendation – Proposed Ordinance Amendment	Revised Staff Recommendation – Proposed Ordinance Amendment
Subdivision 5. - OS-1 Office Service District Sec. 42-242. - Special land uses. (NEW) F. Offices having laboratory- and technology-related uses when meeting the following standards: 1. When all operations are conducted and completely contained within the building. 2. No outdoor storage. 3. Must contain related offices as an adjunct use. 4. Shall not emit any noise, light, vibrations, odors, or other deleterious impacts towards adjacent property lines. 5. Shall not have access directly onto a residential street. 6. Loading facilities shall not face a Residential zoning district or Residential use. 7. All hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas. 8. The use and size of delivery vehicles shall be consistent with those typically found in an office use.	Subdivision 5. - OS-1 Office Service District Sec. 42-242. - Special land uses. (NEW) F. Offices having laboratory- and technology-related uses when meeting the following standards: 1. When all operations are conducted and completely contained within the building. 2. No outdoor storage. 3. Must contain related offices as an adjunct use. 4. Shall not emit any noise, light, vibrations, odors, or other deleterious impacts towards adjacent property lines. 5. Shall not have access directly onto a residential street. 6. Loading facilities shall not face a residential zoning district <i>without proper screening as required by code, including Section 42-573 Conflicting Use Screening.</i> 7. All hazardous materials, waste, and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas. 8. The use and size of delivery vehicles shall be consistent with those typically found <i>in an office, laboratory, or technology use.</i>



LEGEND

- AIR CONDITIONER
- CONIFEROUS TREE
- DECIDUOUS TREE
- BUSH/SHRUB
- FLAG POLE
- IRRIGATION CONTROL BOX
- SIGN
- SQUARE HANDHOLE - GENERIC
- CATCH BASIN - RECTANGULAR FRAME
- CATCH BASIN - ROUND FRAME
- CULVERT
- HYDRANT
- LIGHT POLE
- YARD LIGHT
- UTILITY POLE
- GUY ANCHOR
- BENCHMARK
- ELECTRIC METER
- GAS METER
- TELEPHONE PEDESTAL
- MARKER - FIBER
- MARKER - GAS
- MANHOLE - SANITARY
- MANHOLE - GENERIC
- MANHOLE - STORM
- ELEC. EQUIP./TRANSFORMER
- UTILITY PEDESTAL - GENERIC
- CATV PEDESTAL
- VALVE & BOX
- FOUND IRON
- SET IRON
- FOUND CONCRETE MONUMENT
- VEGETATION LINE
- FENCELINE
- UNDERGROUND FIBER OPTIC
- BUILDING OVERHEAD
- PARKING SPACE COUNT
- HANDICAP PARKING SPACE
- ASPHALT
- CONCRETE
- BUILDING
- LANDSCAPING



NOTES

- The basis of bearing for this survey is the East line of the Plat of Glenbrook Village bears N00°03'00\"/>
- Property Address: 510 & 524 East Milham Avenue, Portage, Michigan.
- The property described hereon is the same as the property described in Sun Title Agency of Michigan, LLC Commitment No.210156 with an effective date of November 5, 2021 and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
- Said described property is located within an area having a Zone Designation X by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No.26077C0302D, with a date of identification of February 17, 2010, for Community No. 260377, in Kalamazoo County, State of Michigan, which is the current Flood Insurance Rate Map for the community in which said premises is situated.
- Total Area = 298977.08 sq. ft., 6.86 Acres.
- The total number of striped parking spaces on the subject property is 229, including 4 designated disabled spaces.
- There is no observed evidence of current earth moving work, building construction or building additions [except as shown or noted hereon].
- Utility Note: Observed evidence of utilities has been shown pursuant to Section 5 Paragraph E (iv) of the ALTA/NSPS Minimum Standard Detail Requirements. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

DESCRIPTION:

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 10, T. 3 S., R. 11 W., said point also being the Northeast corner of the recorded plat of Glenbrook Village; thence South 89°-51' East along the North line of said Section, 450.00 feet; thence South 00°-03' West parallel to the West line of the Northwest 1/4 of said Section, 664.33 feet to the South line of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of said Section; thence North 89°-52' West along said South line, 450.00 feet to the West line of the Northeast 1/4 of the Northwest 1/4 of Section 10, said point also being the Southeast corner of said plat of Glenbrook Village; thence North 00°-03' East thereon, 664.46 feet to the place of beginning. Reserving, however, the Northerly 33.00 feet thereof for highway purposes.

CERTIFICATE:

To The Hinman Company, 510 East Milham, LLC, Old Republic Title Insurance Company and Sun Title Agency of Michigan, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6a, 7b1, 8, 9 & 11a of Table A thereof. The field work was completed on December 15, 2021.

Prein&Newhof

Christopher A. Kersten

By: Christopher A. Kersten
Professional Surveyor No. 4001053500

Date: 12-28-2021



SCHEDULE B SPECIFIC EXCEPTIONS

REFERENCE: SUN TITLE AGENCY OF MICHIGAN, LLC COMMITMENT NO. 210156 NOVEMBER 5, 2021

EXCEPTION NUMBER	RECORDING REFERENCE	DESCRIPTION	STATUS
12	LIBER 825, PAGE 773	CONSUMERS ENERGY RIGHT OF WAY	PLOTTED
13	LIBER 1050, PAGE 354	MICHIGAN BELL TELEPHONE RIGHT OF WAY	PLOTTED
14	LIBER 1095, PAGE 1493	CONSUMERS ENERGY EASEMENT	PLOTTED

ZONING INFORMATION

City of Portage, Code of Ordinances

ZONE: DESCRIBED PARCEL IS ZONED OS-1 IS ARTICLE 4, DIVISION 4 SUBDIVISION 5

MINIMUM SETBACKS (FEET):

FRONT SETBACK: 27' FROM FRONT
SIDE SETBACK: 15' FROM SIDE
REAR SETBACK: 20' FROM REAR

PARKING

PARKING IS 1/200' OF USABLE FLOOR AREA (UFA)

MAXIMUM BUILDING SIZE:

NO MAXIMUM BUILDING SIZE PER LOT SIZE

BUILDING SITE AREA REQUIREMENTS:

HEIGHT RESTRICTION IS 30' AND TWO STORIES (BECAUSE IT ABUTS RESIDENTIAL TO THE WEST)

NO.	REVISIONS	BY	DATE	Drawn By: S.J.V.	Project No. 2211166
				Checked By: C.A.K.	Sheet 1 OF 1
				Date: 12/28/21	
ALTA/NSPS LAND TITLE SURVEY					
FOR THE HINMAN COMPANY					
SECTION 10 T. 3 S., R. 11 W.					
CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN					
Prein&Newhof Engineers • Surveyors • Environmental • Laboratory				1707 South Park St. Suite 200 Kalamazoo, MI 49001 www.preinnewhof.com	
				t: (269) 372-1158 f: (616) 364-6955 info@preinnewhof.com	

CITY OF PORTAGE

COMMUNICATION

TO: The Planning Commission

DATE: February 16, 2022

FROM: Kelly Peterson, Community Development Director

SUBJECT: Draft CIP Questions and Responses

This memo provides the list of Draft CIP questions and comments received to date from the Planning Commission, and responses provided by the City.

Bikeways and Trails:

- Project # 1 Correct spelling- *Noted and updated.*
- Project # 2 Correct spelling - *Noted and updated.*
- Project # 7 Anyway to make the bike paths a different color so they stand out?
Noted and will be updated on final maps.
- Project #8 Which ones? *To be determined as needed/required*

Water:

Project # 2 Have you talked with the residents there as in the past they have asked not to have it done?

The city has in the past received a petition from 50% of the property owners in support of the projects, which triggered prompt inclusion in the CIP and facilitation of the special assessment process. During the special assessment process, one property owner was persuaded to change their mind. Since the projects no longer had 50% support, they ceased at that time and were reprogrammed to a later date in the CIP. There are property owners who still support the projects and have watched the projects again move up in the CIP. Since the last time the projects were proposed, the streets in the Ramona Park Plat have reached the end of their life and must be reconstructed. Per the Sanitary Sewer Extension/Street Reconstruction Policy these streets are a Tier 1, therefore sanitary sewer must be installed for the road to be reconstructed. In conjunction with the City's Complete Streets policy, water mains will be installed at the same time.

- In last year's CIP there was a project for the Northeast Quadrant Well Field Development scheduled for 2026-31, yet its missing in this year's, along with Schuring Road water main replacement.
Schuring Road was recently resurfaced, therefore replacement of the water main is postponed until the next time the road needs resurfacing. The Northeast Quadrant Well Field Development has also been deferred. Neither project is so critical that it must be completed within the next few years.

- With the anticipation that Portage Public schools will be building a new school at Woodland, is it safe to say that the city will work with them when it comes time to replace the water main? *Yes.*
- Can you please explain why the Water Fund Cash is cut by almost 50% in future years? . *The Water Fund Cash is not “cut,” rather it lines up with the costs of the proposed water projects (expenditures = total funding). Additionally, after preparing the Utility Rate Financial Study, it became apparent the city will need to bond more for future Water projects. For example, Finance is projecting approximately \$1.3M bonding for FY23-24. This does not impact the FY 22-23 CIP budget.*

Sewer

Could you please explain further the West End drive sanitary sewer lead installment. Considering that the road will be completely torn up for this project, I believe it would also benefit the residents and the city, if the water main is upgraded to a larger size (GIS shows 6" not sure if that is correct), and also replace the two, much older fire hydrants, if not add a third to better serve for fire protection. I would suggest water services, but I am aware that those are best installed when property is developed in order to get better locations and avoid possible driveways.

The project includes the installation of sanitary sewer leads along the west side of West End Drive, street reconstruction and replacement of existing sanitary sewer castings with city logo castings. The engineering consultant will televise the existing sanitary sewer in West End Drive to determine condition and verify pipe material. The consultant will also investigate the water main location to determine what water services can/cannot be installed at a future date without damaging the new pavement. A minimum of two water services will need to be installed along the west side of West End Drive at this time. Replacement of the hydrants will be reviewed. The City has a non-motorized wood chip trail in the park property that will be investigated for access to properties during construction. A larger water main is not necessarily better on a dead-end street. While there would be a slight increase in firefighting capabilities, water quality may suffer due to the over sizing of the main. The existing fire hydrants are approximately 500 feet apart, well under the Insurance Service Office recommendation of less than 1000 feet.

Fire

- The improvements needed for the living quarters upgrades at Fire station 1 and 3. Any reason why the city cannot move these two items "up" in the calendar year? These men/women spend 24hrs a day, 365 days a year in these quarters, and deserve nothing but the best. *City Administration recognizes the importance of Public Safety to the community and this is reflected in the construction of a new fire station, new fire apparatus and investment in living quarters. Each department is asked to prioritize their funding requests and Public Safety identified that these particular facility improvements will be needed in a future fiscal year. Should the need arise, the improvements can be adjusted forward in the next CIP.*

Public Works:

- Project# 3 Cemetery Improvements: Expanding the South Westnedge one or start a whole new one? *DPW is in the process of exploring both options. If expanding South Westnedge cemetery is not possible, the City will continue to identify suitable property to purchase.*
- Project #5 Where will the Farmer's Market be while this is taking place? *There are a few temporary options that will be evaluated including: the former Portage Senior Center, the new Charles & Lynn Zhang Portage Community Senior Center, temporary street closure on Brown Street to facilitate the market's needs, or potential partnership with Portage District Library to utilize their parking lot as an interim measure.*

Parks and Recreation:

- Project #2 no mention of the Splash pad that was discussed during the Lake Center *This is included in the description under FY24-25*
- Project #7 Where will the Farmer's Market be relocated? *The Department of Parks and Recreation is evaluating a variety of permanent locations.*

Streets & Sidewalks:

- Project #5 What streets? *Towhee Street, Rothbury Street, Davcliff Avenue, Radcliffe Avenue, Winkfield Avenue, Robinswood Street, Brigham Street, Amberly Street, Welbury Street, and Shoreham Street.*
- Project # 6 Where? *Citywide, locations are to be determined / as needed.*
- Project #7 Where? *Citywide, locations are to be determined / as needed.*
- Project #12 When will this be done? *Construction is currently planned for 2027.*
- Project #13 Why? Who will pay for this? Why do it if non-motorized path available in that area? *This project funds repair/replacement of existing sidewalks where needed and upgrading sidewalk ramps to meet the Americans with Disabilities Act (ADA) at locations where the Department of Public Works is completing street resurfacing. For example, sidewalk repairs and replacement occurred in the Haverhill neighborhood last year.*
- Considering the amount of sidewalks the city currently has and will be adding over the years, is \$60,000 a year a reasonable amount...it seems way low? *Sidewalk installation, repair/reconstruction in conjunction with major and local street reconstruction are included in the overall budget of the Street projects. The \$60,000 is primarily for repair of existing sidewalk.*
- Could you please explain further what "Workforce Housing infrastructure Improvements" entails, and the \$1 million dollar amount? *City Council has requested that CIP funding be allocated to support infrastructure improvements that will help facilitate the development of workforce housing opportunities in the City of Portage. Exact location and use of this funding is to-be-determined but will be available if/when the need arises.*
- The Act 51 amount for local street reconstruction is the same amount for each of the 6 years...is this reasonable to expect or will it increase/decrease in future years?

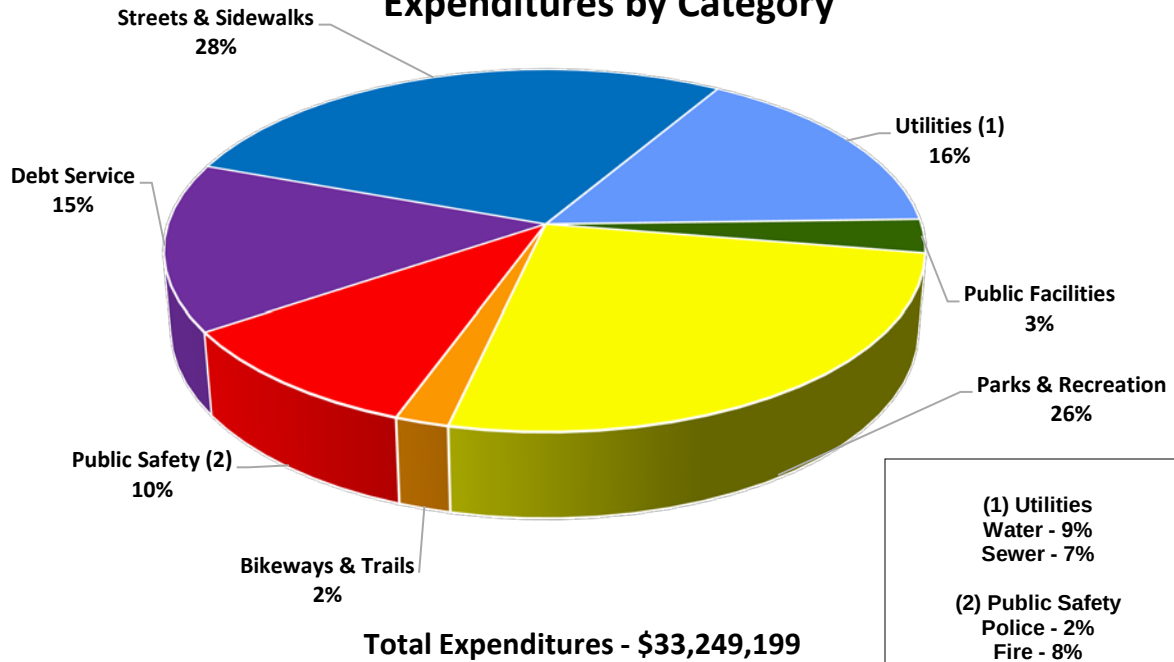
The cost of local street reconstruction goes up every year and the City has moved to supplementing the storm water improvements on the local streets with Water funds. The annual \$1 million is primarily for the maintenance (crack sealing, dura patching, etc.) of the roads once they have been resurfaced. \$1 million is anticipated to be sufficient in this regard for the next few years although this is revisited on an annual basis.

Federal Funding

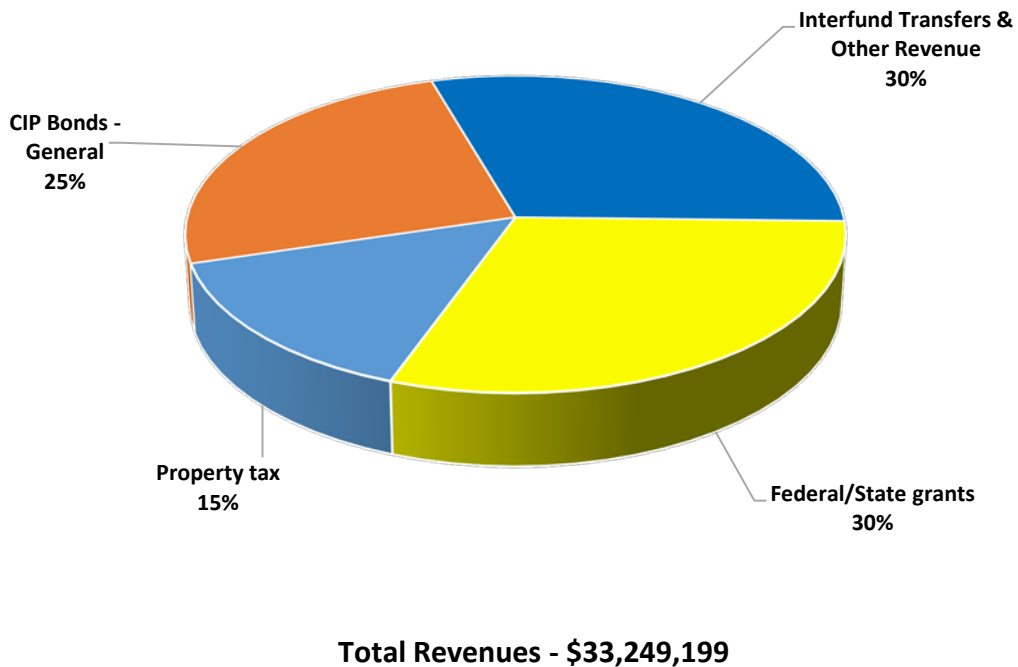
Can you explain how the passage of the Infrastructure Jobs Act by congress, will impact Portage and how it will play out in our future projects?

The Bipartisan Infrastructure Investment and Jobs Act dedicates billions of dollars to investment infrastructure across the nation. The City of Portage is working with our federal and state delegation to access this funding. Should we be successful, at a minimum the city would reduce the amount of bonding/debt incurred accordingly.

