FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
JULY 12, 2016

7:30 p.m. Call to Order.

Invocation: Mr. Tim Earl.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of City Council Meeting Minutes.

1. Regular Meeting Minutes of June 14, 2016.

2. Regular Meeting Minutes of June 28, 2016.

3. Pre-Council Meeting Minutes of July 7, 2016.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of July 12, 2016 as presented.

D. Public Hearings:

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council accept the request of the Gourdneck Lake Association and adopt a Resolution to establish a lake board for Gourdneck Lake, in accordance with Part 309 of Public Act 451 of 1994, Inland Lake Improvements.

* 2. Communication from the City Manager recommending that City Council adopt the resolution establishing a stipend for City Council electronic devices and direct the City Manager to create a City Council policy for administration of the benefit.

* 3. Communication from the City Manager recommending that City Council approve the payback agreement between the City of Portage and American Village Development II, LLC, for installation of sanitary sewer and authorize the City Manager to sign all documents related to this matter on behalf of the city.

* 4. Communication from the City Manager recommending that City Council approve a change order in the amount of $33,236.50 to Rieth Riley Construction to perform the asphalt paving portion of the Portage Creek Bicentennial Park Trail Relocation Project and authorize the City Manager to sign all documents related to this action on behalf of the city.

G. Communications:

1. Communication from Harry Haasch, Executive Director of Public Media Network.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Public Schools Board of Education Regular of May 16 and Committee of the Whole of June 13, 2016.

2. Portage Planning Commission of June 16, 2016.

J. Council Committee Reports:

K. New Business:

L. Bid Tabulations:

M. Other City Matters:

1. Statements of Citizens.

2. From City Council and City Manager.

* 3. Reminder of Meetings:

a. Wednesday, July 13, 7:00 p.m., Environmental Board, City Hall Room No. 1.

b. Thursday, July 14, 8:15 a.m., Historic District Study Committee, City Hall Room No. 2.

c. Tuesday, July 19, 10:00 a.m., Board of Review, City Hall Room No. 1.

d. Wednesday, July 20, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.

e. Thursday, July 21, 7:00 p.m., District Library Board, Portage District Library.

f. Thursday, July 21, 7:00 p.m., Planning Commission, Council Chambers.

g. Tuesday, July 26, 6:00 p.m., Portage City Council Committee of the Whole, City Hall Room No. 1.

N. Materials Transmitted.

* 1. Materials Transmitted of June 17 and June 28, 2016.

Adjournment.

PORTAGE
A Natural Place to Move

TO: Honorable Mayor and City Council

FROM: James Hudson, City Clerk

SUBJECT: Regular Meeting Minutes of June 14, 2016.

ACTION RECOMMENDED: That City Council approve the June 14, 2016 Regular Meeting Minutes as originally presented in the June 28, 2016 Council Agenda Packet.

Upon review of the corrected meeting minutes of the Regular City Council Meeting of June 14, 2016, the DVD version of the meeting shows that the minutes as presented were accurate and did not need to be corrected. On page 6 and 7, Councilmember Pearson made an amended motion to allow for the public hearing in question to take place in one month instead of two weeks (July 12, 2016, instead of June 28, 2016) and Mayor Pro Tem Ansari seconded his motion. After a lengthy discussion, Councilmember Pearson "withdrew his second" and Mayor Strazdas confirmed that he "withdrew his motion."

FUNDING: N/A

Attachments: 1. 2016 06 14 CC Minutes

CITY COUNCIL MEETING MINUTES FROM JUNE 14, 2016

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

At the request of Mayor Strazdas, Reverend Aaron Sorrels of Lord of Life Lutheran Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, the City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Larry Shaffer, Assistant City Attorney Charlie Bear and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Randall, seconded by Ansari, to approve the May 24, 2016 Regular Meeting Minutes. Upon a voice vote, motion carried 6 to 0 with Councilmember Reid abstaining.

Motion by Randall, seconded by Reid, to approve the Pre-Council Meeting Minutes of June 13, 2016, as presented. Upon a voice vote, motion carried 5 to 0 with Councilmembers Ford and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that Item F.5, Non-Discrimination Ordinance, be removed from the Consent Agenda, and Councilmember Randall asked that Item F.2, Fiscal Year 2016-2017 Community Development Block Grant and General Fund Contracts, be removed from the Consent Agenda.