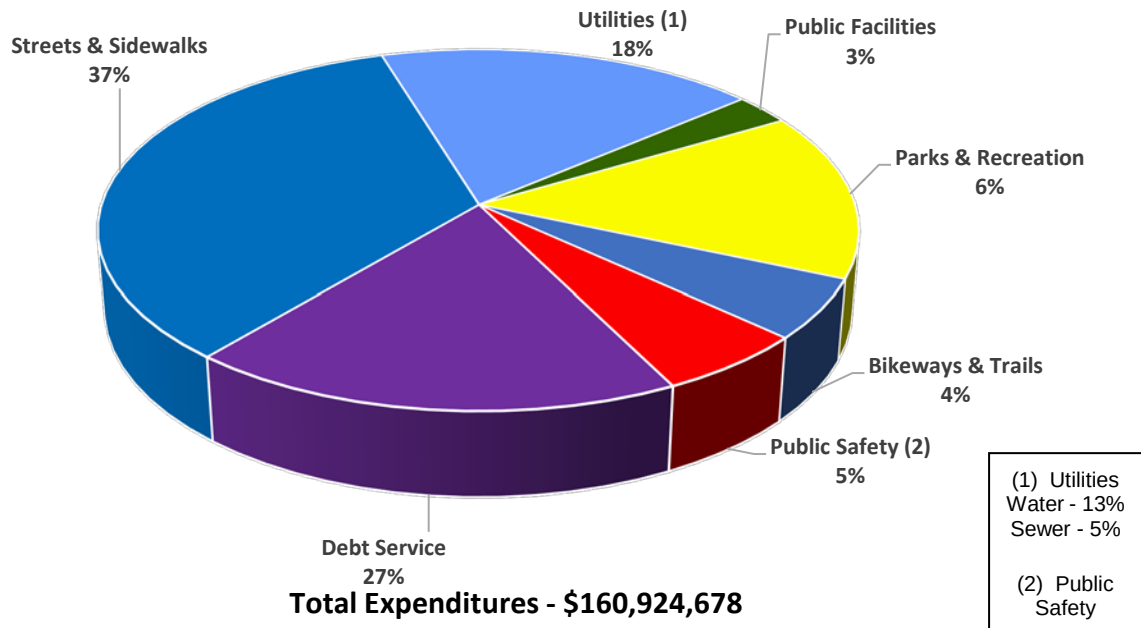
2022-2023 Capital Improvement Program Expenditures by Category



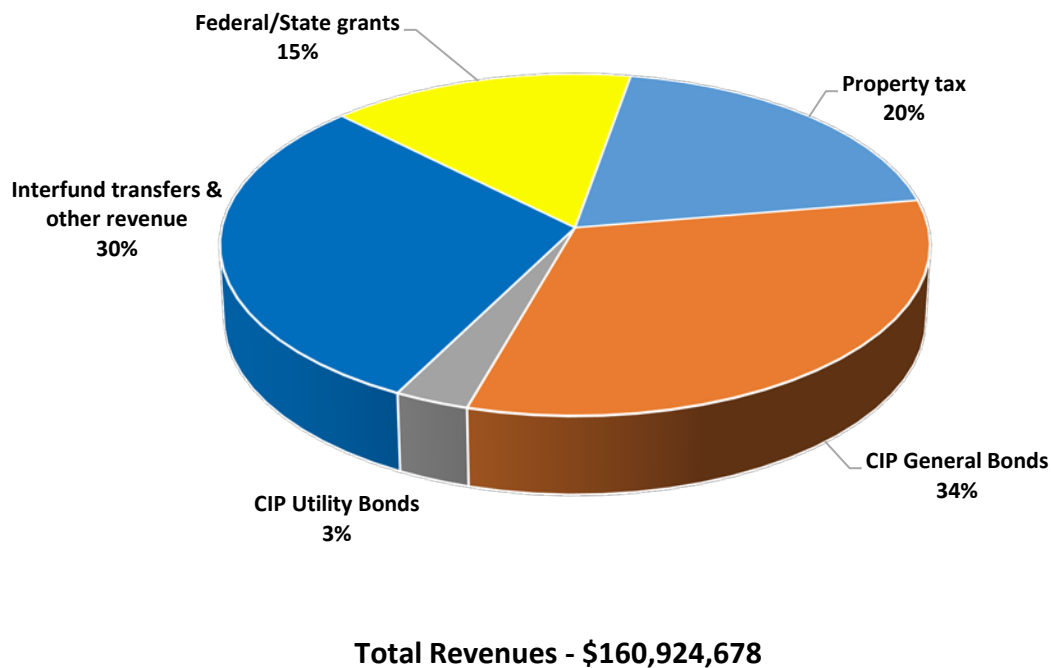
2022-2023 Capital Improvement Program Revenues by Category



2022-2028 Capital Improvement Program Expenditures by Category



2022-2028 Capital Improvement Program Revenues by Category



0 0.25 0.5 1 Mile

2/14/2022
12:57

ORDINANCE ADOPTION
CITY OF PORTAGE, MICHIGAN

NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend **SEC. 42-242 SPECIAL LAND USES OF ARTICLE 4 ZONING, DIVISION 4, SUBDIVISION 5, OS-1 OFFICE SERVICE DISTRICT, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS** in the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on March 22, 2022, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on April 26, 2022, at 7:00 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Chapter 42, Land Development Regulations, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Chapter 42, Article 4, Zoning, shall be amended as follows:

ARTICLE 4. ZONING.

Sec. 42-242. - Special Land Uses, shall be amended as follows, to add new subsection F:

F. Offices having laboratory-and technology-related uses when meeting the following standards:

1. When all operations are conducted and completely contained within the building.
2. No outdoor storage.
3. Must contain related offices as an adjunct use.
4. Shall not emit any noise, light, vibrations, odors or other deleterious impacts towards adjacent property lines.
5. Shall not have access directly onto a residential street.
6. Loading facilities shall not face a residential zoning district without proper screening as required by code, including *Section 42-573 Conflicting Use Screening*.
7. All hazardous materials, waste and wastewater associated with the use shall be handled and disposed of in a manner that is not dangerous to the health and safety of the abutting areas.
8. The use and size of delivery vehicles shall be consistent with those typically found in an office, laboratory, or technology use.

All other parts of Section 42-242 remain unchanged.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall

PLEASE TAKE FURTHER NOTICE that copies of said proposed amendment may be examined at the City Hall on any business day except public and legal holidays from and after publication of this Notice until the day of hearing from 8:00 a.m. and 5:00 p.m.

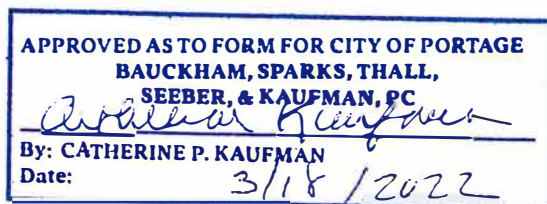
CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, Erica Eklov, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2022.

Erica Eklov, City Clerk

PREPARED BY:
Catherine Kaufman, City Attorney
470 West Centre Avenue
Portage, MI 49002



TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Community Development Block Grant (CDBG) Program – FY2022-23 Annual Action Plan

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, consider approving the Fiscal Year 2022-2023 CDBG Annual Action Plan.

The City of Portage, as a Community Development Block Grant (CDBG) entitlement grantee of the U.S. Department of Housing and Urban Development (HUD), is required to prepare a Consolidated Plan every five years. The Consolidated Plan requirements are designed to help the city assess affordable housing and community development needs, as well as market conditions, and to make data-driven investment decisions regarding the use of CDBG entitlement grant funds and other resources available within the community. The Consolidated Plan sets goals and objectives to address identified priority needs over the five-year planning period based on anticipated resources, while the Annual Action Plan element outlines how entitlement grant funds and other resources will be utilized over the next program year to implement the goals and objectives of the Strategic Plan.

The Fiscal Year 2022-2023 CDBG Program budget has been developed based on the estimated annual entitlement, estimated program income, and available unexpended funds/program income, which collectively provide a total estimated CDBG Program budget of \$336,975. In addition, the Fiscal Year 2022-2023 Annual Action Plan identifies activities and programs that fulfill identified priority needs, including:

1. Owner-occupied housing assistance programs: housing rehabilitation loans and grants, and a homebuyer down payment assistance program.
2. Neighborhood improvement activities, including code enforcement to aid in the prevention and elimination of blight, and to promote the quality of low- and moderate-income neighborhoods throughout the city.
3. Human/public service activities to assist Portage residents in need.
4. Fair housing activities, including administration of the City of Portage Non-discrimination Ordinance, and support for the educational and enforcement programs of the Fair Housing Center of Southwest Michigan.
5. Grant planning activities, including the preparation of annual performance reports, environmental review, labor standards reporting, the Fiscal Year 2023-2024 Annual Action Plan, and any updates to the five-year Consolidated Plan.

Proposed FY2022-2023 Community Development Block Grant Program Budget

The proposed FY2022-2023 CDBG Program Budget has been prepared by the City Administration based

on estimated funding levels, demonstrated community needs, and compliance with federal goals and objectives. The CDBG entitlement grant is anticipated to remain steady in Fiscal Year 2022-2023 compared with prior year funding levels. The city has not yet been notified by HUD regarding the Fiscal Year 2022-2023 entitlement grant amount. Therefore, per HUD guidance, the same allocation as the current fiscal year at \$221,500 is utilized as the estimated grant amount. The estimated grant amount, together with anticipated program income for Fiscal Year 2022-2023 and unexpended funds/program income provides the following estimated revenue:

Estimated Fiscal Year 2022-2023 Annual Entitlement (to be confirmed by HUD):	\$221,500
Estimated Fiscal Year 2022-2023 Program Income to be Received:	\$115,475
Total Funds Available:	\$336,975

The four key components of the Fiscal Year 2022-2023 CDBG Program Budget are detailed below. The recommended activities are consistent with the city's approved [2021-2025 Consolidated Plan](#) and are strategically aligned with General Fund activities.

1. **Housing Assistance Programs** (\$168,129): Improving the existing housing stock in the city is a high-priority activity and will continue as the cornerstone of the block grant program. During the life of the program, approximately 600 owner-occupied homes have been rehabilitated. Owner-occupied housing upgrades for FY2022-2023 will be accomplished through the:
 - a. Housing Rehabilitation Program (\$165,129) - Zero or low-interest deferred loans for housing rehabilitation, façade improvements, water/sewer hook-up, ADA accessibility improvements, and emergency repair grants.
 - b. Homebuyer Down Payment Assistance Program (\$3,000) - Zero-interest deferred loans for down payment assistance to first-time homebuyers in targeted neighborhoods.
2. **Neighborhood Improvement** (\$64,000): The ongoing effort to maintain and improve low to moderate-income neighborhoods is recommended as a high-priority activity and remains a vital component of the Consolidated Plan. The budget will fund code enforcement activities that aid in the prevention and elimination of blight and deterioration. Administration of the Community Quality Code, Housing/Property Maintenance Code, Zoning Code, and/or Building Code in low to moderate-income neighborhoods will be ongoing throughout the program year.
3. **Human/Public Services** (\$50,546): The Portage Community Center is recommended to receive funding to provide human services and was identified as a key priority activity in the Consolidated Plan. Per HUD, the maximum amount of human public service funding is 15 percent of the annual entitlement grant, plus program income received in the prior program year. The City of Portage continues to allocate 15 percent of the annual CDBG Program budget toward human/public services to ensure consistency with the intent of the federal regulations that funding be provided for core programs such as housing and neighborhood improvement activities.
4. **Administration** (\$54,300): The maximum administration expenditure is limited to 20 percent of the estimated Fiscal Year 2022-2023 entitlement grant, plus the estimated Fiscal Year 2022-2023 program income. The funds will be utilized for program planning, administration, reporting, and program expenses. A portion of this budget includes \$2,000 allocated to fair housing services,

educational programs, and complaint referrals provided by the Fair Housing Center of Southwest Michigan.

HUD Public Hearing Requirements and Deadlines

The City of Portage is required by the Department of Housing and Urban Development (HUD) to hold two public hearings and a 30-day public comment period to ensure opportunities are provided for public input related to the Fiscal Year 2022-2023 Draft Annual Action Plan. The first public hearing was held on February 3, 2022, at the Human Services Board Meeting and the second public hearing is scheduled for the April 26, 2022, City Council meeting. The Draft FY2022-2023 Annual Action Plan has been available [on the city website](#) during the 30-day comment period. To date, no public comments have been received on the Draft Fiscal Year 2022-2023 Annual Action Plan.

As information, an approved FY2022-2023 Annual Action Plan must be submitted to the Department of Housing and Urban Development (HUD) 45 days prior to the start of the program year which will begin on July 1, 2022. As such, the approved Annual Action Plan is due to HUD by May 15, 2022. Deadline extensions granted by HUD in prior years as a result of the pandemic are no longer in place for the FY2022-2023 program year. Submittal of an approved plan by May 15, 2022, ensures the city's timeliness metrics are met for HUD, and that the Request for Release of Funds and Certification, and Grant Agreement and Funding Approval are completed on time in June 2022.

Subsequent to the public hearing, it is recommended that City Council approve the FY2022-2023 Annual Action Plan in order to meet the HUD submission deadline of May 15, 2022.

FUNDING: The Fiscal Year 2022-2023 total estimated CDBG Program budget of \$336,975 is based on the estimated annual entitlement, estimated program income, and available unexpended funds/program income.

Attachments: 1. Draft Portage CDBG Fiscal Year 2022-2023 Annual Action Plan

ANNUAL ACTION PLAN 2022-2023



DRAFT

MARCH 2022

CITY OF PORTAGE, MICHIGAN

FOR SUBMISSION TO THE U.S. DEPARTMENT OF
HOUSING & URBAN DEVELOPMENT



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Executive Summary



ES-05 Executive Summary

INTRODUCTION

In May 2021, the City of Portage updated the Five-Year Consolidated Plan for the Community Development Block Grant (CDBG) Program. The City of Portage CDBG Program is funded by an annual entitlement grant awarded to the community by the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan is designed to help local jurisdictions assess affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions in regard to the use of CDBG entitlement grant funds and other resources available within the community. The Consolidated Plan guides the use of city resources to address these needs over a five-year period. This amount is estimated to be an average of approximately \$222,000 per year over five-years or a total of \$1,360,000 (including anticipated program income).

This document, the 2022-2023 Annual Action Plan, represents year two of the current Five-Year Consolidated Plan. For the 2022-2023 program year, the city estimates an allocation of \$221,500 in Community Development Block Grant (CDBG) funds.

The Annual Action Plan is developed in a manner specified by HUD, and the city has followed the prescribed format in completing the plan. The Annual Action Plan was developed in consultation with the Five-Year Consolidated Plan which uses HUD and U.S. Census data for demographics and housing, input from public meetings, City Council meetings, Human Services Board meetings, and past program performance. The purpose of this process was to receive input from citizens and relevant stakeholders on the current housing and community development needs of the city.

SUMMARY OF THE OBJECTIVES AND OUTCOMES IDENTIFIED IN THE PLAN NEEDS ASSESSMENT OVERVIEW

The Five-Year Consolidated Plan identifies six goals, along with corresponding objectives and strategies, to address the City of Portage's housing and community development needs. These goals are summarized as follows:

GOAL 1: AFFORDABLE OWNER HOUSING

Description: *Increase the supply of decent, affordable owner-occupied housing opportunities for low- and moderate-income residents throughout the city through the provision of emergency repair grants, housing rehabilitation, homebuyer assistance programs, and partnerships with non-profit developers.*

GOAL 2: AFFORDABLE RENTAL HOUSING

Description: *Increase the supply of decent, affordable renter-occupied housing opportunities for low- and moderate-income residents throughout the city.*

GOAL 3: NEIGHBORHOOD IMPROVEMENT

Description: *Support code compliance and minimum property standards to support safe, affordable housing in eligible neighborhoods to aid in the prevention and elimination of blight.*

GOAL 4: PUBLIC SERVICES

Description: *Support low- to moderate-income households and homelessness prevention through rapid-rehousing, emergency financial and food assistance, as well as supportive services for special needs populations and non-housing anti-poverty programs.*

GOAL 5: NON-HOUSING COMMUNITY DEVELOPMENT

Description: *Small-scale capital improvement projects like sidewalk repair and neighborhood park improvements within low- and moderate-income neighborhoods.*

GOAL 6: ADMINISTRATION/PLANNING

Description: *Administration of the CDBG program and funding.*

Activities selected as part of the 2022-2023 Annual Action Plan were selected specifically to work toward achieving these identified goals.

EVALUATION OF PAST PERFORMANCE

The previous five years have shown significant progress in the City of Portage's efforts to implement HUD entitlement programs. The city complies with HUD regulations and continues to deliver community development services in an efficient manner. The City of Portage has consistently received favorable reviews from HUD in regard to past performance and has demonstrated that it has the capacity to implement programs in a timely and efficient manner consistent with HUD-approved Consolidated Plans and Annual Action Plans.

In the past, the city has successfully met previous goals and increased the supply of affordable housing for low- and moderate-income households through the provision of emergency and minor home repairs, direct financial assistance, code compliance, and public facilities improvements in qualifying neighborhoods. The city will use CDBG funds to make these programs successful and to meet the goals and objectives identified in the Consolidated Plan.

SUMMARY OF CITIZEN PARTICIPATION PROCESS AND CONSULTATION PROCESS

The City of Portage encouraged participation utilizing several methods including notification via e-mails, advertising public meetings and public hearings via publication in the local newspaper, on the city web site, and through the monthly municipal newsletter, the PORTAGER.

Comments and concerns raised during the citizen participation process were taken into consideration when developing the Annual Action Plan. The Annual Action Plan is a collaborative process that involves reaching out to stakeholders, and meetings with the public, Human Services Board (HSB), City Council, stakeholders, and internal staff. Additionally, the city has taken into consideration the identified the priority needs and strategies to address those needs that were identified based on available housing data, public input, stakeholder consultation, and public meetings, and past program performance during the update to the Five-Year Consolidated Plan.

SUMMARY OF PUBLIC COMMENTS

A summary of public comments related to the 2022-2023 Annual Action Plan are provided in the appendix of this document. Again, the city considers public input gathered during the Five-Year Consolidated Plan process. Based on input and data received through the citizen participation process

and internal department meetings, there is a common interest in improving the affordability of decent housing within the city.

Potential needs include:

- Minor homeowner housing rehabilitation
- Emergency homeowner housing rehabilitation
- Code enforcement
- Small-scale grants for housing rehabilitation
- Improved neighborhood infrastructure (sidewalks, park equipment, etc.)
- Supportive resources for homeless populations

SUMMARY OF COMMENTS OR VIEWS NOT ACCEPTED AND THE REASONS FOR NOT ACCEPTING THEM

All comments received by the City of Portage were considered and are, generally or specifically, addressed by the Annual Action Plan.

SUMMARY

The 2022-2023 Annual Action Plan is based on the Five-Year Consolidated Plan for years 2021 – 2025 and identifies goals, objectives, and strategies to address the City of Portage’s housing and community development needs. These needs were identified through an extensive citizen participation process that involved neighborhood residents, service providers and other community partners. This Annual Action Plan guides the city's use of CDBG resources through five goals for program year 2022-2023. These goals are summarized as Affordable Owner Housing, Neighborhood Improvements, Public Services, Non-Housing Community Development, and Administration/Planning. Over the next program year, the City of Portage will continue to deliver housing and community development services.

PR-05 Lead & Responsible Agencies

AGENCY/ENTITY RESPONSIBLE FOR PREPARING/ADMINISTERING THE CONSOLIDATED PLAN

The following are the agencies/entities responsible for preparing the Annual Action Plan and those responsible for administration of each grant program and funding source.

TABLE 1: RESPONSIBLE AGENCIES

Agency Role	Name	Department/Agency
Lead Agency	CITY OF PORTAGE	Department of Community Development

Table 1 - Responsible Agencies

NARRATIVE

The City of Portage, MI is the lead agency responsible for overseeing the development of the 2021-2025 Consolidated Plan, Annual Action Plans, Analysis of Impediments to Fair Housing, and Consolidated Annual Performance Evaluation Reports. The Department of Community Development is the internal department that is responsible for the day-to-day administration of CDBG funding. Department of Community Development staff provides administrative and planning support for the use of the federal funds and acts as the primary staff support to the Human Services Board (HSB). The HSB is a nine-member board and two Youth Advisory Committee liaisons that advise the City Council on matters regarding human services, public transportation, and the CDBG program. Board activities involving the CDBG program include review and recommendation of annual program budgets - specifically human/public services, appeals of Housing Assistance Programs Guidelines, and review of planning and reporting documents required by HUD. The Board also ensures citizen participation in all phases of the federal grant planning and allocation process. The Department of Community Development also works closely with other pertinent City Departments to develop, and carry-out priorities identified in the plan.

To maximize citizen participation, the city conducted outreach through a series of public notices, hearings, and meetings. As part of these efforts, low- and moderate-income residents, as well as service providers, were encouraged to provide input on the Annual Action Plan. The city also used results from these meetings, as well as internal meetings, and previous plan needs to determine the goals, objectives, and activities for the 2022-2023 Annual Action Plan.

CONSOLIDATED PLAN PUBLIC CONTACT INFORMATION

Inquiries, comments, or complaints concerning the Annual Action Plan, any amendments, or performance reports, can be conveyed by contacting city staff at:

*Kelly Peterson, Director of Community Development
Department of Community Development
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002
Telephone: (269) 329-4480
petersok@portagemi.gov
Business hours: 8:00 a.m. – 5:00 p.m., Monday through Friday*

Inquiries, comments, or complaints on the programs may also be offered at the public hearings. Written responses to all written complaints may also be made to the Michigan – Detroit Field Office of the U.S. Department of Housing and Urban Development (HUD) at the following address:

*U.S. Department of Housing and Urban Development
Detroit Field Office
McNamara Federal Building
477 Michigan Avenue
Detroit, Michigan 48226
Phone: (313) 226-7900
Fax: (313) 226-5611
MI_Webmanager@hud.gov*

AP-10 Consultation

SUMMARY OF THE JURISDICTION'S ACTIVITIES TO ENHANCE COORDINATION BETWEEN PUBLIC AND ASSISTED HOUSING PROVIDERS AND PRIVATE AND GOVERNMENTAL HEALTH, MENTAL HEALTH AND SERVICE AGENCIES

Institutional coordination of the development of the 2022-2023 Annual Action Plan establishes actions to achieve the goals identified in the Five-Year Consolidated Plan. The city uses a collaborative process to shape various programs into effective, coordinated strategies. This process also facilitates the opportunity for planning and citizen participation to take place in a comprehensive context, attempting to reduce duplication of effort at the local level. In the development of the Annual Action Plan staff reached out to a wide network of community service and housing providers, government officials, business leaders, neighborhood representatives and residents.

The city will execute this Annual Action Plan in harmony with public, private and nonprofit agencies. Nonprofit agencies may include, but are not limited to, service providers and community housing development organizations. Private sector partners may include, but are not limited to, local financial institutions, developers, and local businesses. The city works closely with the other internal departments, and quasi-private organizations such as the Fair Housing Center of Southwest Michigan, Housing Resources, Inc., and the Michigan State Housing Development Authority to design programs that address identified needs.

Table 2 outlines the types of agencies and organizations consulted throughout the program year and during the development of the City of Portage Consolidated Plan and Annual Action Plan.

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
City of Portage	Local Government – Grantee	Goals, Priority Needs, Needs Assessment, Market Analysis, Strategic Plan, and Action Plan	Department Head Meetings/Discussions with Pertinent Staff
American Red Cross Greater Kalamazoo Area	Services – Health, Services – Education, Other: Disaster Relief	Needs Assessment, Market Analysis	Mass mailers
The ARC Community Advocates	Services – Persons with Disabilities, Services - Health	Needs Assessment, Market Analysis	Mass mailers
Big Brothers Big Sisters	Services – Children	Needs Assessment, Market Analysis	Mass mailers
Boys & Girls Club of Greater Kalamazoo	Services – Children, Services – Education	Needs Assessment, Market Analysis	Mass mailers
Bronson Healthcare Group	Services – Health	Needs Assessment, Market Analysis	Mass mailers
CARES	Services – Persons with HIV/AIDS, Services – Health, Services – Education	Needs Assessment, Market Analysis	Mass mailers
Catholic Diocese of Kalamazoo	Other: Religious institution	Needs Assessment, Market Analysis	Mass mailers
Catholic Family Services	Services – Children, Services – Elderly Persons, Services – Education	Needs Assessment, Market Analysis	Mass mailers
City of Kalamazoo Planning & Development Department	Local Government	Needs Assessment, Market Analysis	Mass mailers
Community Healing Centers	Services – Health	Needs Assessment, Market Analysis	Mass mailers
Community Homeworks	Services – Housing	Needs Assessment, Market Analysis	Mass mailers
Comstock Community Center	Services – Education, Services - Children	Needs Assessment, Market Analysis	Mass mailers
Disability Network Southwest Michigan	Services – Persons with Disabilities	Needs Assessment, Market Analysis	Mass mailers
Fair Housing Center of Southwest Michigan	Services – Fair Housing	Needs Assessment, Market Analysis	Mass mailers
Family and Children Services	Child Welfare Agency, Services - Children	Needs Assessment, Market Analysis	Mass mailers

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Family Health Center	Services - Health	Needs Assessment, Market Analysis	Mass mailers
First Day Shoe Fund	Other: Nonprofit aid organization	Needs Assessment, Market Analysis	Mass mailers
Food Bank of South-Central Michigan	Services – Health, Other: Nonprofit food bank	Needs Assessment, Market Analysis	Mass mailers
Gateway Outpatient Services	Services – Health	Needs Assessment, Market Analysis	Mass mailers
Girl Scouts Heart of Michigan	Other: Nonprofit children’s group	Needs Assessment, Market Analysis	Mass mailers
Goodwill Industries of Southwestern Michigan	Services – Education, Services – Employment, Other: Nonprofit	Needs Assessment, Market Analysis	Mass mailers
Greater Kalamazoo Association of Realtors	Business Leaders	Needs Assessment, Market Analysis	Mass mailers
Gryphon Place	Other: Nonprofit crisis intervention	Needs Assessment, Market Analysis	Mass mailers
Guardian Finance and Advocacy Services	Other: Nonprofit financial services	Needs Assessment, Market Analysis	Mass mailers
The Guidance Clinic	Services – Children, Other: Counseling Services	Needs Assessment, Market Analysis	Mass mailers
Healthcare for the Homeless	Services – Homelessness, Services – Health	Needs Assessment, Market Analysis	Mass mailers
Hispanic American Council	Civic Leaders, Neighborhood Organization	Needs Assessment, Market Analysis	Mass mailers
Home Builders Association of Greater Kalamazoo	Business Leaders	Needs Assessment, Market Analysis	Mass mailers
Homeless Relief Campaign Initiative	Services – Homelessness, Other: Nonprofit	Needs Assessment, Market Analysis	Mass mailers
Hope Network	Services – Health, Services – Persons with Disabilities, Services - Employment	Needs Assessment, Market Analysis	Mass mailers
Hospice Care of Southwest Michigan	Services – Elderly Persons, Services - Health	Needs Assessment, Market Analysis	Mass mailers

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Housing Resources, Inc.	Services – Housing	Needs Assessment, Market Analysis	Mass mailers
Interact of Michigan, Inc.	Services – Health	Needs Assessment, Market Analysis	Mass mailers
Interfaith Strategy for Advocacy and Action in the Community c/o St. Luke's Episcopal Church	Other: Community Advocacy Organization	Needs Assessment, Market Analysis	Mass mailers
Jim Gilmore Jr. Community Healing Center	Foundation, Services – Health	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Community Foundation	Foundation	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Community Mental Health & Substance Abuse Services	Services – Health	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Community Action Agency	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Area Agency on Aging	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Department of Resource Development	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Emergency Management Office	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Head Start Program	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Health & Community Services - Older Adult Services	County Government	Needs Assessment, Strategic Plan	Website, Mass Mailer
Kalamazoo County Health & Community Services Veterans Trust Fund	County Government	Needs Assessment, Strategic Plan	Website, Mass Mailer
Kalamazoo County Public Housing Commission	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo County Treasurer's Department	County Government	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Deacon's Conference	Services – Homelessness, Other: Nonprofit (resource donation/ dissemination)	Needs Assessment, Market Analysis	Mass mailers

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Kalamazoo Gospel Mission	Services – Homelessness	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo LISC Affordable Housing Partnership	Services – Housing	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Literacy Council	Services – Children, Services – Education	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Neighborhood Housing Services, Inc.	Services – Housing	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Regional Education Services Agency	Services – Education, Services - Employment	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Regional Psychiatric Hospital	Services - Health	Needs Assessment, Market Analysis	Mass mailers
Kalamazoo Valley Habitat for Humanity	Services - Housing	Needs Assessment, Market Analysis	Mass mailers
KPEP	Other: Community-based alternative to incarceration	Needs Assessment, Market Analysis	Mass mailers
Lending Hands of Michigan, Inc.	Services - Health	Needs Assessment, Market Analysis	Mass mailers
Loaves and Fishes	Other: Nonprofit food bank	Needs Assessment, Market Analysis	Mass mailers
Metropolitan Branch NAACP	Civic Leaders	Needs Assessment, Market Analysis	Mass mailers
Michigan Coalition Against Homelessness	Services – Homelessness	Needs Assessment, Market Analysis	Mass mailers
Michigan Commission for the Blind	State Government	Needs Assessment, Market Analysis	Mass mailers
Michigan Department of Community Health	State Government	Needs Assessment, Market Analysis	Mass mailers
Michigan League for Human Services	Other: Advocacy organization	Needs Assessment, Market Analysis	Mass mailers
Michigan Organizing Project	Other: Advocacy Organization	Needs Assessment, Market Analysis	Mass mailers
Michigan State Housing Development Authority	Public Housing Authority	Goals, Priority Needs, Needs Assessment, Market Analysis, Strategic Plan, and Action Plan	Website reference, Mass mailers
Michigan Works - Michigan Prisoner Reentry Initiative	Other: Community Reentry Programs	Needs Assessment, Market Analysis	Mass mailers

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Ministry with Community	Services – Homelessness, Other: Supportive Services	Needs Assessment, Market Analysis	Mass mailers
NAMI of Kalamazoo	Services – Health	Needs Assessment, Market Analysis	Mass mailers, open doors
Oakland House	Services – Homelessness	Needs Assessment, Market Analysis	Mass mailers
Open Doors of Kalamazoo	Services – Housing	Needs Assessment, Market Analysis	Mass mailers
Portage Community Center	Local Government	Needs Assessment, Market Analysis	Mass mailers
Portage District Library	Local Government	Needs Assessment, Market Analysis	Mass mailers
Portage Human Services Board	Local Government	Needs Assessment, Market Analysis	Mass mailers
Portage Planning Commission	Local Government	Needs Assessment, Market Analysis	Mass mailers
Portage Public Schools	Local Government	Needs Assessment, Market Analysis	Mass mailers
Portage Senior Center	Local Government	Needs Assessment, Market Analysis	Mass mailers
Poverty Reduction Initiative	Services – Education, Services – Employment	Needs Assessment, Market Analysis	Mass mailers
Region IIIA Area Agency on Aging - Kalamazoo County	County Government, Services – Elderly Persons	Needs Assessment, Market Analysis	Mass mailers
Residential Opportunities Inc.	Services – Housing, Services – Persons with Disabilities	Needs Assessment, Market Analysis	Mass mailers
St. Barnabas Episcopal Church	Other: Religious institution	Needs Assessment, Market Analysis	Mass mailers
The Salvation Army	Other: Nonprofit supportive services	Needs Assessment, Market Analysis	Mass mailers
Senior Services Inc.	Services – Elderly Persons	Needs Assessment, Market Analysis	Mass mailers
Shalom Inc.	Services – Persons with Disabilities	Needs Assessment, Market Analysis	Mass mailers
Social Security Administration	Federal Government	Needs Assessment, Market Analysis	Mass mailers
South County Community Services	Other: Nonprofit Supportive Services	Needs Assessment, Market Analysis	Mass mailers

TABLE 2: AGENCIES, GROUPS, AND ORGANIZATIONS THAT PARTICIPATED

Agency/Group/ Organization	Agency/Group/ Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
State of Michigan: Human Services Department of Kalamazoo County	State Government	Needs Assessment, Market Analysis	Mass mailers
Twelve Baskets	Other: Nonprofit Food Bank	Needs Assessment, Market Analysis	Mass mailers
The United Way of the Battle Creek and Kalamazoo Region	Services – homeless, Regional organization, Continuum of Care	Needs Assessment, Strategic Plan	Email correspondence
VFW Post #5855	Other: Veterans Organization	Needs Assessment, Market Analysis	Mass mailers
Volunteer Center of Greater Kalamazoo	Other: Community Advocacy	Needs Assessment, Market Analysis	Mass mailers
WMU Center for Disability Services	Services – Persons with Disabilities	Needs Assessment, Market Analysis	Mass mailers
Workforce Development W.E. Upjohn Institute	Services – Employment	Needs Assessment, Market Analysis	Mass mailers
Young Men’s Christian Association of Kalamazoo	Services – Victims of Domestic Violence, Services – Victims, Non-Profit	Needs Assessment, Strategic Plan	Email correspondence, Mass mailers
Young Women’s Christian Association of Greater Kalamazoo	Services – Victims of Domestic Violence, Services – Victims, Non-Profit	Needs Assessment, Strategic Plan	Email correspondence, Mass mailers

Table 2 - Agencies, Groups, & Organizations that Participated

The city specifically notified the CoC and the Fair Housing Center of Southwest Michigan regarding the draft *2022 – 2023 Annual Action Plan*. As noted above, the United Way of the Battle Creek and Kalamazoo Region is the facilitator of the Kalamazoo County CoC and is comprised of numerous public and private entities including local units of government, housing and supportive service providers, public and private funders, private sector representatives, consumer representatives, and advocacy groups. The Fair Housing Center of Southwest Michigan provides fair housing education, planning and enforcement services within the community. Finally, the city provided notice of the draft planning documents to the Kalamazoo County Community Action Agency and Public Housing Commission, and current human/public service grantees, which include the Portage Community Center, Catholic Charities,

Goodwill Industries, Gryphon Place, Housing Resources, Lending Hands, Kalamazoo Literacy Council, and the YWCA.

DESCRIBE COORDINATION WITH THE CONTINUUM OF CARE AND EFFORTS TO ADDRESS THE NEEDS OF HOMELESS PERSONS (PARTICULARLY CHRONICALLY HOMELESS INDIVIDUALS AND FAMILIES, FAMILIES WITH CHILDREN, VETERANS, AND UNACCOMPANIED YOUTH) AND PERSONS AT RISK OF HOMELESSNESS

The United Way of the Battle Creek and Kalamazoo Regions is the facilitator of the Kalamazoo County Continuum of Care (CoC), which addresses issues relating to homelessness, and the planning for and provision of services ranging from emergency shelter to permanent supportive housing. The United Way works with numerous public and private entities including local units of government, housing and supportive service providers, public and private funders, private sector representatives, consumer representatives, and advocacy groups to collect data and provide supportive services. The city is also represented on the Advisory Board of the Fair Housing Center of Southwest Michigan in support of fair housing services, including education, complaint investigation and enforcement. Such participation is intended to enhance institutional structures not only for the implementation of the City of Portage Annual Action Plan, but the planning efforts of other local units of governments and service providers.

DESCRIBE CONSULTATION WITH THE CONTINUUM(S) OF CARE THAT SERVES THE JURISDICTION'S AREA IN DETERMINING HOW TO ALLOCATE ESG FUNDS, DEVELOP PERFORMANCE STANDARDS AND EVALUATE OUTCOMES, AND DEVELOP FUNDING, POLICIES AND PROCEDURES FOR THE ADMINISTRATION OF HMIS.

Although the City of Portage is not an Emergency Solutions Grant (ESG) recipient, the CoC was consulted during the development of the Annual Action Plan. Priorities, strategies, and objectives from the Kalamazoo County Continuum of Care's Ten-Year Plan to End Homelessness were considered in the development of the Consolidated Plan and subsequent Annual Action Plan. As noted above, the City of Portage is a member of the CoC's Allocation and Accountability Team that also works with the Data Team and Systems of Care Team. The city's participation on this team allows the city to communicate with other community organizations that work to end homelessness and to have direct input in the development of strategies and goals of the CoC.

IDENTIFY ANY AGENCY TYPES NOT CONSULTED AND PROVIDE RATIONALE FOR NOT CONSULTING

The city follows HUD rules and regulations for citizen participation, and therefore offers a number of participation and comment venues. In addition to informing the general public through the city's monthly newsletter, the city has made a concerted effort to contact known agencies and organizations involved in activities that are relevant to CDBG activities and programs. Although this effort does not ensure that all agencies are involved, it provides all local and relevant agencies with the opportunity to collaborate throughout the development of this Plan. Citizens are provided information via notices published in the local newspaper, on the city website, and other online postings.

TABLE 3: OTHER CONSULTATIONS & COORDINATION

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	The United Way of the Battle Creek and Kalamazoo Region	The goal is to end homelessness by providing permanent/supportive housing.

Table 3 - Other Consultations & Coordination

AP-12 Citizen Participation

SUMMARY OF CITIZEN PARTICIPATION PROCESS/EFFORTS MADE TO BROADEN CITIZEN PARTICIPATION

As previously stated, the Annual Action Plan is based on the current 2021 – 2025 Consolidated Plan and requires extensive citizen participation. For the 2021 - 2025 Consolidated Plan, the City of Portage, MI underwent a citizen participation process as it pertains to HUD requirements. HUD requires local jurisdictions to provide for citizen participation which encourages the development of the Consolidated Plan in cooperation with residents from every walk of life. In particular, HUD believes it is important to obtain the views of residents who live in low- and moderate-income areas, as well as service providers who deliver services to low-income and special needs residents.

The following section describes the public participation process that was completed for the 2022-2023 Annual Action Plan. A summary of the public participation process is shown in **Table 4**.

TABLE 4: CITIZEN PARTICIPATION OUTREACH

Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons
Human Services Board Public Hearing	Non-Targeted/Broad Community	February 3, 2022	[To be inserted]	[To be inserted]
30- Day Public Comment Period	Non-Targeted/Broad Community	March 27, 2022 – April 26, 2022	[To be inserted]	[To be inserted]
Public Meeting at Final Adoption	Non-Targeted/Broad Community	April 26, 2022	[To be inserted]	[To be inserted]

Table 4 - Citizen Participation Outreach**SUMMARIZE CITIZEN PARTICIPATION PROCESS AND HOW IT IMPACTED GOAL-SETTING**

Comments and concerns raised during the citizen participation process were taken into consideration when developing the Annual Action Plan goals, objectives, and strategies. The development of an Annual Action Plan is a collaborative process that involves stakeholders and meetings with the public to determine areas of need. As part of this process, the city sought to identify the priority needs and strategies to address those needs. Priority needs were identified based on available housing data, public input, non-profit agency participation, and past program performance. In addition, the city consulted with various city departments to identify priority needs and develop corresponding strategies for this program year.

As noted in the Citizen Participation Plan, public input is encouraged through timely public notices, public hearings and publication of information relating to proposed Community Development Block Grant activities. Notices and agendas are published and/or posted at least seven days before the date of all public meetings, as well as direct mailings to agencies and interested groups. All meetings are held at City Hall, which is centrally located in the community and accessible to all persons, including disabled persons. If special accommodations are necessary for participation of a physically disabled or non-English speaking person in the Consolidated Planning process, the city will provide the appropriate accommodations.

A minimum of two public hearings are held prior to the submission of the 2022-23 Annual Action Plan to HUD to allow for comment on community development needs, housing priorities, as well as fair housing within Portage. The first public hearing was held on February 3, 2022 at the Human Services Board meeting, which provided an opportunity for citizens, community groups and/or agencies to comment on a draft housing and community development needs identified in the Consolidated Plan as well as fair housing issues in the community. Following this public hearing, a draft of the 2022-2023 Annual Action Plan was prepared. The 30-day public comment period began on March 27, 2022 and ended on April 26, 2022.

The draft Annual Action Plan was presented to City Council for review at the April 12, 2022 City Council meeting, and a second public hearing for the Annual Action Plan was set by the Council for April 26, 2022. At the April 26, 2022 Council meeting, a second public hearing was held related to the city's 2022-2023 Annual Action Plan.

Annual Action Plan



AP-15 Expected Resources

INTRODUCTION

The Annual Action Plan must identify the federal, state, local and private resources expected to be available to the city to address priority needs and specific objectives, as identified in the Strategic Plan of the 2021 – 2025 Five-Year Consolidated Plan.

The city is faced with the difficult task of meeting increasing needs with limited resources. The figures shown below in the table are estimates. Should the CDBG allocation be reduced, a contingency plan will recalculate the required caps on Administration and Public Service Allocations to reduce accordingly; further reduction would be in the areas of Housing Rehabilitation. Should the CDBG allocation be increased, the increase will be allocated to Housing Rehabilitation. Second-year figures are based upon the estimated HUD allocation. The figure for “Expected Amount Available Remainder of Consolidated Plan” was calculated by averaging the allocation for the past five years, multiplying it by five years and subtracting the 2021 and 2022 allocation from that figure to arrive at an estimate for the remainder of the Consolidated Plan.

Allocations for each CDBG entitlement grantee are determined annually by HUD following the adoption of the federal budget by Congress. HUD grants these funds to the communities to carry out a wide range of community development activities directed towards revitalizing neighborhoods, increasing economic development, and improving community facilities and services. Grantees must give maximum priority to activities that benefit low- and moderate-income persons, aid in the prevention or elimination of slums or blight and meet urgent community development needs that pose a serious threat to health or welfare of the community. Grantees have wide flexibility to develop their own programs, activities, and funding priorities so long as they meet one of these national objectives. The City of Portage adopts the allocations for the use of CDBG funding based on the priorities set forth in the Consolidated Plan.

The City of Portage anticipates a total estimated annual allocation of \$221,500 in CDBG funding for the 2022-2023 program year. Some program income is expected. CDBG funds will be used primarily for housing rehabilitation, and down payment assistance. Portions of the funding will also go toward supporting code enforcement efforts, public services, down payment assistance, and administration of the city's CDBG program. Anticipated resources are also summarized in **Table 5**.

TABLE 5: ANTICIPATED RESOURCES

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of Consolidated Plan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public, Federal	Acquisition; Admin and Planning; Economic Development; Housing; Public Improvements; Public Services	\$221,500*	\$115,475	\$0	\$336,975	\$816,000	The current program income received to date is \$115,475. Additional resources for leveraging may include State and Federal grants, City Departments, public or social service providers, or other sources.