Motion by Randall, seconded by Ford, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 14, 2016:** Motion by Randall, seconded by Ford, to approve the Accounts Payable Register of June 14, 2016. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

REQUEST FOR PERMISSION TO ENCROACH ON CITY PROPERTY: Mayor Strazdas indicated receipt of two letters from Joshua J. McBarnes, J.J. Real Estate Investments, L.L.C., dba Paramount KZOO Landscape Services, 1151 West Milham Avenue, which contained a request for permission to encroach on City property located west of 5798 West Heverly Avenue. City Manager Larry Shaffer said that this request just came in and staff has not had time to digest it. Also, he indicated that in order to consider the request more completely, prepare a recommendation to City Council and prepare for discussion, he asked that Council refer it to the Administration for review and recommendation at the next City Council meeting.

Motion by Pearson, seconded by Randall, to refer the request for permission from Mr. Joshua McBarnes to encroach on city property located at 5798 West Heverly Drive to the Administration for review and recommendation.

Councilmember Reid asked if Mr. McBarnes is here, could he speak to the request? Mayor Strazdas asked Joshua McBarnes of Paramount KZOO Landscape Services, and Christopher Rowe, 5798 Heverly Drive, for a framework and a context to their request to help in understanding the request. Mr. McBarnes indicated Chris Rowe's property abuts up to the east side of the retention pond in the Harbors neighborhood and City property comes 10 feet east of that fence line. He said the request is to install an irrigation system on that property, to put a fire pit in there and to build a forty foot retaining wall on the Rowe property; this would add 1,000 square feet with the potential of moving the fence into the retention pond more. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **DELINQUENT WATER AND SEWER BILLS:** Motion by Randall, seconded by Ford, to order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2016, will be transferred to the 2016 city tax roll and assessed against the property for which the services were furnished. Upon a roll call vote, motion carried 7 to 0.

FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT AND GENERAL FUND CONTRACTS: Mayor Strazdas introduced this item and deferred to Councilmember Randall, who indicated that she was in favor of dispersing the funds to all of the organizations chosen by the Human Services Board (HSB). However, she wants City Council to look at the policy and parameters used to judge who gets Human Services funds. She asked for a greater emphasis on non-profit organizations within Portage that are serving primarily Portage residents as she feels the current grading system does not do this. She shared that she knows of several organizations who deserve funding from the City, but have never received the application because they do not know the process, however. She asked that City Council take time to review this and give direction to the HSB in order to better meet the needs of our community. Mayor Strazdas summed up by saying there are two action: first, is to approve the contracts and authorize the City Manager to execute the applicable documents; and second, to have a Committee of the Whole (COW) and include the Human Services Board (HSB) subcommittee to meet with City Council to discuss the formula used for dispersing funds through the Community Development Block Grant (CDGB) process.

Motion by Reid, seconded by Randall, to approve the Fiscal Year 2016-2017 Community Development Block Grant contracts and General Fund human/public services contracts, and authorize the City Manager to execute all documents related to the contracts on behalf of the city. Discussion followed. Upon a roll call vote, motion carried 6 to 0 with Mayor Pro Tem Ansari abstaining from Item F.2, Fiscal Year 2016-2017 Community Development Block Grant and General Fund Contracts, because he serves on the Portage Community Center Board and his daughter serves on the Lending Hands Board. Discussion followed regarding the HSB formulas that go out to the various agencies. Mayor Strazdas asked that each Councilmember voice his or her concerns about the current grading system or submit them in writing to City Manager Shaffer by the end of the week in order to allow him to bring recommendations to City Council. He also indicated he will probably call for a Committee of the Whole (COW) to work through the recommendations if necessary.

Councilmember Pearson indicated within the last five years, City Council has received the formula, but has not reviewed the formula; yet, he has the same questions as Councilmember Randall and suggested instead of written questions and written answers, that Council hold a COW for thirty minutes before a Regular City Council Meeting with Ms. Georgeau, so Council can ask questions and get comments on the fly to know whether they are realistic or not, and explained the importance of giving live input. Mayor Strazdas agreed and asked Mr. Shaffer to check each Councilmember's calendar to set such a meeting.

Councilmember Ford asked Ms. Georgeau to review the HSB schedule, and she said that the Board just met June 2 and checked their calendars for a meeting of a subgroup to review funding criteria, debrief and discuss the grading criteria. She also indicated that the Board cancelled the July and August meetings unless City Council brings them an action item. She pointed out that the subgroup usually meets in September to report their findings and thoughts about changes to the criteria and application forms. She expressed the need to release the application in November in order to get the applications back in December to start the process all over again. With that, Mayor Strazdas suggested a COW sometime before the next two Council Meetings to discuss this matter.