*Estimated HUD 2022 Formula Allocation

Table 5 – Anticipated Resources

The Annual Action Plan must summarize the city’s priorities and the specific goals it intends to initiate and/or complete within the second year of the Strategic Plan. These goals must be described in quantitative terms. The City of Portage has selected goal outcome indicators and quantities based on the anticipated performance measures of the 2022-2023 Annual Action Plan. See **Table 6** and **Table 7**.

EXPLAIN HOW FEDERAL FUNDS WILL LEVERAGE THOSE ADDITIONAL RESOURCES (PRIVATE, STATE AND LOCAL FUNDS), INCLUDING A DESCRIPTION OF HOW MATCHING REQUIREMENTS WILL BE SATISFIED

The CDBG allocation will be the primary source of funding for emergency repair and housing rehabilitation projects for low- and moderate-income households. All other funding sources, from federal and state funds, are distributed to local agencies that serve Portage residents. Funding from HUD and MSHDA is secured to address homelessness and provide permanent supportive housing through the Kalamazoo County Continuum of Care. In a typical year, approximately \$1.8 million in McKinney-Vento Supportive Housing Program Funds are awarded by HUD and approximately \$275,000 in Emergency Solutions Grant funds are awarded by MSHDA to non-profit agencies that serve Portage residents.

In 2002, Kalamazoo County established a Public Housing Commission (PHC), and subsequently established a locally funded Local Housing Assistance Fund (LHAF) that provided: 1) rental housing subsidies for extremely low-income households; 2) homelessness prevention assistance; 3) created an endowment to provide future funding for the LHAF; and 4) leveraged state and federal funding to provide housing for chronically homeless persons, homeless households, and women in recovery. In 2008, Portage awarded the PHC \$100,000 to assist with affordable rental housing. In November 2015, a six-year county-wide Local Housing Assistance Fund Millage was passed that provided an estimated \$800,000 annually for temporary financial housing assistance to county residents, including those residing in the Portage. In 2020, a new, eight-year 0.75-mill property tax was passed by Kalamazoo County voters, which took the place of the .01-mill tax approved by County voters in 2015. This new millage generated approximately \$6.3 million in the first year and will provide rent subsidies for individuals and families as well as expanding affordable housing options in the county. The County program will offer five different grant funding opportunities for different types of projects in the community: new multi-family, opportunistic creative projects, single-family, scattered new housing, rehab single-family, and supportive services. The City of Portage has applied for grant funding through the County to leverage this millage for the 2022-2023 program year to support and expand housing rehabilitation efforts. The city will also leverage general fund monies to support additional public services projects and agencies such as the Disability Network or Southwest Michigan, Gryphon Place, Housing Resources, Inc., the Kalamazoo Literacy Council, and more. These funds will act as a supplement to CDBG funding and allows the city to fund additional projects and have a greater impact on the region.

Finally, direct recipients and sub recipients of CDBG Program funding leverage federal funding with private and public funding to increase the impact of CDBG Program activities and assist in addressing priority needs within the community. While there are no specific matching requirements for the CDBG Program, leveraging of private and public funds with CDBG Program funding will be tracked and reported annually through the Consolidated Annual Performance Evaluation Report (CAPER).

IF APPROPRIATE, DESCRIBE PUBLICALLY OWNED LAND OR PROPERTY LOCATED WITHIN THE JURISDICTION THAT MAY BE USED TO ADDRESS THE NEEDS IDENTIFIED IN THE PLAN

The City of Portage generally does not intend to use publicly owned land to address priority needs identified in the plan. As noted above, Non-Housing Community Development needs are primarily addressed through the city's Capital Improvement Program. However, there may be some limited use of CDBG Program funds for small-scale capital improvement projects such as sidewalk repairs and/or neighborhood park improvements within low-moderate income neighborhoods. In such cases, city owned public street right-of-way and parkland may be utilized concurrent with a CDBG Program funded activity.

DISCUSSION

The city anticipates an estimated annual allocation of \$221,500 for the 2022-2023 Annual Action Plan program year. Additionally, the city has realized program income for a total of \$115,475. In total, Portage anticipates an estimated \$336,975 in resources.

AP-20 Annual Goals and Objectives

TABLE 6: GOALS SUMMARY INFORMATION

Sort Order	Goal Name	Category	Start Year	End Year	Outcome	Objective	Geographic Area	Needs Addressed	Funding Year 2	Goal Outcome Indicator	Quantity	Unit of Measure (UoM)
1	Affordable Owner Housing	Affordable Housing	2022	2023	Affordability	Provide Decent Affordable Housing	Citywide	Affordable Owner Housing	\$ 168,129	Homeowner Housing Rehabilitated	12	Housing Units Household
										Direct Financial Assistance to Homebuyers	1	Housing Units Households Assisted
2	Neighborhood Improvement	Non-Housing Community Development	2022	2023	Sustainability	Create Suitable Living Environments	Citywide	Neighborhood Improvement	\$ 64,000	Housing Code Enforcement/Foreclosed Property Care	400	Household Housing Units
3	Public Services	Public Services	2022	2023	Sustainability	Create Economic Opportunities	Citywide	Public Services	\$ 50,546	Public Service Activities Other than Low/Moderate Income Housing Benefit	1,850	Persons Assisted
4	Administration/Planning	Other: Program Administration	2022	2023	Availability/Accessibility	Create Suitable Living Environments	Citywide	Administration/Planning	\$ 54,300	Other	1	Year of Administration

Administration activities are capped at 20% of total allocation and Public Service activities are subject to a 15% cap.

Table 6 - Yearly Goals Summary Information

TABLE 7: GOAL DESCRIPTIONS

1	Goal Name	Affordable Owner Housing
	Goal Description	Increase the supply of decent, affordable owner-occupied housing opportunities for low- and moderate-income residents throughout the city. CDBG - \$168,129
2	Goal Name	Neighborhood Improvement
	Goal Description	Support code compliance and minimum property standards to support safe, affordable housing in eligible neighborhoods to aid in the prevention and elimination of blight. CDBG - \$64,000
3	Goal Name	Public Services
	Goal Description	Support low- to moderate-income households and homelessness prevention through rapid-rehousing, emergency financial and food assistance, as well as supportive services for special needs populations and non-housing anti-poverty programs. CDBG - \$50,546
4	Goal Name	Administration/Planning
	Goal Description	Administer the CDBG program. CDBG - \$54,300

Table 6 - Goal Descriptions

AP-35 Projects

INTRODUCTION

The second year of the five-year program will focus on housing rehabilitation, down payment assistance, code enforcement, and public services. A total of six projects, including project administration, will be funded in Program Year 2022-2023. See Project Information table below.

TABLE 8: PROJECT INFORMATION

#	Project Name
1	Housing Rehabilitation Assistance Program
2	Down Payment Assistance Program
3	Code Administration and Enforcement
4	Public Services
5	Fair Housing Center of Southwest Michigan
6	CDBG Administration/Planning

Table 8 - Project Information

DESCRIBE THE REASONS FOR ALLOCATION PRIORITIES AND ANY OBSTACLES TO ADDRESSING UNDERSERVED NEEDS

In the Consolidated Plan, the principal needs identified are: 1) Affordable Owner Housing 2) Public Services 3) Neighborhood Improvement 4) Non-Housing Community Development, and 5) CDBG Administration. The needs of the previous plan, the virtual public hearings, and meetings with internal city staff with were instrumental in identifying these principal needs for our community. These needs remain high priority throughout the city; as such, the city will continue to prioritize activities to address these needs.

The development of the Annual Action Plan involved consultation with those agencies involved in delivering housing, housing services, and community improvements. Meetings and discussions were held between the staff of the city's Department of Planning and Development Services and other city departments, as well as maintaining relationships with appropriate housing and social service agencies. Public input was also solicited through public hearings. All projects selected to receive funding meet objectives and goals set by the city to address the needs of low- and moderate-income persons and

special needs populations.

The city's primary obstacle to meeting underserved needs is a lack of funding. In recent years, reduced revenues have plagued all levels of government (federal, state, and local). These reduced revenues have hindered the city's ability to meet all needs of low-income residents. Another obstacle to meeting underserved needs is the generally increasing demand for public services that is placing an additional burden on public service agencies within the city.

AP-38 Project Summary

TABLE 9: PROJECT SUMMARY INFORMATION

1	Project Name	Housing Rehabilitation Assistance Program
	Target Area	Citywide
	Goals Supported	Affordable Owner Housing
	Needs Addressed	Affordable Owner Housing
	Funding	CDBG: \$ 165,129
	Description	Provide zero- or low-interest deferred loans to low- and moderate-income households for housing rehabilitation, façade improvements, water/sewer hook-up, accessibility improvements, and emergency repair grants for repairs that are a threat to the health and safety of occupants.
	Target Date	6/30/2023
	Estimated Benefit	12 Household Housing Units
	Location	Citywide
	Planned Activities	Housing Rehabilitation - Replacement of roof, plumbing, wiring, heating, and providing level/support work.
2	Project Name	Down Payment Assistance Program
	Target Area	Citywide
	Goals Supported	Affordable Owner Housing
	Needs Addressed	Affordable Owner Housing
	Funding	CDBG: \$ 3,000
	Description	Zero-interest deferred loans for down payment assistance to first-time homebuyers in targeted neighborhoods.
	Target Date	6/30/2023
	Estimated Benefit	1 Households Assisted
	Location	Citywide
	Planned Activities	Down payment assistance
3	Project Name	Code Administration and Enforcement
	Target Area	Low/Mod Neighborhoods
	Goals Supported	Neighborhood Improvement
	Needs Addressed	Neighborhood Improvement
	Funding	CDBG: \$ 64,000
	Description	Support code compliance and minimum property standards to aid in the prevention and elimination of blight and deterioration. Activities include the administration of the Community Quality Code, Hosing/Property Maintenance Code, Zoning Code and/or Building Code in low- and moderate-income neighborhoods.
	Target Date	6/30/2023
	Estimated Benefit	400 Household Housing Units
	Location	Low/Mod Neighborhoods
	Planned Activities	Amelioration of slum and blight, and promotion of safe, affordable housing in eligible neighborhoods.
	Project Name	Public Services
	Target Area	Citywide
	Goals Supported	Public Services
	Needs Addressed	Public Services

	Funding	CDBG: \$ 50,546
	Description	Public services will be provided to low-income households through a local public service agency, the Portage Community Center. Funding to be provided from the CDBG Program will assist low-income Portage residents with emergency assistance (\$45,296) and transportation assistance (\$5,250).
	Target Date	6/30/2023
	Estimated Benefit	1,850 Persons Assisted
	Location	Services will be provided primarily at the Portage Community Center, which is located at 325 East Centre Avenue, Portage, Michigan
	Planned Activities	The Portage Community Center will provide Emergency Assistance (comprised of food, financial assistance and clothing), and transportation assistance.
4	Project Name	Fair Housing Center of Southwest Michigan - Administration
	Target Area	Citywide
	Goals Supported	Administration/Planning
	Needs Addressed	Administration/Planning
	Funding	CDBG: \$ 2,000
	Description	Provide funding to the Fair Housing Center of Southwest Michigan to assist the city with fair housing issues and complaints.
	Target Date	6/30/2023
	Estimated Benefit	37 Persons Assisted
	Location	Fair Housing Center of Southwest Michigan
	Planned Activities	Administrative support for fair housing services and complaint referrals through the Fair Housing Center of Southwest Michigan.
5	Project Name	CDBG Program Administration
	Target Area	Citywide
	Goals Supported	Administration/Planning
	Needs Addressed	Administration/Planning
	Funding	CDBG: \$ 52,300
	Description	One Year of CDBG Program Administration
	Target Date	6/30/2023
	Estimated Benefit	Not applicable; administration of overall CDBG program for one (1) year
	Location	Not applicable
	Planned Activities	Annual action planning, project development, coordination and compliance oversight, and administrative activities

Table 9 - Project Summary Information

AP-50 Geographic Distribution

DESCRIPTION OF THE GEOGRAPHIC AREAS OF THE ENTITLEMENT (INCLUDING AREAS OF LOW-INCOME AND MINORITY CONCENTRATION) WHERE ASSISTANCE WILL BE DIRECTED

As an “Exception Grantee”, Portage reviews statistical information on annual basis for all city neighborhoods that have been determined to have at least 46.94% of its population with low and moderate income (80% of the Area Median Income). Currently there are 9 Block Groups that meet or exceed these criteria in the city. These identified areas are generally centrally located in the city with some LMI areas located in the northeast corner of the city. Code administration and enforcement will be directed within low-moderate income neighborhoods.

TABLE 10: GEOGRAPHIC DISTRIBUTION

Target Area	Percentage of Funds
Citywide (LMI households)	77.4%
Low/Mod Neighborhoods	22.6%

**Percentages shown do not include administration budget.*

Table 10 - Geographic Distribution

RATIONALE FOR THE PRIORITIES FOR ALLOCATING INVESTMENTS GEOGRAPHICALLY

The city’s rationale for allocating investments geographically is dependent upon the location of low- and moderate-income populations, which are scattered throughout the City. Neighborhood Improvement efforts including code administration and enforcement will be directed within low-moderate income neighborhoods, as shown in the Low- and Moderate-Income Areas by Block Group Map. The city will provide home buyer assistance on a city-wide basis versus targeting assistance geographically. Owner-occupied housing improvement programs and human/public services will be offered on a city-wide basis to eligible low-income households.

DISCUSSION

The City of Portage has identified six projects to implement the goals of the Strategic Plan during the second year of the 2021 - 2025 Consolidated Plan. These projects benefit low- and moderate-income persons citywide and within the city’s low- and moderate- income areas.

AP-55 Affordable Housing

INTRODUCTION

As stated previously, the city places a high priority on providing safe, affordable, and decent housing in Portage. This goal shall be addressed, in part, by local developers that construct new, modestly priced, affordable houses. Additionally, through the emergency repair program, the housing rehabilitation program, and the down payment assistance program, the city will work to repair existing houses in low- and moderate- income neighborhoods, and for low- and moderate-income individuals. Additionally, the city will continue to utilize General Fund and CDBG Program funding to support the provision of public services to low-income individuals.

TABLE 11: ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT REQUIREMENT

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	13
Special Needs	0
Total	13

Table 11 - One Year Goals for Affordable Housing by Support Requirement

TABLE 12: ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT TYPE

One Year Goals for the Number of Households Supported Through:	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	12
Acquisition of Existing Units	0
Total	12

Table 12 - One Year Goals for Affordable Housing by Support Type

DISCUSSION

The city is prepared to engage in affordable housing activities through emergency repairs and the housing rehabilitation program and relies on various partners in assisting its residents in obtaining affordable housing. The city intends to assist 12 households with homeowner occupied housing rehabilitation assistance and one household through down payment assistance. In addition to the housing assistance programs funded through the CDBG Program, public service funding will be provided through both the CDBG Program and city General Fund to provide assistance to public service agencies

that provide homelessness prevention, rapid rehousing and tenant based rental assistance.

AP-60 Public Housing

INTRODUCTION

As noted in the Five-Year Consolidated Plan, the City of Portage does not have a Public Housing Authority (PHA) and has no public housing units. Furthermore, Kalamazoo County does not have a PHA and therefore, the Michigan State Housing Development Authority (MSHDA) serves as the PHA for Kalamazoo County. In 2002, however, Kalamazoo County did create a Public Housing Commission (PHC) that provides tenant based rental assistance within Kalamazoo County, which is in addition to rental assistance provided within Kalamazoo County via MSHDA.

ACTIONS PLANNED DURING THE NEXT YEAR TO ADDRESS THE NEEDS TO PUBLIC HOUSING

The City of Portage will continue to consult with MSHDA Housing Choice Voucher agents and the Kalamazoo County PHC on issues relevant to public housing and decent, affordable housing in general. In addition, the City of Portage will continue to actively participate on the United Way of the Battle Creek and Kalamazoo Region (AHP) which operates the local CoC.

ACTIONS TO ENCOURAGE PUBLIC HOUSING RESIDENTS TO BECOME MORE INVOLVED IN MANAGEMENT AND PARTICIPATE IN HOMEOWNERSHIP

As noted above, city staff actively participate on the AHP, and efforts to promote awareness of the City of Portage Home Buyer Assistance program will be ongoing.

IF THE PHA IS DESIGNATED AS TROUBLED, DESCRIBE THE MANNER IN WHICH FINANCIAL ASSISTANCE WILL BE PROVIDED OR OTHER ASSISTANCE

Not Applicable.

DISCUSSION

Not Applicable.

AP-65 Homeless and Other Special Needs Activities

INTRODUCTION

This section of the Annual Action Plan describes the City of Portage's one-year goal, and the specific actions steps it will undertake in the program year to carry out the homeless strategy identified in the Strategic Plan. Additionally, this section addresses any activities related to the supportive housing needs of non-homeless populations.

As noted in the Strategic Plan, the City of Portage actively participates in the CoC and its efforts to address homelessness in the community and the following actions are proposed to address homelessness during the 2022-2023 program year.

DESCRIBE THE JURISDICTIONS ONE-YEAR GOALS AND ACTIONS FOR REDUCING AND ENDING HOMELESSNESS

In the future, the city will consider pursuing activities to address the housing and supportive service needs of persons who are homeless, and those that have special needs. However, for this fiscal year, the city does not to financially assist organizations providing these types of services. The city does not plan to undertake any non-homeless special needs/homeless needs projects this program year but will maintain relationships with agencies that continue this work.

REACHING OUT TO HOMELESS PERSONS (ESPECIALLY UNSHELTERED PERSONS) AND ASSESSING THEIR INDIVIDUAL NEEDS

The city government cannot directly assist persons experiencing homelessness; rather it relies on the Kalamazoo County Continuum of Care, and other service-oriented agencies to assist those persons. The City of Portage staff will assist the CoC in the annual Point-in-time homeless count and will provide data regarding unsheltered homeless persons documented within the community. In addition, city staff will continue to directly engage with homeless persons and provide information and referral through distribution of the Quick Reference Help Guide and other assistance in connecting people in need with emergency resources such as medical assistance, emergency shelter, and other assistance as determined appropriate.

The city will consider pursuing activities to address the housing and supportive service needs of persons who are homeless, and those that have special needs. At this time, the Public Services goal/activity may

ensure that the city is able to financially contribute to assist organizations providing these types of services.

ADDRESSING THE EMERGENCY SHELTER AND TRANSITIONAL HOUSING NEEDS OF HOMELESS PERSONS

If available, the city will allocate CDBG Program and General Fund monies towards homeless services, including emergency shelter, homelessness prevention and rapid re-housing for families, unaccompanied youth, and victims of domestic violence and/or sexual assault through the public services activity.

HELPING HOMELESS PERSONS (ESPECIALLY CHRONICALLY HOMELESS INDIVIDUALS AND FAMILIES, FAMILIES WITH CHILDREN, VETERANS AND THEIR FAMILIES, AND UNACCOMPANIED YOUTH) MAKE THE TRANSITION TO PERMANENT HOUSING AND INDEPENDENT LIVING, INCLUDING SHORTENING THE PERIOD OF TIME THAT INDIVIDUALS AND FAMILIES EXPERIENCE HOMELESSNESS, FACILITATING ACCESS FOR HOMELESS INDIVIDUALS AND FAMILIES TO AFFORDABLE HOUSING UNITS, AND PREVENTING INDIVIDUALS AND FAMILIES WHO WERE RECENTLY HOMELESS FROM BECOMING HOMELESS AGAIN

As noted above, the city may provide services through its CDBG Program for homelessness, and also provides both CDBG Program funds and General Fund monies to public service agencies that provide a variety of assistance to homeless persons. In addition, the city actively participates in the CoC, which engages in planning and implementation efforts to improve the outcomes of services provided to homeless persons in the community.

HELPING LOW-INCOME INDIVIDUALS AND FAMILIES AVOID BECOMING HOMELESS, ESPECIALLY EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES AND THOSE WHO ARE: BEING DISCHARGED FROM PUBLICLY FUNDED INSTITUTIONS AND SYSTEMS OF CARE (SUCH AS HEALTH CARE FACILITIES, MENTAL HEALTH FACILITIES, FOSTER CARE AND OTHER YOUTH FACILITIES, AND CORRECTIONS PROGRAMS AND INSTITUTIONS); OR, RECEIVING ASSISTANCE FROM PUBLIC OR PRIVATE AGENCIES THAT ADDRESS HOUSING, HEALTH, SOCIAL SERVICES, EMPLOYMENT, EDUCATION, OR YOUTH NEEDS

As noted above, the city provides both CDBG Program funds and General Fund monies to public service agencies that provide a variety of assistance to homeless persons. In addition, the city actively participates in the CoC, which has developed policies and procedures intended to improve the outcome

of persons discharged from various institutions and prevent further homelessness.

DISCUSSION

Homelessness is a continuing priority need in the City of Portage. The city financially supports the amelioration of homelessness in the upcoming fiscal year. The city will continue funding homelessness activities through partner organizations such as the Portage Community Center, Housing Resources, Inc., and Disability Network, Catholic Charities, Gryphon Place, and YMCA. The city will continue to work closely with the United Way of the Battle Creek and Kalamazoo Region which serves as the Continuum of Care.

AP-75 Barriers to affordable housing

INTRODUCTION

This section of the Annual Action Plan summarizes actions the City of Portage will undertake during the program year to reduce barriers to affordable housing and influence whether the cost of housing or the incentives to develop, maintain, or improve affordable housing are affected by public policies, particularly those of the local jurisdiction.

ACTIONS IT PLANNED TO REMOVE OR AMELIORATE THE NEGATIVE EFFECTS OF PUBLIC POLICIES THAT SERVE AS BARRIERS TO AFFORDABLE HOUSING SUCH AS LAND USE CONTROLS, TAX POLICIES AFFECTING LAND, ZONING ORDINANCES, BUILDING CODES, FEES AND CHARGES, GROWTH LIMITATIONS, AND POLICIES AFFECTING THE RETURN ON RESIDENTIAL INVESTMENT

The city has several strategies that it utilizes to remove or ameliorate the negative effects of public policies that are barriers to affordable housing. In general, the City of Portage will continue to work with non-profit and for-profit housing developers and providers to increase the amount of affordable housing.

The following strategies will be undertaken during the plan period to address affordable housing.

- Continue to participate on the United Way of the Battle Creek and Kalamazoo Region (CoC) and other regional initiatives to address affordable housing issue throughout Kalamazoo County.
- Continue Home Buyer Assistance through the CDBG Housing Program to increase affordable

home ownership opportunities for low-income households;

- Pursue opportunities to facilitate affordable rental housing by 1) partnering with housing developers by providing CDBG Program funding and/or 2) tax abatement/PILOTs through the city General Fund;
- Pursue opportunities to facilitate affordable owner-occupied affordable housing by partnering with housing developers and housing non-profits to facilitate the construction of affordable units through 1) the Kalamazoo County housing millage funds and/or 2) tax abatement/PILOTs through the city General Fund.
- Annually review development regulations, fees and other city code requirements that may create barriers to affordable and fair housing;
- Continue General Fund and CDBG Program funding to support the provision of public services to low-income individuals.

DISCUSSION

Public policies can have a direct impact on barriers to affordable housing. Portage has recognized this fact and is committed to exposing any barriers or obstacles to developing affordable and fair housing as they become evident. As noted in the Strategic Plan, affordable housing for low-income renters and owners within the city is a priority need and efforts to reduce barriers and increase access to affordable housing is an ongoing priority of the community.

AP-85 Other Actions

INTRODUCTION

This section of the Annual Action Plan describes the City of Portage planned actions to carry out the following strategies outlined in the Strategic Plan:

- Foster and maintain affordable housing,
- Rehabilitate housing for existing homeowners, and
- Reduce slum and blight through code enforcement.

ACTIONS PLANNED TO ADDRESS OBSTACLES TO MEETING UNDERSERVED NEEDS

The greatest challenge to meeting underserved needs in the coming year will be meeting the increased need for program activities with a limited amount of funding. To overcome this significant challenge, the city will work more efficiently, seek a greater level of collaboration with other agencies and organizations, and aggressively seek opportunities to leverage funds.

The city, through the Consolidated Plan, shall seek to target federal funds, and other available resources, to residents that have traditionally not been served, or are underserved by previous programs. A strong emphasis will be placed on programmatic restructure that is not only compliant with changing rules and regulations, but make sense for today's economic climate, and ever-changing community structure. The specific projects planned within the Annual Action Plan are intended to assist unserved needs within the community. In addition, the city will continue to serve on the Kalamazoo County CoC to improve the access to and delivery of services to persons in need.

ACTIONS PLANNED TO FOSTER AND MAINTAIN AFFORDABLE HOUSING

As noted above, the city will assist low-income homeowners with housing maintenance and emergency repairs and offer home buyer assistance program within the community. In addition, partnerships with housing developers will be pursued on an annual basis to increase the supply and improve the condition of affordable rental housing.

ACTIONS PLANNED TO REDUCE LEAD-BASED PAINT HAZARDS

The city will continue educational efforts to inform residents of lead-based paint hazards in general. In particular, all CDBG Program housing assistance program participants will receive specific notice regarding lead-based paint hazards and all contractors will be required to adhere to lead-based paint safe work practices before, during and after all home improvement projects.

ACTIONS PLANNED TO REDUCE THE NUMBER OF POVERTY-LEVEL FAMILIES

Because the nature of poverty is complex and multi-faceted, the city will attempt to allocate CDBG funds for services to very low-income households. CDBG can provide funding for meeting these critical basic needs, but these efforts will be constrained by the amount of funds available and competing priority needs. Each activity in the 2022-2023 Annual Action Plan will have an impact on households living in poverty. The rehabilitation projects will assist with repairs to the home, allowing the homeowner to save money and dedicate it to other needs.

According to the 2015-2019 American Community Survey (ACS) estimates, 8.4% of people living in the City of Portage are below poverty level. As noted above, the city will allocate resources from the CDBG Program and General Fund to address the needs of residents and families living at or below poverty. Housing assistance programs, public services and tax exemptions and household tax relief are examples of actions to be taken by the City of Portage.

ACTIONS PLANNED TO DEVELOP INSTITUTIONAL STRUCTURE

The city has in place a strong institutional structure necessary to carry out its housing, community, and economic development strategies. The city's Department of Community Development will administer the CDBG Program.

The City of Portage Department of Community Development will continue as the long-established lead agency with regard to planning and implementation of programs and activities noted in the Strategic Plan and Annual Action Plan. Efforts to strengthen gaps will be pursued as identified.

ACTIONS PLANNED TO ENHANCE COORDINATION BETWEEN PUBLIC AND PRIVATE HOUSING AND SOCIAL SERVICE AGENCIES

The city maintains a close relationship with state, regional, and county organizations that provide

assistance to low- and moderate-income persons as well as the homeless.

The city will work closely with local non-profit organizations to actively encourage housing programs for low- and moderate-income persons. Private builders and lending institutions will continue, with the assistance of the city, to develop affordable housing in Portage. The city of Portage will continue to actively serve on the Kalamazoo County CoC, work closely with public service and housing assistance agencies, as well as the Kalamazoo County Public Housing Commission and MSHDA.

This collaborative approach will assist in the creation and delivery of effective service delivery programs and affordable housing projects.

DISCUSSION

The city's actions planned to address obstacles to meeting underserved needs include activities in support of special needs assistance. Additionally, the city's actions to foster and maintain affordable housing include continued funding of programs and agencies that further the affordable housing goals of the city.

AP-90 Program Specific Requirements

INTRODUCTION

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) REFERENCE 24 CFR 91.220. (I)(1)

TABLE 13: AVAILABLE PROGRAM INCOME

Available Program Income	Amount
1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$115,475
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	\$115,475

Table 13 - Available Program Income

TABLE 14: OTHER CDBG REQUIREMENTS

Other CDBG Requirements	Amount
1. The amount of urgent need activities	0%
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100%

Table 14 - Other CDBG Requirements

DISCUSSION

The city estimates 100% of CDBG funding will be spent on low- and moderate-income activities.

Appendix



- 1. Maps**
- 2. Public Participation**
- 3. SF 424 and SF 424D**
- 4. Certifications**
- 5. Citizen Participation Plan**

Maps



Low and Moderate Income Areas by Block Group

CDBG Low & Moderate Income Areas by Block Group

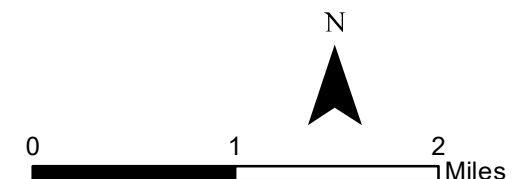
- CDBG Eligible Block Groups
- Ineligible Areas

Eligible areas require 46.94% or more of the Block Group population to be low- or moderate- income. Census Tract and Block Group boundaries are based on the 2010 US Census boundaries.

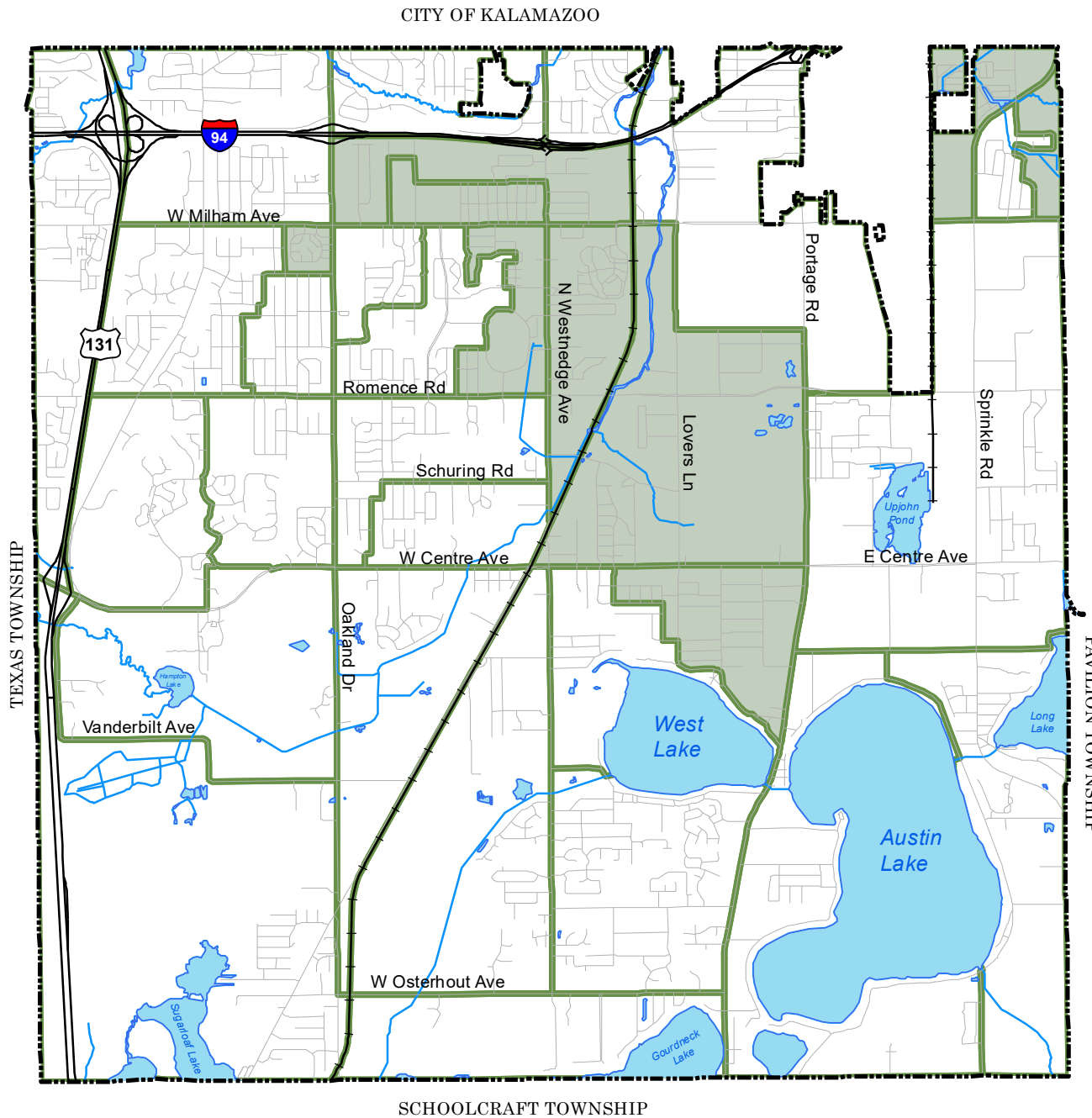
- City of Portage
- State Roads
- Railroad
- Local Roads
- Streams
- Water Bodies

Source: HUD Exchange FY 2021 American Community Survey 2011-2015 5-Year Low and Moderate Income Summary Data. 2019 TIGER/Line Shapefiles.

March 2022

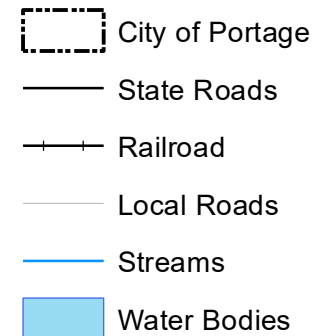
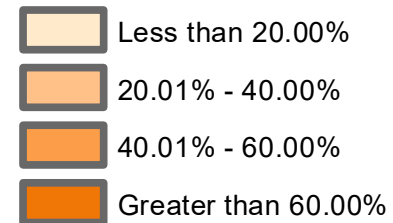


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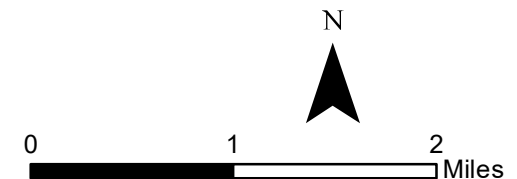
Low Income Concentrations by Block Group

Low Income Population Concentrations by Block Group

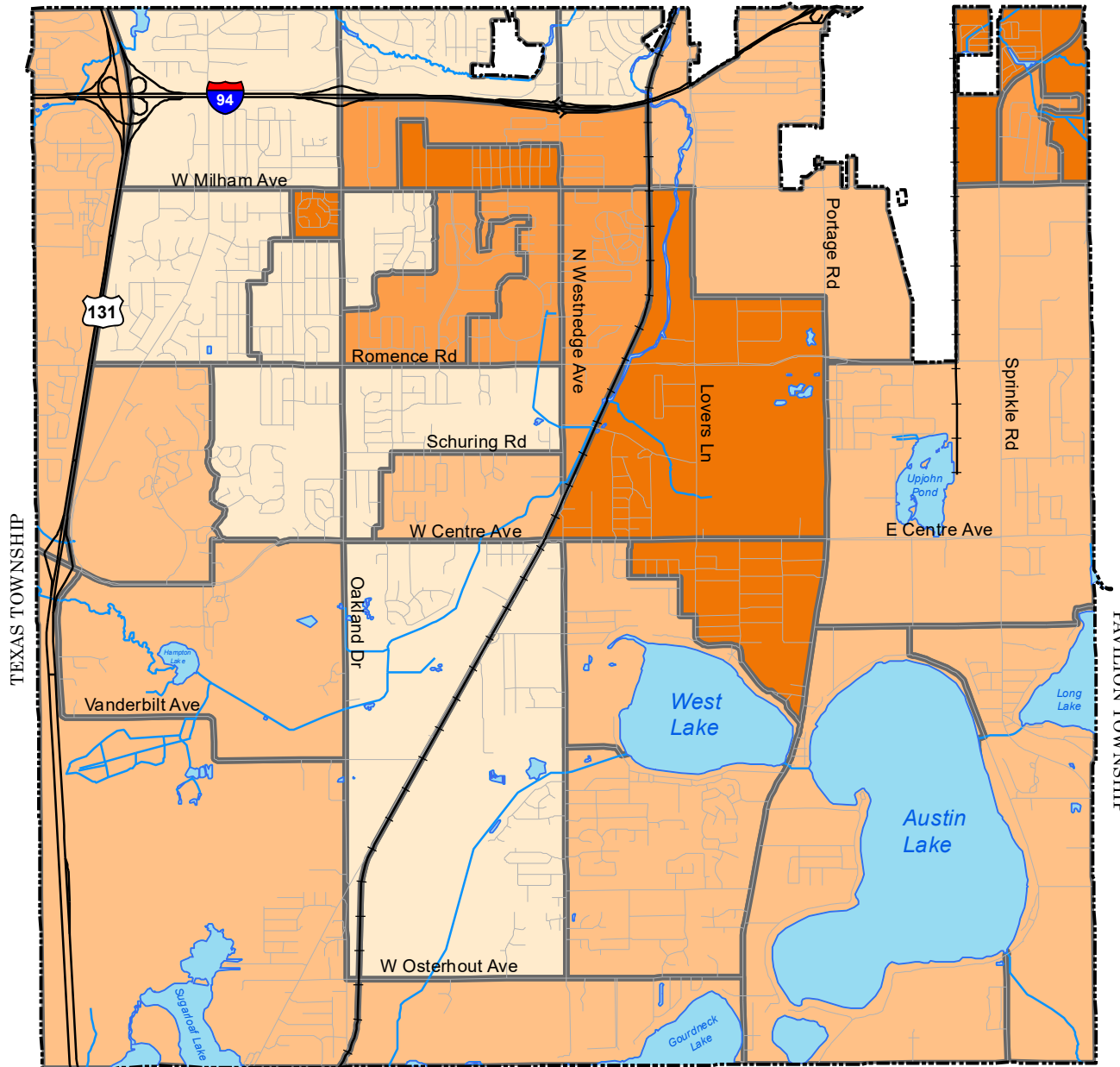


Source: HUD Exchange FY 2021 American Community Survey 2011-2015 5-Year Low and Moderate Income Summary Date 2019 TIGER/Line Shapefiles.

March 2022



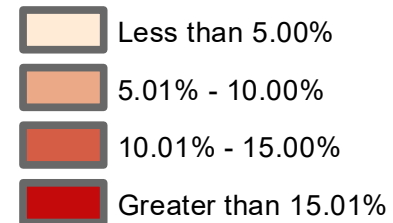
City of Portage
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Black & African American Concentrations by Block Group

Black & African American Concentrations by Block Group



City of Portage

State Roads

Railroad

Local Roads

Streams

Water Bodies

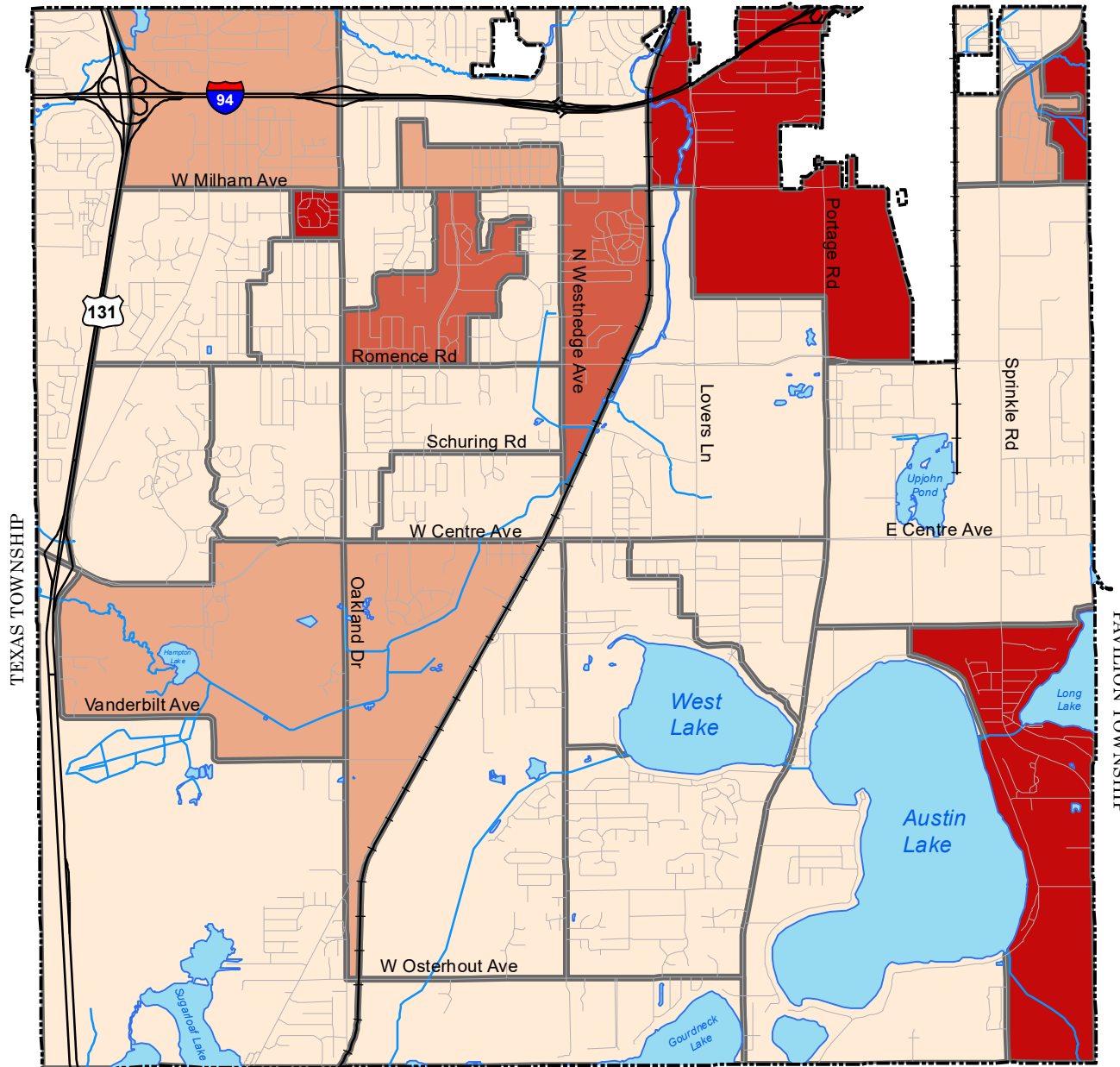
Source: 2015-2019 American Community Survey 5-Year Estimates
2019 TIGER/Line Shapefiles.