Mayor Pro Tem Ansari asked whether this matter could be a part of the next COW Meeting, and Mr. Shaffer indicated the next COW was set for some time in September at which time Council would be considering purchasing procedures. Mr. Shaffer suggested setting this COW on July 12, 2016, to allow time to prepare, if City Council agrees. Mayor Strazdas indicated that Mr. Shaffer has each of the Councilmember's schedule and would work for a mutually amenable date.

Councilmember Reid noted that it might be advantageous to invite at least the HSB subgroup to the COW to let them hear questions of Council and provide feedback and rationale for why things are the way they are to provide direction to them in September regarding how to revise the form to accommodate any revisions in the criteria before it goes out in November. Mayor Strazdas concurred.

Motion by Pearson, seconded by Randall, to ask the City Manager to find a time within a month to have a Committee of the Whole (COW) and include the Human Services Board (HSB) subcommittee to meet with City Council to discuss the formula used for dispersing funds through the Community Development Block Grant (CDGB) process. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

* **BOND COUNSEL SERVICES:** Motion by Randall, seconded by Ford, to accept the five-year proposal to renew the Bond Counsel and Financial Services Contract with Axe & Ecklund, P.C., and authorize the City Manager to execute all documents related to the contract. Upon a roll call vote, motion carried 7 to 0.

* **CRASH/CRIME/FIRE SCENE ILLUSTRATOR – SOLE SOURCE PURCHASE:** Motion by Randall, seconded by Ford, to approve the sole source purchase of a Focus3D X 330 HDR Laser Scanner from FARO Technologies of Lake Mary, Florida, at a total cost of $83,699 and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

NON-DISCRIMINATION ORDINANCE: Councilmember Urban commented that since he raised this issue at the December 2015 City Council Retreat, and asked for the development of this Ordinance, the conversation about LGBT (Lesbian, Gay, Bisexual, Transgender) civil rights and laws openly discriminating against all or part of the LGBT community have changed, but the prejudice, bigotry, fear and hatred has not changed. He said it has gotten more press coverage and the battle for and against LGBT has gotten louder. He noted that actions, both good and bad, have taken place in North Carolina, Mississippi, Arizona, Michigan and 18 other states. Also, since he raise this issue, President Obama and his Administration have taken the positive action of reminding states that discrimination based on sex, including LGBT status, is a violation of Title 9 and "endangers Federal Funds." He mentioned that there has been a vitriolic response by many state legislators and state administrators; and, now he said we have the horrendous exclamation point of hatred in the actions in Orlando Sunday morning.

He pointed out that when he first raised the need for a LGBT Non-Discrimination Ordinance, someone asked, "Do we need this?" He answered "of course" and said that he is embarrassed that this has to be done on a local level because the Michigan State Legislature and the United States Congress have failed to do it on their respective levels. He made distinctions among the states and the various levels of progress in this effort, and cited the various forms of discrimination allowed in Michigan against members of this community, including employment, housing and the refusal to serve at a restaurant.

He said while LGBT discrimination is legal, it legitimizes prejudice, bigotry and hatred; and, until we do not tolerate, as legal, these forms of public discrimination we cannot hope to eliminate the bigotry and hatred in our society. He explained and cited examples to support his position. He emphasized that every local protection added citizens become aware of the need for national protection, and that all of our citizens deserve our respect as people and our protection against discrimination. He summed up and said the Non-Discrimination Ordinance is needed because LGBT individuals deserve the same civil rights as others. He discussed some of the objections raised and some of the exemptions that would apply. Discussion followed and Councilmember Urban offered to make a motion.

Mayor Strazdas deferred to City Manager Shaffer for an explanation, and Mr. Shaffer indicated that the proposed action is for City Council to accept the Non-Discrimination Ordinance for a first reading and set a public hearing, after which to take final action on June 28, 2016. Mayor Strazdas outlined the procedure for public discussion on this matter and indicated that the Ordinance is not subject to approval or disapproval at this meeting and explained.

Cheryl Gilliam, 9727 Southern Oaks Court, spoke in favor of the LGBT Non-Discrimination Ordinance and proposed that the Ordinance could be shortened to read in effect, that we are all born human, and we all should have all of the other rights of all of the other humans.