March 2022



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City of Portage
KALAMAZOO COUNTY, MICHIGAN



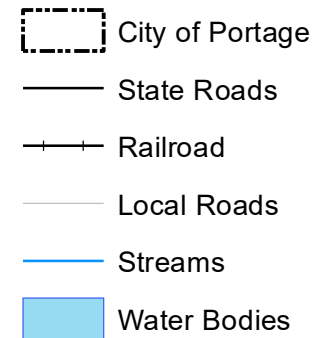
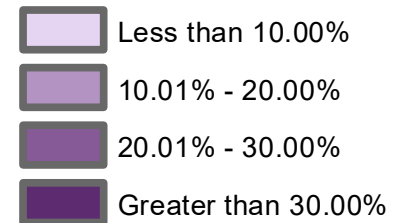
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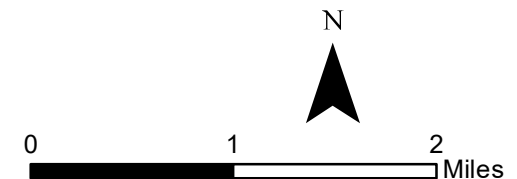
Hispanic or Latino Concentrations by Block Group

Hispanic or Latino Concentrations by Block Group

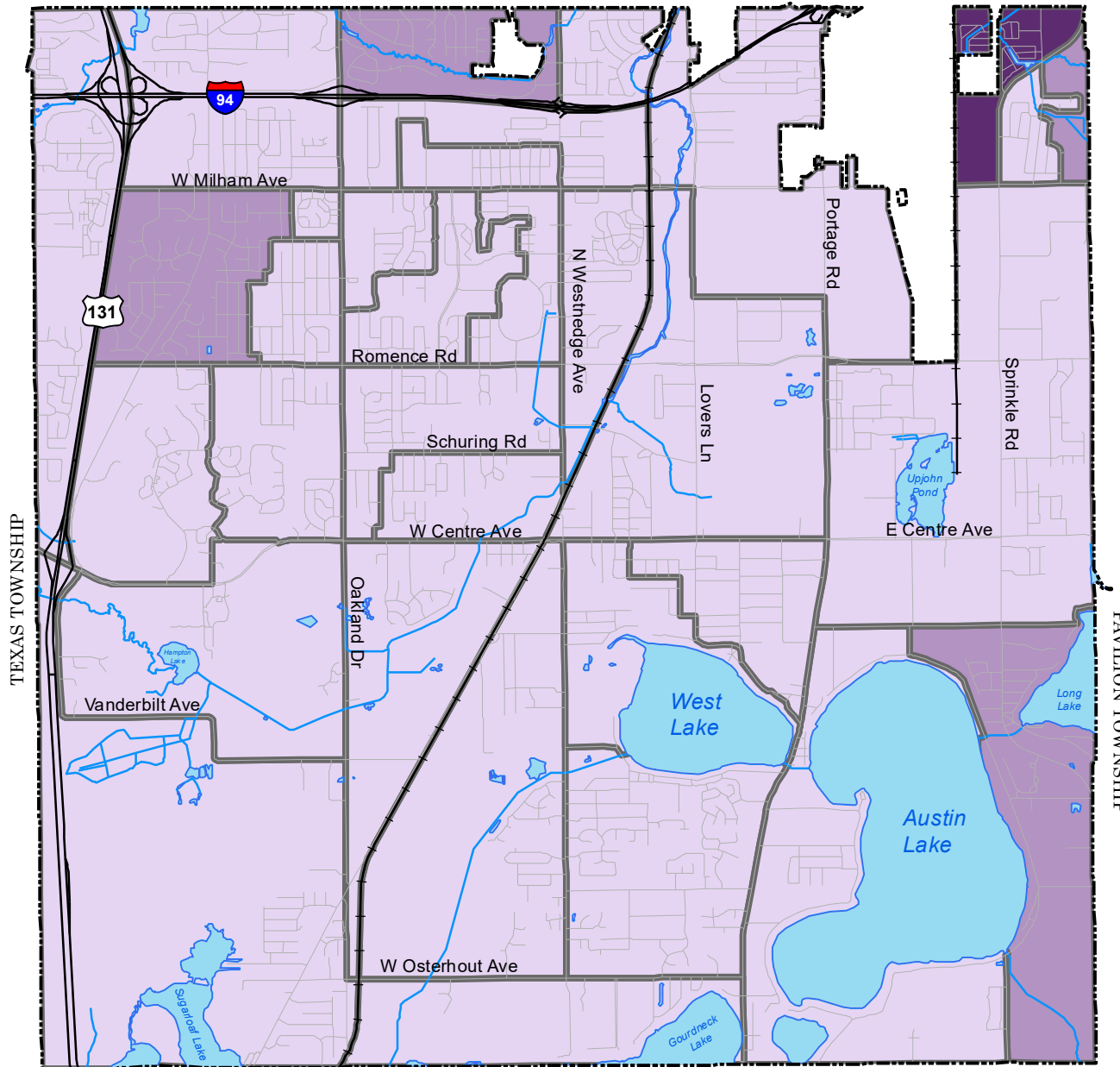


Source: 2015-2019 American Community Survey 5-Year Estimates
2019 TIGER/Line Shapefiles.

March 2022



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Public Participation





NOTICE OF PUBLIC HEARING

The City of Portage will hold a public hearing on Thursday, February 3, 2022 at 6:00 p.m. in Conference Room #1, City Hall, 7900 South Westnedge Avenue, Portage, Michigan to receive comments on the Community Development Block Grant (CDBG) Program, community development needs, fair housing issues, housing priorities and human/public services within the City of Portage. The city anticipates receiving approximately \$221,500 in Federal CDBG funding in 2022-23, and an estimated \$50,000 of program income. In addition, \$75,000 in unexpended funds from prior program years will be utilized during FY 2022-23 for a total budget of \$346,500.

All interested persons are encouraged to attend. Comments can be submitted in writing on or before February 2, 2022 to the City of Portage, Department of Community Development, or may be presented in person at the public hearing. Citizens desiring additional information should contact the City of Portage Department of Community Development, (269) 329-4477 for additional information.

Department of Community Development
Kelly Peterson, Director

January 19, 2022

(311)

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of the Meeting – February 3, 2022

CALL TO ORDER: The City of Portage Special Human Services Board meeting of February 3, 2022 was called to order by Chairperson Fi Spalvieri at 6:01 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue.

MEMBERS PRESENT: Chair Fi Spalvieri, Barbara Sagara, John Dillworth, Brooke Kolodzieczyk, Monica Lloyd, Jihan Young, Erin Tornello and Riley Thomas (YAC)

MEMBERS EXCUSED: Effie Kokkinos. Jihan Young made a motion to excuse Effie, Brook Kolodzieczyk supported the motion and it was unanimously approved 8-0.

MEMBERS ABSENT: Stephanie Upshaw

STAFF PRESENT: Tina Perry, Neighborhood & Housing Specialist; Daniel Harrington, City Planner/GIS; Biqi Zhao, Senior City Planner.

APPROVAL OF MINUTES: The minutes of January 20, 2022 were approved by a motion by Barb Sagara, Monica Lloyd supported the motion and it was unanimously approved 8-0.

PUBLIC HEARINGS: Brooke Kolodzieczyk made a motion to open the Public Hearing supported by John Dillworth. Chair Fi Spalvieri asked if anyone from the public wanted to make comments on the community development needs, fair housing issues, housing priorities and human/public services within the City of Portage. No comments were received at hearing or submitted in writing. Brooke Kolodzieczyk asked what methods advertise the opportunity to comment. Tina Perry responded with various methods. John Dillworth made a motion to close the public hearing supported by Brooke Kolodzieczyk.

NEW BUSINESS: Fair housing Month Resolution: Tina Perry provided a draft proclamation to be forwarded to City Council declaring April 2022 Fair Housing Month. Chair Fi Spalvieri asked if there was a board member that would be willing to attend the March 22, 2022 City Council meeting to read the proclamation. Jihan Young volunteered to attend the City Council meeting. A word correction in paragraph four was made. Barb Sagara made a motion to forward to City Council to declare April Fair Housing Month, John Dillworth supported the motion. It passed unanimously 8-0.

OLD BUSINESS: FY 2022-2023 Human/Public Service Grant Application discussions continued with Tina Perry providing requested information. Effie Kokkinos updated her rankings. HSB recapped about the funding allocations and rankings that were started at the January 20 meeting. Much discussion took place and the HSB was able to complete their recommendations. Both staff and HSB recommend moving a portion of PCC's General Fund Emergency Assistance request into the CDBG program, to fully utilize that program and allow more funds in the General Fund to be allocated to service agencies. HSB discussed Kalamazoo Youth for Christ (KYFC) in depth as City Council had not funded them in 2019. Since then the HSB Funding application includes the City of Portage non-discrimination policy. KYFC has reviewed it and indicates they serve everyone that wishes to participate. A motion was made by Brook Kolodzieczyk to approve the funding recommendations in the table following and send to City Council for approval. John Dillworth supported the motion and it unanimously passed 8-0.

GENERAL FUND FY2022-2023					
	\$	181,597	Max Available		
Applicant	Program	FY2022-2023 Request	FY2021-2022 Funding	Staff	HSB Recommended
Catholic Charities	Ark for Youth	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
Catholic Charities	(Prev not funded) Bread for Life	\$ 5,000	\$ -	\$ 5,000	\$ 5,000
Disability Network Southwest MI	(New Prgm) Ramp Up	\$ 12,000	\$ -	\$ 12,000	\$ 12,000
Gryphon Place	2-1-1 Information & Referral	\$ 3,700	\$ 3,700	\$ 3,700	\$ 3,700
Housing Resources, Inc.	Housing Stabilization Programs	\$ 29,000	\$ 29,000	\$ 29,000	\$ 25,000
Portage Community Center	Youth Development	\$ 32,000	\$ 30,000	\$ 20,847	\$ 32,000
Portage Community Center	Community Collaboration	\$ 12,000	\$ 16,000	\$ 12,000	\$ 10,000
Portage Community Center	Emergency Assistance	\$ 34,000	\$ 36,207		\$ 21,729
Kalamazoo Literacy Council	ESL of SW MI	\$ 1,875	\$ 1,875	\$ 1,875	\$ 1,875
Kalamazoo Literacy Council	Comm Literacy Ctr @ Prince of Peace	\$ 875	\$ 875	\$ 875	\$ 875
Twelve Baskets	Food Pantry	\$ 30,000	\$ 10,093	\$ 30,000	
Twelve Baskets	(Prev not funded) Free Store	\$ 15,000		\$ 15,000	\$ 5,000
Kalamazoo Youth For Christ	(Prev not funded by CC) Colonial Acres City Life Center	\$ 9,300	\$ -	\$ 9,300	\$ 7,500
YWCA Kalamazoo	Sexual Assault	\$ 7,000	\$ 6,500	\$ 7,000	\$ 7,000
YWCA Kalamazoo	Domestic Abuse	\$ 12,000	\$ 11,500	\$ 12,000	\$ 12,000
YWCA Kalamazoo	Human Trafficking	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Lending Hands of MI, Inc.	Equipment, Operations, Technology Updates	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Totals:	\$ 226,750	\$ 168,750	\$ 181,597	\$ 166,679
CDBG FY2022-2023 Requests					
	\$	50,546	Max Available		
Applicant	Program	Request			
Portage Community Center	Transportation Assistance	\$ 5,250	\$ 4,618.00	\$ 5,250	\$ 5,250
Portage Community Center	Emergency Assistance	\$ 33,025	\$ 33,675.00	\$ 45,296	\$ 45,296
	Totals:	\$ 38,275	\$ 38,293.00	\$ 50,546	\$ 50,546

STATEMENTS OF CITIZENS: None

ADJOURNMENT: Barb Sagara made a motion to cancel the March meeting and adjourn this meeting. Monica Lloyd supported the motion and it unanimously passed 8-0. Meeting was adjourned at 6:58 p.m.

Respectfully Submitted,

Tina Perry,
Neighborhood and Housing Specialist

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Notice of Availability – City of Portage FY2022-23 Annual Action Plan and Notice of Public Hearing

The draft Community Development Block (CDBG) Program FY2022-23 Annual Action Plan, has been prepared as required by the U.S. Department of Housing and Urban Development (HUD) for communities receiving federal funding through the CDBG Entitlement grant program. The draft Annual Action Plan, which is an element of the Consolidated Plan, outlines proposed projects that will be undertaken with the estimated \$336,975 in CDBG funding to be available to the City of Portage for FY2022-23 from HUD, including anticipated program income and unexpended funds from prior program years. For FY2022-23, estimated projects/expenditures are:

Housing Rehabilitation Assistance Program \$165,129
Down Payment Assistance Program \$3,000
Neighborhood Improvement Code Administration and Enforcement \$64,000
Human/Public Services \$50,546
Grand Administration and Fair Housing Activities \$54,300
Total: \$336,975

If a change to the estimated annual HUD allocation occurs, the difference in funds will be reflected in the Housing Rehabilitation Assistance Program.

The above draft document is available for review at the following locations:

Department of Community Development, 7900 S. Westnedge Avenue, Portage, MI 49002

Portage District Library, 5528 Portage Road, Portage, MI 49002

Portage Senior Center, 320 Library Lane, Portage, MI 49002

City of Portage website: <http://www.portagemi.gov/260/Strategic-Plans>

Comments can be submitted in writing on or before noon on Tuesday, April 26, 2022 to the City of Portage, Department of Community Development, 7900 South Westnedge Avenue, or may be presented in person at a Public Hearing that will be held at 7:00 p.m. on Tuesday April 26, 2022 in Council Chambers, at

City Hall, 7900 South Westnedge Avenue, Portage, MI 49002. For additional information, please contact the Department of Community Development at 269-329-4477 or 269-324-9266.

Department of Community Development
Kelly Peterson

(314)

SF 424 & SF 424D



Certifications



Citizen Participation Plan



Citizen Participation Plan

A. Introduction

Citizen Participation is a critical component during the update of the 5-year Consolidated Plan, Annual Action Plan and Consolidated Annual Performance Evaluation Report (collectively referred to as the Plans) whereby residents, property owners and public/private agencies located in the City of Portage and/or serving Portage residents, are provided the opportunity to actively participate in the preparation of the Plan. The City of Portage encourages active citizen participation in conjunction with preparation of the Plans and the Community Development Block Grant Program. Public participation is encouraged through timely public notices, public hearings and publication of information related to the Plans and proposed Community Development Block Grant activities.

B. Work Plan

A work plan has been developed that engages the public at key stages during the 5-year Consolidated Plan and Annual Action Plan update process. Preparation of the Consolidated Annual Performance Evaluation Report (CAPER) is completed within 90 days following the end of each program year (which ends on June 30th). A citizen participation plan includes a public awareness campaign that informs the public they are welcome to participate in the Plan Update process. A publicized timeline and clearly established milestones help ensure transparency (refer to Table 1). As a result of the COVID-19 Pandemic all public meetings are held virtually until further notice. The public can participate remotely. If special accommodations are necessary for participation of a physically disabled (when meetings resume at Portage City Hall) or non-English speaking person in the planning process, the city will provide the appropriate accommodations.

Table 1

2021-2025 Consolidated Plan and Annual Action Plan Update Schedule										
Event	Month									
	Sept '20	Oct '20	Nov '20	Dec '20	Jan '21	Feb '21	Mar '21	Apr '21	May '21	July '21
Citizen participation plan										
Data collection										
Draft of community needs assessment										
Public notice & PORTAGER article regarding public hearing										
Public hearing on community needs assessment (2/4/21)										
Draft of Consolidated Plan/Annual Action Plan										
Provide draft of Plans to Human Services Board										
30-day public comment period and public hearing (4/1/21)										
City Council approval of Consolidated Plan/Annual Action Plan (5/11/21)										
Submit Consolidated Plan/Annual Action Plans to HUD										
Begin new grant year										

C. Citizen/Agency Engagement Efforts

The following summarizes efforts to encourage public participation in order to ensure the most complete and coordinated plan update possible:

1. A minimum of two public hearings will be held prior to the submission of the Consolidated Plan and Annual Action Plan to HUD:
 - The first virtual public hearing will be held in February and allow for comment on community development needs and housing priorities and market analysis within the City of Portage.
 - The second virtual public hearing will be held in April on the draft Consolidated Plan and/or Annual Action Plan following a 30-day public comment period.
2. Articles will be published in the Portager, a monthly newsletter published by the City of Portage, which is distributed to every active residential and business address in the City of Portage, prior to the each public hearing.
3. Public notices will placed in the Kalamazoo Gazette prior to the public hearings.
4. A webpage dedicated to the Consolidated Plan and Annual Action Plan update will be added to the city's website.
5. Press releases will be issued and information will be posted on the City of Portage webpage.
6. Organized neighborhood watch groups will be notified.
7. Local public/private human service agencies located in Portage or that serve Portage residents will be notified and/or consulted during the Plan update process. Information concerning the City of Portage Consolidated Plan and Annual Action Plan can then also be disseminated to the people served by these agencies.
8. Local units of government will be notified and/or consulted, as needed and appropriate.
9. Opportunities to comment on the Consolidated Plan/Annual Action Plan update at a public meeting will be provided monthly during the Human Services Board meeting.

HUD requires that each community broaden public participation by reaching out to low-moderate income persons; low and moderate income neighborhoods where CDBG funds are proposed for use; minorities; non-English speaking persons; persons with disabilities; public housing residents and local/regional institutions. The efforts summarized above achieve the HUD objective and will be utilized, as appropriate, during the public hearing process involving the 5-year Consolidated Plan, Annual Action Plan and Consolidated Annual Evaluation Report.

D. Access to Information and Records, Availability to Public

Notice of availability of the draft Consolidated and Annual Action Plans will be published utilizing several methods listed in paragraph C above and distributed in various locations throughout the city including the Community Development Department, Portage Senior Center, Portage Community Center, Portage District Library, and posted to the city website. Citizens are encouraged to obtain and read the proposed Plans and submit comments on the Plans to the Community Development Department of the City of Portage. Copies of the plan will also be available in electronic format. Technical assistance will be provided to any group requesting assistance in submitting information, or a proposal for consideration from the CDBG Program, if the proposal will meet the National Objective criteria of benefiting low/moderate income persons within the City of Portage and is an eligible use of funds. Public hearings include a brief presentation of the purpose of the hearing, amount of projected funds available, proposed use of funds (if applicable), a review of accomplishments of the CDBG

Program and response to any questions that arise. All citizen comments will be recorded, and if an answer is necessary, a timely response to all requests (within 15 days) will be sent to the inquiring individual, group or agency.

E. Public Comments

All comments made in person or in writing relating to the Consolidated Plan or Community Development Block Grant program, which are received prior to the deadline for submission to the Department of Housing and Urban Development, will be officially incorporated into such documents and a response will be given to the comment within the text of the plan or report.

F. Amendments to Consolidated Plan

Prior to the submission of any substantial change in the proposed use of funds, citizens will be given notice of and an opportunity to comment on a proposed amendment to the Annual Action Plan. A substantial change involves new activities not contained in an approved plan or a change in expenditures that exceed 10% of the overall program year budget. A 30 day comment period, concluding with a public hearing will be provided to accept comments. The availability of the draft plan amendment will be noticed in the newspaper at least 30 days prior to the hearing. Subsequent to the hearing, the amended Annual Action Plan is submitted to HUD.

G. Anti-Displacement

Persons are not expected to be permanently displaced as part of the CDBG Program. Further, preference will be given to project where no permanent or temporary tenant relocation or involuntary homeowner relocation will be necessary. Any project where temporary relocation may become necessary will be at the expense of the property owner.

H. Technical Assistance

Technical assistance will be provided to any group that requests it in order to develop proposals for funding consideration during development of the Consolidated Plan or Annual Action Plan, or to any group requesting information on the Consolidated Plan and/or Consolidated Plan development process.

I. Complaints or Grievances

The Community Development Director or his/her designee will provide a timely written answer to written complaints or grievances within 15 working days.



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TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: Selection of City Manager Candidates for Second Interview

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Select three City Manager candidates to be invited for a second interview beginning at 2:30 p.m. and to be held on May 5, 2022.

At the February 8, 2022 meeting, City Council retained Frank Walsh with the recruitment firm Walsh Municipal Services to aid in the search for the next City Manager. Mr. Walsh assisted the Council in selecting five initial candidates to be interviewed, and these interviews were held in a Special Meeting on Saturday, April 23, 2022. All candidates were highly qualified and were given serious consideration.

It is recommended that City Council select three City Manager candidates to be invited for a second interview beginning at 2:30 p.m. and to be held on May 5, 2022.

FUNDING: Not applicable

Attachments: None

TO: Honorable Mayor and City Council

FROM: Adam Herringa, Acting City Manager

SUBJECT: FY 2022-23 Human/Public Service Funding Recommendations from the Human Services Board

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Approve the recommended Fiscal Year 2022-23 human/public service funding allocations from the Human Services Board.

For more than 20 years, the City of Portage has awarded annual grants to human service agencies that provide housing, food, clothing, and other critical assistance to Portage citizens in need. For Fiscal Year 2022-2023, a total of \$232,143 is estimated to be available for human public service funding from two sources:

- General Fund – \$181,597 (0.65% of the General Fund revenue as recommended to the City Council in 2018); and
- Community Development Block Grant (CDBG) Program – \$50,546 (15% of the estimated Fiscal Year 2022-2023 entitlement grant and current fiscal year program income through December 31, 2021). The city estimates the Department of Housing and Urban Development (HUD) Fiscal Year 2022-2023 entitlement amount at \$221,500 and has \$115,475 in current program income for a total of \$336,975. The information that follows is based on these estimated amounts and may need to be adjusted once the actual HUD allocation amount for FY2022-2023 is received.

The total estimated funding in FY2022-2023 represents a \$15,600 increase from the Fiscal Year 2021-2022 program. This is due to an increase in the General Fund revenue at 0.65% and an increase in CDBG program income received as of December 31, 2021. This funding is intended to support Portage residents by:

- Fulfilling priority needs outlined in the approved CDBG Consolidated Plan, including homelessness prevention, emergency shelter, and rapid re-housing; anti-poverty efforts; services to address emergency assistance (utility shut-off, eviction, and foreclosure prevention); emergency financial assistance; and food, clothing, and transportation assistance.
- Meeting the objectives detailed in the approved CDBG Consolidated Plan.
- Providing human/public services to Portage residents through contracted agencies that apply for funding and are capable of providing services.

Application Evaluations

Based on established city practices, the review of grant applications performed by the Human Services Board (HSB) and staff and the respective Fiscal Year 2022-23 funding recommendations were prepared based on the extent to which each application fulfills the Human Services Funding evaluation criteria. The criteria (attached) include *basic human needs, accessibility of services, critical needs in*

Portage, the collaboration of services, the number of Portage citizens served, outreach, and funding capacity and resources.

Eleven applications were received from local Human/Public Service organizations requesting Fiscal Year 2022-2023 funding for a variety of programs and services. The Human/Public Service Application Summary Forms highlight programs and activities for which funding was requested. Applications received were submitted to the HSB for initial review in December 2021, and are available for review in full on the city website.

Members of the HSB and city staff reviewed and evaluated the Fiscal Year 2022-2023 grant applications in relation to estimated funding during two board meetings, in January and February 2022. The February 3, 2022, board meeting included a public hearing, though no public comments were received. Recommendations made by the HSB and staff are detailed below by fund for the Council's consideration.

CDBG Program Fund

An estimated amount of \$50,546 of CDBG program funds is expected to be available for human/public services based on the Fiscal Year 2022-2023 estimated entitlement grant and program income received through December 31, 2021. The City of Portage CDBG Program annually allocates the maximum 15% permitted for human/public services per federal regulations. It is recommended that a portion of funding for the Portage Community Center (PCC) proposed for the General Fund instead be shifted to CDBG to fully utilize the 15% maximum allowable funding for human/public services. As a result, the PCC would receive the full amount of \$50,546 for human/public services through the CDBG program funds. This, in turn, frees available dollars in the General Fund to serve other applicants, particularly given that the requests exceed available funding.

An application from PCC was received for Fiscal Year 2022-2023 in the amount of \$38,275, equal to the amount made available in Fiscal Year 2021-2022. PCC uses these funds to provide emergency assistance to prevent utility shut-offs, food, clothing, and over-the-counter provisions as available. They also provide transportation assistance through the distribution of discounted bus tokens. Table 1 shows the PCC funding request by program, Human Services Board (HSB) and staff scoring, rankings, and the funding recommendation to fully fund PCC human/public services through the CDBG estimated available funding of \$50,546.

Table 1 - Portage Community Center Funding Request by Program

Program	FY2021-22 Approved Funding	FY2022-23 Funding Requested	FY2022-23 Funding Request as % of Program Budget	Evaluation Criteria Ranking (Score)		City Administration and HSB FY2022-23 Recommendation (increase from FY2021-22 Funding) ²
				City Staff	HSB	
Transportation	\$4,618	\$5,250	100%	2 (160)	2 (168)	\$5,250
Emergency Assistance	\$33,657	\$33,025	31% ¹	1 (237)	1 (196)	\$45,296

¹PCC has requested that the CDBG Program and General Fund grant requests be reviewed together as one application.

²Funding requested in both programs equals the funding amount requested (reduced in General Fund, increased in CDBG program)

PCC has an additional balance of \$67,804.43 available from two current CDBG-CV grants intended to assist Portage residents who have been impacted by the coronavirus pandemic.

General Fund

Ten organizations submitted applications for various programs for the total amount of \$226,750, compared to the total available General Fund allocation of \$181,597. Table 2 lists the funding requested, application scores, and evaluation rankings by the HSB members and staff, along with the funding recommendation based on the total estimated funds anticipated to be available.

Table 2

Organization & Program	FY 21-22 Approved Funding	FY22-23 Funding Requested	Funding Request as % of Program Budget	Evaluation Criteria Ranking (Score)		FY22-23 Recommended Funding	
				City Staff	HSB	Recommended Funding	% of FY2021-22 Funding (\$ Diff.)
Catholic Charities - ARK	\$17,000	\$17,000	1.7%	6 (205)	2 (212)	\$17,000	100% (\$0)
Catholic Charities - Food	\$0	\$5,000	2.4%	14 (160)	10 (186)	\$5,000	0% (\$5,000)
Disability Network - Ramps	\$0	\$12,000	7%	13 (167)	14 (181)	\$12,000	0% (\$12,000)
Gryphon Place - 211	\$3,700	\$3,700	.29%	12 (168)	7 (195)	\$3,700	100% (\$0)
Housing Resources, Inc.	\$29,000	\$29,000	.16%	1 (240)	1 (234)	\$25,000	82% (\$4,000)
PCC Youth Development	\$30,000	\$32,000	26.6%	4 (210)	6 (195)	\$32,000	106% (\$2,000)
PCC Comm. Collabor.	\$16,000	\$12,000	11.6%	16 (105)	12 (182)	\$10,000	62% (\$6,000)
PCC Emergency Assist	\$36,207	\$34,000	32.4%	1 (240)	1 (234)	\$21,729	94% (-2,207) ¹
Kzoo Literacy - ESLang	\$1,875	\$1,875	2.1%	9 (185)	11 (185)	\$1,875	100% (\$0)
Kzoo Literacy - Lit Ctr	\$875	\$875	21.7%	10 (183)	15 (174)	\$875	100% (\$0)
Twelve Baskets - Pantry	\$10,093	\$30,000	25%	5 (207)	4 (209)	\$14,918	148% (\$4,825)
Twelve Baskets – Store	\$0	\$15,000	75%	15 (155)	16 (163)	\$5,000	0% (\$5,000)
Kzoo Youth for Christ	\$0	\$9,300	11%	2 (225)	9 (189)	\$7,500	0% (7,500)
YWCA - Sexual Assault	\$6,500	\$7,000	<1%	3 (210)	3 (211)	\$7,000	108% (\$500)
YWCA - Dom. Violence	\$11,500	\$12,000	<1%	7 (197)	5 (203)	\$12,000	104% (500)
YWCA - Human Traffic	\$1,000	\$1,000	<1%	8 (187)	8 (193)	\$1,000	100% (\$0)
Lending Hands - Equip	\$5,000	\$5,000	7.1%	11 (172)	13 (181)	\$5,000	100% (\$0)
Total	\$168,750	\$226,750				\$181,597	

¹PCC emergency assistance recommendation, when combined with CDBG fund recommendation, equals 100% of their request.

Rankings among HSB members and staff varied. These variations may be attributed, in part, to four new HSB members and three new city staff contributing to the process. Staff conducted site visits of the organizations, reviewed current accomplishment reports, and evaluated how the organizations are currently performing or may perform in the areas described earlier: *basic human needs, accessibility of services, critical needs in Portage, the collaboration of services, the number of Portage citizens served, outreach, and funding capacity and resources.*

New Organizations/Applications

- **Disability Network** is a new grant applicant, which is meeting a unique need by providing ADA accessibility at the homes of disabled or mobility-impaired persons through the provision of ramps. The organization purchases materials, utilizes a licensed contractor, and volunteers are engaged to install the ramps according to code.
- **KYFC** - Staff visited the main KYFC site prior to their application submission. The organization's director shared program offerings for youth that include teaching life skills, budgeting, basic cooking, and how to run a business. KYFC works with local youth, including those who have been convicted. The grant application request is to support the operation of the

Colonial Acres site, which is one of the largest at-risk areas in Portage. Upon review, HSB members noted multiple service organizations have religious content on their promotional materials and websites. City staff requested that KYFC review the City of Portage Non-Discrimination Ordinance and confirm that their organization complies. KYFC reviewed the ordinance and confirmed their compliance. As such, HSB moved forward with a proposed funding recommendation.

Returning Organizations

Portage Community Center (PCC)

The HSB directed staff to inquire about PCC's Community Collaboration Program and the performance of various PCC programs, as the Fiscal Year 2022-2023 funding requests were reviewed:

- *Community Collaboration Program* - PCC indicated this primarily covers staff time.
- In Fiscal Year 2021-2022, due to the coronavirus pandemic, PCC indefinitely suspended programs including WIC, blood drives, legal clinics, tax counseling, and community meeting space, and currently does not have plans to reestablish these programs. It should be noted that some of the programs and services no longer provided at PCC are expected to be provided to Portage residents through programming offered at the forthcoming Zhang Portage Community and Senior Center, which will meet public needs and be provided without age restrictions.
- *Emergency Assistance Programs* at PCC assist with utility shut-off prevention, food, and clothing, and is on track for the number of residents served and budget compliance.
- *Youth Development Program* at PCC is on track for its outreach goals. However, the costs of delivering this program have shown an increase.
- HSB strongly supports the PCC Youth Development and Emergency Assistance programs and is recommending full funding, with slightly reduced funding for the Community Collaboration Program.

Gryphon Place serves as the leading area agency for suicide prevention resources, including a 24/7 helpline, The Gatekeeper Program, and support groups. The organization is part of the statewide 2-1-1 information and referral system, connecting residents to a variety of resources, including housing or utility payment assistance.

YWCA continues to provide important services to families and individuals who experience sexual assault, domestic violence, or human trafficking with counseling, advocacy services, shelter, transitional housing, and legal services.

Organizations Supporting Food Security

Organizations that provide food have noticed major increases in the need for food since the pandemic began. Each organization has its own population that they serve and all noted the increased demand for food. As a result, the recommendations are to stay at the current funding or increase funding for these grant applicants:

- **Twelve Baskets** serves people at their main site and provides weekly food distribution at Selinon Apartments in Portage. Twelve Baskets also provide donated household items such as dishes, silverware, furniture, and clothing to those in need.
- **PCC** works with Loaves & Fishes to bring food for pick up at PCC for Portage residents.

- **Catholic Charities** delivers food to Colonial Acres.

Considerations

As the total funding requests received exceeded the funding available, HSB members elected not to overfund one organization at the expense of underfunding another. HSB members noted that even while the city's General Fund dollars provide a relatively smaller portion ($< \frac{1}{2}$ percent) of larger organization budgets (HRI, YWCA, and Catholic Charities), the city's funding enables these organizations to "leverage up" and successfully secure funds from other sources to support area residents. Additionally, some larger organizations successfully secured extensive funding through donations and pandemic-related funds to support their efforts, for which HSB gave consideration and made recommendations to reflect appropriately. Applicants from smaller organizations are equally meeting important community needs and rely more heavily on the city's General Fund grants to support human/public services. In acknowledgment of these factors, the HSB and staff put forth the Fiscal Year 2022-2023 human/public service funding recommendations detailed in this report for the Council's consideration and approval.

It is recommended that City Council approve the recommended FY2022-23 human/public service funding allocations from the Human Services Board following the April 26, 2022, Public Hearing on the Fiscal Year 2022-2023 CDBG Annual Action Plan.

- Community Development Block Grant Fund: Portage Community Center \$50,546
- City of Portage General Fund: Portage Community Center \$63,729; YWCA \$20,000; Catholic Charities \$22,000; Housing Resources, Inc. \$25,000; Lending Hands of MI \$5,000; Gryphon Place \$3,700; Kalamazoo Literacy Council \$2,750; Twelve Baskets \$19,918; Kalamazoo Youth For Christ \$7,500; Disability Network \$12,000.

FUNDING: A total of \$232,143 is estimated to be available for human public service funding in Fiscal Year 2022-2023.

- Attachments:**
1. Human Services Funding Evaluation Criteria
 2. HPS Applications
 3. Meeting minutes dated January 20, 2022
 4. DRAFT Meeting minutes dated February 3, 2022

HUMAN SERVICES FUNDING EVALUATION CRITERIA

In addition to the criteria listed below, which apply to the service(s) to be provided with the funding requested, the following Mission Statement for the Human Services Board will also serve as a guide to the Board in its review and recommendation of funding applications:

The mission of the Human Services Board is to facilitate the satisfaction of the basic human needs of all Portage citizens by educating and advising the City Council, Portage human service agencies, and the community at large.

1. EXTENT TO WHICH THE PROGRAM ADDRESSES A BASIC HUMAN NEED

(Refer to question 10 on the application form)

(Select only one that most closely fits)

“Basic Human Needs” are considered to include:	Score
Provision of housing (e.g. emergency, transitional, permanent, homelessness/ prevention such as eviction, foreclosure, and/or utility shut-off prevention)	100
Provision of food (e.g., direct food distribution, food bank/pantry, Meals on Wheels)	80
Provision of health and safety services (e.g., emergency services, health care, crisis intervention, etc.)	60
Provision of job training, educational services, transportation, or quality of life enhancements	40
Provision of clothing (e.g. direct, free/low-cost clothing and/or distribution)	20
None of the above	0

2. ACCESSIBILITY OF THE PROGRAM SERVICE TO PORTAGE RESIDENTS

(Refer to question 11 on the application form)

0 = Not Accessible to 25 = Easily Accessible

(Select only one that most closely fits)

“Accessibility” can be considered to be:	Score
Services located in Portage	25
Services are mobile (e.g. at a facility located in Portage or at the citizen’s location)	20
Services accessible after normal (8 a.m.-5 p.m.) business hours, 24-hour phone hot line, or other methods	15
Services available / accessible via public bus routes and/or transportation by agency	10
None of the above	0

3. DOES APPLICANT HAVE WORKING RELATIONSHIPS / COLLABORATIONS WITH OTHER ORGANIZATIONS SERVING PORTAGE RESIDENTS?

(Refer to question 13 on the application form)

0 = Fragments Service Delivery to 25 = Coordinates or Improves Service Delivery

(Select only one that most closely fits)

“Coordinates or Improves Service Delivery” can be generally considered to be:	Score
Services are unique in community and not duplicated by others	25
Services are similar to others but carefully coordinated to avoid duplication	20
Services are similar to others but Information and Referral is routinely provided to avoid fragmentation	15
Services are similar to others and some fragmentation of services occurs	10
None of the above	0

4. AMOUNT OF OUTREACH EFFORTS

(Refer to question 15 on the application form)

5 = Limited Outreach to 25 = Extensive Outreach Efforts to People in Needs

(Select only one that most closely fits)

“Extensive Outreach” can be considered to be: open houses, social/media ads, direct mailing, targeted outreach, presentations, partnerships/networks and other forms of more direct/personal contact with citizens.	Score
Outreach to Portage residents extensive and very effective	25
Outreach to Portage residents adequate and effective	15
Outreach to Portage residents is minimal and not effective	5

5. OF PORTAGE RESIDENTS SERVED, ARE MAJORITY ECONOMICALLY OR SOCIALLY DEPRIVED, SENIOR CITIZENS, OR PERSONS WITH DISABILITIES?

(Refer to question 14 on the application form)

10 = No Special or Unusual Needs to 25 = Economically or Socially Deprived

(Select only one that most closely fits)

“Economically or Socially Deprived” can be generally considered to be:	Score
Clientele is extremely low income and/or disabled and/or victim of abuse and/or other situation	25
Clientele is low income and/or senior citizens	20
Clientele is vulnerable or at risk of one of the above	15
Clientele is in need of services	10
None of the above	0

6. PERCENT OF PORTAGE CLIENTS SERVED

(Refer to question 5 on the application form)

10 = Few to 50 = Many

(Select only one that most closely fits)

“Many” clients served can be considered to be:	Score
Portage clients equals 75-100% of clients served by agency	50
Portage clients equals 50-74% of clients served by agency	40
Portage clients equals 25-49% of clients served by agency	30
Portage clients equals 11-24% of clients served by agency	20
Portage clients equals 1-10% of clients served by agency	10
Portage clients equals >1%	0

Question 7 below evaluates an organization’s ability to leverage/receive funding from other sources.

(Refer to question 6 (year started) and 3 (% funded) on the application form)

- If the program(s) and/or service provider is new to the community (less than five years), use criteria 7(A).
- If the program(s) and/or service provider is not new to the community (five or more years providing service to Portage residents), use criteria 7(B).