Former Mayor Pro Tem John Zull, 416 Barberry Avenue, concurred with Ms. Gilliam, and explained that the Civil Rights movement was an affirmative attempt, that was supposed to be limited in duration, to resolve issues that were still unresolved among people owing to a history of slavery in the country. However, he explained that it has been extended to include an expansion of the population base and this has resulted in conflict among people rather than unity. He did not question Ms. Gilliam's rights at all, but questioned whether the process is fair to everyone concerned in terms of this affirmative approach. He suggested that the work of the Human Services Board (HSB) is incomplete because the Board only heard from authors or proponents of the policy that would be proposed to City Council under the leadership of Councilmember Urban. He indicated that the Board should have made time to hear from the countervailing view. He acknowledged that the City did everything in their power to let people know that the HSB was having a hearing on the matter, but this effort does not always work. He indicated that this issue is very important, and it would be wise and prudent for Council to let people with the countervailing view to be heard by the HSB. Finally, he asked that Council put this issue on a ballot for a vote of the public.

Former Mayor Betty Lee Ongley, 8620 Tozer Court, representing the Unitarian Universalist Community Church, 10441 Shaver Road, read a statement from her Church fully in support of the Non-Discrimination Ordinance.

John Fisher, 3506 East Shore Drive, thanked Councilmember Urban for his presentation, for reminding the public that we cannot discriminate against someone carrying too much weight and spoke in favor of the Ordinance. He explained that his Portage Central High School choir teacher and mentor was critical to his development. He then conveyed that he found out ten years after graduation that his choir teacher was a homosexual, but that did not matter to him. He stated it is unconscionable that if his choir teacher had revealed his status that he would have lost his job, and he would have lost a mentor. He held out that discrimination is not abstract and is detrimental to the health and vitality of the wholeness of our community, and reminded everyone that in light of the events this last week, we know how we contribute to violence when we fail to "accept fully." He discussed the Supreme Court case, *Loving v. Virginia*, which invalidated laws against interracial marriage, and reflected negatively on the derogatory name-calling of his classmates who called Leon Roberts, the Portage Northern athlete, a "half-breed" trying to "get under his skin." With that, he urged Council to end this unhealthy, unwholesome discrimination.

Phil Stinchcomb, 1607 Bellaire Avenue, questioned whether Section 24-151. (ii) "nothing in this ordinance requires the construction or provision of unisex single user restrooms, changing rooms, lockers or shower facilities" means if a man wants to use a woman's restroom, will he be disallowed to do that, or is Council saying to the people of Portage that depending upon what you think you are, you can go into that restroom in a public facility? He agreed with Councilmember Urban that this should not be a local issue, but a State or Federal decision; however, he questioned the need for exceptions for any class because a law is only fair if it is fair for everybody, and cited churches, religious organization, affirmative action programs, bona fide employment requirements, etc. as examples. Finally, he asked for a clarification of the $500 fine requirement under Section 24-156, Penalties. Discussion followed.

Scott McGraw, 10608 Dandale Street, concurred with John Zull and Phil Stinchcomb, and indicated he did not feel the Ordinance was properly vetted at the HSB level. He respectfully requested that City Council refer it back to the HSB for further review and input from both sides.

Ginger Clifton, 3429 Woodhams Avenue, indicated that her family chose Portage because of the high quality schools, diverse community and safe community. She said that they were not a member of the LGBT community when they moved here 1½ years ago; however, one month after moving in, one of their three children came out to her as transgender, and everyone here could be one day away from a loved one, family member or someone you care about coming out as gay, lesbian or transgender. She pointed out if the Ordinance does not pass, you can legally deny employment, housing, a family dinner at a restaurant or seeing a movie together to not only her child, but also to her or my husband. She said her child is recognized now with a United States Passport as female, uses the restrooms in Portage and there are no issues; also, she is not a harm to society, nor is she trying to engage is some sexual behavior; she is simply trying to use the bathroom. With that, she asked that Council pass the Non-Discrimination Ordinance on behalf of her family, her friends and her co-workers in the community.

Larry Provancher, 7414 Starbrook Street, thanked Councilmember Urban for his Ordinance and said he is a long-time supporter of inclusiveness and accepting all people. He mentioned an incident with his wife who he said is a naturalized citizen, is from Columbia, is not white, speaks with an accent and a Portage resident since 1963: after Nine Eleven, he and his wife were talking at a gas station in Portage when a lady jumped out of a pick-up truck and yelled at his wife, "Why don't' you go back to your own country?" He expressed his frustration and told his wife that the best thing to do was to say nothing. He said anything we can do to promote inclusiveness and diversity is a good move and said he is in favor of the Ordinance.

Reginald Clapp, 1522 Rockledge Court, Apt. 1, Kalamazoo, spoke in opposition to the Ordinance suggesting it proposed something that is perverse and discriminatory against the majority of the people. He said when he was growing up, gay meant happy or happy-go-lucky and suggested that the LGBT community has perverted this term to mean something sexual. He pondered whether the daughter of Ms. Clifton had been influenced by the behavior of other people to decide she was a female. He indicated that if he had children, he would not want them to be influenced to engage in perverted behavior and said there is nothing positive about that behavior, and gave the examples that there is no way two women can have children together and two men having sex is perverted behavior. With that, he urged Council to not pass the Ordinance. He mentioned that he is a single guy, and could go around and allege he is discriminated against because he is single. And though he had no problem with it, he cited the time when he was the first guy to lose a job for the reason that he did not have a family. He indicated that the LGBT community is "trying to discriminate against us because we don't agree with them" and force him to agree with that kind of behavior. He indicated that in 2009, the gay community was about 1% of the population and now claim to be 4% which means that 96% are not gay, so why should we be forced to accept this. He referred to the recent shooting at a gay bar in Orlando, Florida, and indicated that the shooter is suspected as being a gay person instead of an alleged terrorist. With that, he again urged Council to not pass the Ordinance because it is discriminatory against the majority of people.

Glenn Smith, 10143 Portage Road, a Portage business owner, indicated he showed up here for a different reason; however, upon listening to Councilmember Urban, he began feeling a lot of pride in the fact that he lives in a City where we have progressive ideas and people in places of leadership who have the courage to stand up and make this kind of proposal. He said that this Ordinance will make our community better from within and better looking to those outside our borders. He said a city that is diverse, inclusive and progressive, plus has a conscience towards being fair to every member of society, will thrive; and, without that characteristic, we wither on the vine in every respect, economic, social and even religious. He urged a vote in favor of the Ordinance.

Katheryn Greaves, 2651 Woody Knoll, expressed her appreciation for Council taking up this Ordinance because the elected State officials are unwilling to do this. She indicated she works in Battle Creek for the Kellogg Company and teaches in Kalamazoo for Western Michigan University, and she can never be fired from her job at either place because each city has Ordinances to protect her as a lesbian. She pointed out that the Ordinance protects everyone in the room from being denied a seat at a restaurant, employment, housing and services if they are perceived as being of the LGBT community.

Julie Ann Bauer, 6262 Quail Run Drive, Kalamazoo, indicated that she was discriminated against because she was perceived as being gay although she is not. She stated she had issues at Church, in her neighborhood and at work because it was rumored she was gay.

Stasia Taverna, 5105 Bronson Boulevard, expressed her appreciation for Council taking up this Ordinance. She described her four children and stated her older three boys will not have the issues that her youngest child will have. She said her eleven year-old, Addison, transitioned one year ago on Sunday; that they celebrated at Kalamazoo Pride and felt a lot of love from the community of Kalamazoo, Portage and neighbors. She expressed her wish to have her daughter live in this wonderful community with the support of her neighbors, her friends and her government. She said it takes a lot to state the truth and shared that her truth is love. She said she loves Portage, her home and her family. She then asked Council to pass this Ordinance in order for everybody else to feel safe and secure.

Lori Batzloff, 1116 Southern Avenue, Kalamazoo, spoke in favor of the Ordinance. She also mentioned that the City of Kalamazoo submitted a similar Ordinance for a vote of the people, and it passed by almost 3,000 votes. She disclosed her objection to placing it on the election ballot based on the fact that these are civil rights. She said that she was unaware of any problems caused by the enactment of the Kalamazoo Non-Discrimination Ordinance. In fact, she shared that it has made Kalamazoo more welcoming and more attractive to everyone. Discussion followed.

Motion by Urban, seconded by Reid, to accept the Non-Discrimination Ordinance for a first reading and set a public hearing for June 28, 2016, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, take final action on June 28, 2016.