7(A). ABILITY OF AGENCY TO RECEIVE OTHER FUNDING

5 = Extensive to 25 = Limited

(Select only one that most closely fits)

“Limited” ability to receive other funding for “new” applicants can be generally defined as follows:	Score
Grant request equals 51% or more of the agency’s budget	25
Grant request equals 31-50% of the agency’s budget	20
Grant request equals 11-30% of the agency’s budget	15
Grant request equals 6-10% of the agency’s budget	10
Grant request equals 0-5% of the agency’s budget	5

OR

7(B). ABILITY OF AGENCY TO LEVERAGE OTHER FUNDING

5 = Limited to 25 = Extensive

(Select only one that most closely fits)

"Extensive" leveraging of other funding for "previous" applicants can be generally defined as follows:	Score
Grant request equals 0-5% of the agency's budget	25
Grant request equals 6-10% of the agency's budget	20
Grant request equals 11-30% of the agency's budget	15
Grant request equals 31-50% of the agency's budget	10
Grant request equals 51% or more of the agency's budget	5

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**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Portage Community Center, 325 East Centre Avenue,
Portage, MI 49002

2. APPLICATION TYPE: GENERAL FUND: ☐ CDBG FUND: ☒
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$40,000
FUNDING AWARDED FY 2021-22: \$38,275

3. AMOUNT OF FY 2022-23 REQUEST: \$38,275

4. MISSION OF AGENCY: Creating a better community by helping individuals and families in need.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Youth and social development, emergency assistance, program development, program coordination to host services of other agencies, affordable housing, meeting space, and volunteer opportunities.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Transportation and Emergency Assistance.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 100, 2) 1,750

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 100%, 2) 58.3%

9. AVERAGE COST OF ONE UNIT OF SERVICE: 1) \$1.40, 2) \$86.87

10. FUNDING REQUEST AS PERCENT OF BUDGET: 1) 100%, 2) 31%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Portage Community Center, 325 East Centre Avenue,
Portage, MI 49002

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$80,000
FUNDING AWARDED FY 2021-22: \$82,207

3. AMOUNT OF FY 2022-23 REQUEST: \$78,000

4. MISSION OF AGENCY: Creating a better community by helping individuals and families in need.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Youth and social development, emergency assistance, program development, program coordination to host services of other agencies, affordable housing, meeting space, and volunteer opportunities.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Youth Development, Community Collaboration, and Emergency Assistance

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 60, 2) N/A, 3) 1,750

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 100%; 2) N/A and 3) 58.3%

9. AVERAGE COST OF ONE UNIT OF SERVICE: 1) \$128.94, 2) \$33.16, and 3) \$86.87.

10. FUNDING REQUEST AS PERCENT OF BUDGET: 1) 26.6%, 2) 11.6% and 3) 32.4%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: YWCA, 353 East Michigan Avenue, Kalamazoo, MI 49007

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$19,000
FUNDING AWARDED FY 2021-22: \$19,000

3. AMOUNT OF FY 2022-23 REQUEST: \$20,000

4. MISSION OF AGENCY: The YWCA Kalamazoo is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all by offering services and programs which are designated to improve the lives of children, care for victims of abuse, promote maternal and infant health, and advance race and gender equity through advocacy and systems change.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: The Kalamazoo YWCA offers: Individual and group support, therapeutic services, criminal and civil legal support and advocacy services; shelter and transitional housing options. 24-hour crisis line and emergency response team, and Sexual Assault Nurse Examinations (SANE). Domestic and sexual violence crisis intervention, and human trafficking (sex and labor) assistance. Women's economic empowerment programs, racial justice initiatives, and community education and awareness programs.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Intimate Partner Domestic Assault Program (DAP) and Sexual Assault Program both which provide 24-hour crisis intervention, forensic exams, counseling, support/advocacy groups, and information and referral services and Human Trafficking (labor and sex) Program. The DAP also provides emergency shelter and transitional supportive housing for victims and children.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 24, 2) 32, 3) 0

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 9%, 2) 9%, 3) 0%

9. AVERAGE COST OF ONE UNIT OF SERVICE: 1) \$150, 2) \$75, 3) \$85

10. FUNDING REQUEST AS PERCENT OF BUDGET: less than 1%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Catholic Charities, 1819 Gull Road, Kalamazoo, MI 49048

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$57,000
FUNDING AWARDED FY 2021-22: \$17,000

3. AMOUNT OF FY 2022-23 REQUEST: \$17,000

4. MISSION OF AGENCY: “We are God’s hands providing housing, health, and hope to His children.” We envision respect for human dignity and ever-increasing stability and independence for individuals, families, and communities we service by restoring hope and expanding our comprehensive, innovative and proactive social services throughout southwest Michigan. The purpose of the Ark Services for Youth is to service homeless and precariously housing youth, reunifying their families or helping them achieve safe and stable self-sufficiently. The purpose of the Bread of Life Food Program is to provide supplemental food and basic necessities to families in need in southwest Michigan.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Catholic Charities fulfills its mission through the provision of services to run away and homeless youth, youth and families in crisis, pregnant and parenting women and teens, and senior citizens as well as supplemental food assistance to families in need.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: 1) Funds will support the general operating expenses (salaries, utilities, rent, supplies, food) for The ARK Shelter as well as staffing for Drop-In and Outreach services provided within the City of Portage 2) Building and utility costs at a central site, food for distribution to Portage (Kalamazoo County) residents, food transportation costs from the food banks to the central site, distribution supplies, and will pay for staffing to administer the program.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 10, 2) 700

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 10%, 2) 2%

9. AVERAGE COST OF ONE UNIT OF SERVICE: 1) \$396 per day of care, 2) \$3.72 per box of food designed to feed a family of 1-3 for four days.

10. FUNDING REQUEST AS PERCENT OF BUDGET: 1) 1.7%, 2) 2.4%

FY2022-23 HUMAN/PUBLIC SERVICE APPLICATION SUMMARY FORM

1. NAME/ADDRESS OF ORGANIZATION: Housing Resources, Inc., 420 East Alcott Street, Suite 200, Kalamazoo, MI 49001

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$29,000
FUNDING AWARDED FY 2021-22: \$29,000

3. AMOUNT OF FY 2022-23 REQUEST: \$29,000

4. MISSION OF AGENCY: The assurance of housing for socially or economically vulnerable citizens of Kalamazoo County.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: HRI provides a range of emergency, transitional and permanent housing assistance, including: Coordinated Assessment and Referral providing a community-wide housing delivery system; Homeless Prevention Services; and Permanent Supportive Housing including (Rickman House for mentally-ill single adults, additional permanent affordable rental housing complexes Pinehurst Townhomes, Summit Park Apartments, and Rosewood).

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Housing stabilization programs will provide rental housing assistance.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 230

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 12%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$2,500

10. FUNDING REQUEST AS PERCENT OF BUDGET: .162%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Lending Hands of Michigan, Inc., 2403 Helen Avenue,
Portage, MI 49002

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$5,000
FUNDING AWARDED FY 2021-22: \$5,000

3. AMOUNT OF FY 2022-23 REQUEST: \$5,000

4. MISSION OF AGENCY: To provide medical equipment to residents of a six-county service area for free for seven months.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Lend medical equipment for free to anyone for up to seven months.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Purchase medical equipment, operational expenses and update computer technology.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 844

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 19%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$19.47

10. FUNDING REQUEST AS PERCENT OF BUDGET: 7.1%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Gryphon Place, 3245 South 8th Street, Kalamazoo, MI 49009

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☐ NO: ☒
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$3,700
FUNDING AWARDED FY 2021-22: \$3,700

3. AMOUNT OF FY 2022-23 REQUEST: \$3,700

4. MISSION OF AGENCY: Help people navigate conflict and crisis, foster resiliency, restore community, and support healing.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: 1) 2-1-1 Information and Referral service that provides 24/7 Crisis Intervention and Comprehensive Information and Referral (including volunteer opportunities); 2) Gatekeeper Program for students focused on prevention and intervention of suicide and other forms of violence; 3) Dispute Resolution Services (DRS) that provides trained mediators; and 4) Critical Incident Stress Management Teams administered and coordinated by volunteers to help those impacted by traumatic events and Suicide Prevention and recovery services.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Funds will be used to provide adequate staffing levels in the contact center to provide 24/7 service coverage for 2-1-1 and crisis lines.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 3,500

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 3%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$8.34

10. FUNDING REQUEST AS PERCENT OF BUDGET: 0.29%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Kalamazoo Literacy Council, 420 E Alcott St, Suite 400, Kalamazoo, MI 49001

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: NO: X
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$2,750
FUNDING AWARDED FY 2021-22: \$2,750

3. AMOUNT OF FY 2022-23 REQUEST: \$2,750

4. MISSION OF AGENCY: Provide quality literacy education that enhances the lives of adults through programs designed to increase reading, writing, and spelling skills.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Adult literacy tutoring and free educational materials. Free speaking, reading and literacy instruction for adults who are non-native English speakers.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Instructional books, supplies and virtual learning supports for English as a Second Language of SW MI and Community Literacy Center (CLC) programs.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 115 ESL, 2) 32 CLC

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 70%, 2) 70%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$100 for instructional materials and supplies

10. FUNDING REQUEST AS PERCENT OF BUDGET: 1) 2.1%, 2) 21.7%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Twelve Baskets 10332 Portage Rd. Portage, MI 49002

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: ☒ NO: ☐
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$13,000
FUNDING AWARDED FY 2021-22: \$8,300

3. AMOUNT OF FY 2022-23 REQUEST: \$45,000

4. MISSION OF AGENCY: To lead the fight against hunger in our community while restoring hope, dignity and self-respect.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: 1) Free food distribution 2) Free clothing distribution

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Free food including a grocery cart of meat, dry goods, produce, etc. and a free store that provides clothing, bedding, OTC meds and households items.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 1) 6,795, 2) 3,120

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 1) 74%, 2) 80%

9. AVERAGE COST OF ONE UNIT OF SERVICE: 1) \$250 per cart (one per family per visit) 2) \$150 (per family)

10. FUNDING REQUEST AS PERCENT OF BUDGET: 1) 25% 2) 75%

**FY2022-23 HUMAN/PUBLIC SERVICE
APPLICATION SUMMARY FORM**

1. NAME/ADDRESS OF ORGANIZATION: Kalamazoo Youth For Christ 2528 E. Main St.,
Kalamazoo, MI 49048

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: x NO:
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$0.00
FUNDING AWARDED FY 2021-22: \$0.00

3. AMOUNT OF FY 2022-23 REQUEST: \$9,300

4. MISSION OF AGENCY: YFC reaches young people everywhere, working together with local church and other like-minded partners to raise up lifelong followers of Jesus who lead by their godliness.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: The Kalamazoo Youth For Christ provides support and educational services to at-risk youth in the community in partnership with local churches and other area resources by utilizing the City Life Holistic Community Development Model.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: For the Colonial Acres City Life Center program, provide outdoor sports equipment, electronic gaming system, and meals for club students and support an outreach event to Colonial Acres Residents.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 32

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 80%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$42.30 per student 2x per week

10. FUNDING REQUEST AS PERCENT OF BUDGET: 11%

FY2022-23 HUMAN/PUBLIC SERVICE APPLICATION SUMMARY FORM

1. NAME/ADDRESS OF ORGANIZATION: Disability Network Southwest Michigan, 517 E. Crosstown Parkway, Kalamazoo, MI 49001

2. APPLICATION TYPE: GENERAL FUND: ☒ CDBG FUND: ☐
NEW APPLICATION: YES: x NO:
MOST RECENT PRIOR YEAR REQUEST (FY 2021-22): \$0
FUNDING AWARDED FY 2021-22: \$0

3. AMOUNT OF FY 2022-23 REQUEST: \$12,000

4. MISSION OF AGENCY: Educate and connect people with disabilities to resources while advocating social change. Our vision is a community that values disability as human diversity, free of attitudinal barriers, where all people benefit with full access and inclusion.

5. SUMMARY OF ALL SERVICES PROVIDED BY AGENCY: Connect people with mobility disabilities to resources to purchase or build ramps their private residences so they can access the community independently. They coordinate builders and volunteer organizations to install ramps.

6. SERVICES PROPOSED TO BE PROVIDED WITH GRANT FUNDS: Materials and labor to build 5 to 6 ramps on the homes of people with mobility disabilities in Portage.

7. NUMBER OF PORTAGE RESIDENTS EXPECTED TO BE SERVED: 5 to 6

8. PERCENTAGE OF TOTAL CLIENTS THAT ARE PORTAGE RESIDENTS: 11%

9. AVERAGE COST OF ONE UNIT OF SERVICE: \$2,200 to \$2,500

10. FUNDING REQUEST AS PERCENT OF BUDGET: 7%

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of the Meeting – January 20, 2022

CALL TO ORDER: The City of Portage Special Human Services Board meeting of January 20, 2022 was called to order by Chairperson Spalvieri at 6:02 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue. Spalvieri welcomed new HSB member Monica Lloyd to the HSB and Riley Thomas (Youth Advisory Committee).

MEMBERS PRESENT: Chair Fiorella Spalvieri, Barbara Sagara, Effie Kokkinos, John Dillworth, Brooke Kolodzieczyk, Monica Lloyd and Riley Thomas (YAC)

MEMBERS EXCUSED: Vice Chair Stephanie Upshaw & Jihan Young. Kolodzieczyk made a motion to excuse these members, Lloyd supported and it was unanimously approved 6-0.

MEMBERS ABSENT: Erin Tornello

STAFF PRESENT: Tina Perry, Neighborhood & Housing Specialist, Daniel Harrington, City Planner/GIS.

APPROVAL OF MINUTES: The minutes of October 7, 2021 were approved by a motion by Sagara, Kolodzieczyk supported the motion and it was unanimously approved 6-0.

The minutes of December 2, 2021 were approved by a motion by Kokkinos, Sagara supported the motion and it was unanimously approved 6-0.

PUBLIC HEARINGS: None

NEW BUSINESS: FY 2022-2023 Human/Public Service Grant Applications Discussion began with a thank you by staff for everyone's on time submissions of their application rankings. Perry provided a spreadsheet showing HSB separate from staff rankings. Lloyd assisted in manipulating the sheets view to show ranking in order and better able to compare HSB and staff rankings. Discussion included modifications to the evaluation form for next year's use; an ongoing effort. Harrington created and explained multiple graphs that analyzed previous, current and proposed program funding, and cost per unit of service; previous, current and proposed Portage residents served; current accomplishment data received from completion of the first half of the current fiscal year, as well as a chart of staff's draft of proposed funding. HSB members shared a wealth of knowledge about cost/unit and quality of services; discussion about monitoring of organizations to assure proper tracking of Portage residents. Staff suggested possibility of custom reporting forms for organizations may be included in their contracts.

Perry suggested moving some of the Emergency program by PCC from the General Fund into the CDBG fund, where it was also requested resulting in fully funding the CDBG program and opening up more room for funding in the General Fund area. HSB needed to identify \$32,882 in reductions to fully fund the General Fund area. HSB began allocating funding to organizations utilizing a spreadsheet. This generated individual program discussion, ideas and some questions. Kalamazoo YFC was discussed in regards to its 2019 recommended allocation where City council rejected it due to the conflict with the spirit and intent of the City of Portage's Non-Discrimination ordinance. Perry had at length discussion with KYFC and the non-discrimination policy where they indicated by signing their

application that they agree to abide by it and serve all persons that want to participate. Thomas provided helpful information about the gaming equipment they propose. The draft allocation of funding continued though was not finalized at this meeting. Perry was asked to follow up with PCC for additional information on the proposed Community Collaboration and other proposed programs.

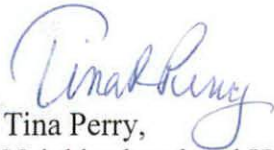
OLD BUSINESS: None

STATEMENTS OF CITIZENS: None

ADJOURNMENT:

Dillworth made a motion to table finalization of funding until the next meeting on February 3, 2022. Kolodzieczyk supported the motion and it was unanimously approved 6-0. Meeting was adjourned at 8:08 p.m.

Respectfully Submitted,



Tina Perry,
Neighborhood and Housing Specialist

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CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of the Meeting – February 3, 2022

CALL TO ORDER: The City of Portage Special Human Services Board meeting of February 3, 2022 was called to order by Chairperson Fi Spalvieri at 6:01 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue.

MEMBERS PRESENT: Chair Fi Spalvieri, Barbara Sagara, John Dillworth, Brooke Kolodzieczyk, Monica Lloyd, Jihan Young, Erin Tornello and Riley Thomas (YAC)

MEMBERS EXCUSED: Effie Kokkinos. Jihan Young made a motion to excuse Effie, Brook Kolodzieczyk supported the motion and it was unanimously approved 8-0.

MEMBERS ABSENT: Stephanie Upshaw

STAFF PRESENT: Tina Perry, Neighborhood & Housing Specialist; Daniel Harrington, City Planner/GIS; Biqi Zhao, Senior City Planner.

APPROVAL OF MINUTES: The minutes of January 20, 2022 were approved by a motion by Barb Sagara, Monica Lloyd supported the motion and it was unanimously approved 8-0.

PUBLIC HEARINGS: Brooke Kolodzieczyk made a motion to open the Public Hearing supported by John Dillworth. Chair Fi Spalvieri asked if anyone from the public wanted to make comments on the community development needs, fair housing issues, housing priorities and human/public services within the City of Portage. No comments were received at hearing or submitted in writing. Brooke Kolodzieczyk asked what methods advertise the opportunity to comment. Tina Perry responded with various methods. John Dillworth made a motion to close the public hearing supported by Brooke Kolodzieczyk.

NEW BUSINESS: Fair housing Month Resolution: Tina Perry provided a draft proclamation to be forwarded to City Council declaring April 2022 Fair Housing Month. Chair Fi Spalvieri asked if there was a board member that would be willing to attend the March 22, 2022 City Council meeting to read the proclamation. Jihan Young volunteered to attend the City Council meeting. A word correction in paragraph four was made. Barb Sagara made a motion to forward to City Council to declare April Fair Housing Month, John Dillworth supported the motion. It passed unanimously 8-0.

OLD BUSINESS: FY 2022-2023 Human/Public Service Grant Application discussions continued with Tina Perry providing requested information. Effie Kokkinos updated her rankings. HSB recapped about the funding allocations and rankings that were started at the January 20 meeting. Much discussion took place and the HSB was able to complete their recommendations. Both staff and HSB recommend moving a portion of PCC's General Fund Emergency Assistance request into the CDBG program, to fully utilize that program and allow more funds in the General Fund to be allocated to service agencies. HSB discussed Kalamazoo Youth for Christ (KYFC) in depth as City Council had not funded them in 2019. Since then the HSB Funding application includes the City of Portage non-discrimination policy. KYFC has reviewed it and indicates they serve everyone that wishes to participate. A motion was made

by Brook Kolodzieczyk to approve the funding recommendations in the table following and send to City Council for approval. John Dillworth supported the motion and it unanimously passed 8-0.

GENERAL FUND FY2022-2023					
	\$	181,597	Max Available		
Applicant	Program	FY2022-2023 Request	FY2021-2022 Funding	Staff	HSB Recommended
Catholic Charities	Ark for Youth	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
Catholic Charities	(Prev not funded) Bread for Life	\$ 5,000	\$ -	\$ 5,000	\$ 5,000
Disability Network Southwest MI	(New Prgm) Ramp Up	\$ 12,000	\$ -	\$ 12,000	\$ 12,000
Gryphon Place	2-1-1 Information & Referral	\$ 3,700	\$ 3,700	\$ 3,700	\$ 3,700
Housing Resources, Inc.	Housing Stabilization Programs	\$ 29,000	\$ 29,000	\$ 29,000	\$ 25,000
Portage Community Center	Youth Development	\$ 32,000	\$ 30,000	\$ 20,847	\$ 32,000
Portage Community Center	Community Collaboration	\$ 12,000	\$ 16,000	\$ 12,000	\$ 10,000
Portage Community Center	Emergency Assistance	\$ 34,000	\$ 36,207		\$ 21,729
Kalamazoo Literacy Council	ESL of SW MI	\$ 1,875	\$ 1,875	\$ 1,875	\$ 1,875
Kalamazoo Literacy Council	Comm Literacy Ctr @ Prince of Peace	\$ 875	\$ 875	\$ 875	\$ 875
Twelve Baskets	Food Pantry	\$ 30,000	\$ 10,093	\$ 30,000	
Twelve Baskets	(Prev not funded) Free Store	\$ 15,000		\$ 15,000	\$ 5,000
Kalamazoo Youth For Christ	(Prev not funded by CC) Colonial Acres City Life Center	\$ 9,300	\$ -	\$ 9,300	\$ 7,500
YWCA Kalamazoo	Sexual Assault	\$ 7,000	\$ 6,500	\$ 7,000	\$ 7,000
YWCA Kalamazoo	Domestic Abuse	\$ 12,000	\$ 11,500	\$ 12,000	\$ 12,000
YWCA Kalamazoo	Human Trafficking	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Lending Hands of MI, Inc.	Equipment, Operations, Technology Updates	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Totals:	\$ 226,750	\$ 168,750	\$ 181,597	\$ 166,679
CDBG FY2022-2023 Requests					
	\$	50,546	Max Available		
Applicant	Program	Request			
Portage Community Center	Transportation Assistance	\$ 5,250	\$ 4,618.00	\$ 5,250	\$ 5,250
Portage Community Center	Emergency Assistance	\$ 33,025	\$ 33,675.00	\$ 45,296	\$ 45,296
	Totals:	\$ 38,275	\$ 38,293.00	\$ 50,546	\$ 50,546

STATEMENTS OF CITIZENS: None

ADJOURNMENT: Barb Sagara made a motion to cancel the March meeting and adjourn this meeting. Monica Lloyd supported the motion and it unanimously passed 8-0. Meeting was adjourned at 6:58 p.m.

Respectfully Submitted,

Tina Perry,
Neighborhood and Housing Specialist