Councilmember Pearson noted that Section 24-156 (b), Penalties, is puzzling to him and asked for full clarity so a Judge knows the full intent of this section; or whether an owner who denies a lease of an apartment to a gay couple suffers a $500 fine or a $90,000 fine, and on which day does the fine begin. Assistant City Attorney Charlie Bear prefaced his response by indicating that he has not worked on this Ordinance, but that this section is typical of any municipal civil infraction, and explained that there is a statutory provision that each day upon which a violation exists constitutes a new violation. He explained that what typically happens is a single citation is issued, processed through the court and there is the potential to file a second infraction, but this does not typically happen; so, in most instances, the City would be dealing with a single infraction and fine, and sees no difference in treatment than any other municipal civil infraction. Councilmember Pearson expressed his desire to know from the other jurisdictions that have this Ordinance the amount of time they have had the Ordinance, the number of court cases they have had, and whether the fine is limited to $500, or is it like his example of going for six months and a $90,000 fine. Discussion followed.

Mayor Strazdas asked for some “rich questions that are out there” to be presented to the Administration who can then provide answers either before or during the public hearing. Discussion followed.

Mayor Pro Tem Ansari asked for more time to consider the Ordinance for at least a month to allow time to appropriately address all of the questions that may arise. Discussion followed.

Motion by Pearson, seconded by Ansari, to amend the motion to allow for the public hearing to take place July 12, 2016, instead of June 28, 2016, to allow time to answer questions similar to the one he asked of Assistant City Attorney Bear and those asked by Phil Stinchcomb. Discussion followed.

Councilmember Reid spoke against the amendment saying that the HSB had two emails and the article on the front page of the *Portager* showed that the public was aware that the Non-Discrimination Ordinance was being addressed and the public had the opportunity to present his or her input. She noted that the answers to the questions posed this evening will be provided in two weeks, and any modifications in the Ordinance can be referred back for revision, so Council can then decide whether what is presented is what Council wants or not. So, she was not in favor of pushing it back for a month since it can be done in two weeks. Discussion followed.

At the request of Councilmember Ford, Assistant City Attorney Bear indicated that no new Ordinance posting would be necessary since the First Reading to the Ordinance has been noticed. Councilmember Pearson restated his need for an explanation of whether an owner who denies a lease of an apartment to a gay couple suffers a $500 fine or a $90,000 fine, and on which day does the fine begin, and Mr. Bear assured him that a full explanation would be forthcoming. In answer to Councilmember Reid, Mr. Bear indicated that the answers to Council's questions should be available for the next meeting in two weeks.

Mayor Pro Tem Ansari indicated that those who could not make the meeting tonight may have questions that they would like addressed, and postponing action for an extra two weeks gives the City Attorney and City Administration the time needed to provide answers to all of the questions from the Council and the public. Councilmember Pearson expressed his support for the Ordinance, but emphasized the need for answers to his questions and to allow for minor changes, if necessary.

Councilmember Urban demonstrated that there is time to answer the questions before the next meeting in the context of the public hearing and, after the public hearing and based upon what we hear, if we recognize that there need to be changes in the proposed ordinance, we can put them in at that time and vote on it that night; or, we can delay action and ask the City Attorney for a new draft. Discussion followed.

City Manager Shaffer indicated that the Ordinance does not anticipate the matriculated process; it begins with a conciliation process. He noted that Kalamazoo, Oshtemo and Kalamazoo Township have fundamentally the same language as Section 24-156 (b). Penalties. He said he cannot be certain that any of them have issued a citation, as the Ordinance is designed to channel complaints to the City Manager's office where facts are sorted out, discussion ensues and the individual who has the complaint lodged against is brought in. He pointed out that it is an education process; it's a building process; so, it anticipates that it is the initial stage where all of your time and energy is spent. He indicated that if the conciliation process is unsuccessful, then there is the option to issue a violation, but it is not anticipated that the violations would be ongoing, day after day. He assured Council that when the issue was taken up at the HSB, the focus was on education and conciliation rather than employing the more punitive components of this proposed ordinance.

In answer to Councilmember Pearson, Mr. Bear assured him that a response to his question would be available a few days before the public hearing and not just before the meeting. With this and the understanding of the explanation from Mr. Shaffer, Councilmember Pearson withdrew his motion.

Discussion followed. Councilmember Reid encouraged anyone with questions regarding this matter should present them to the City Manager or to any Councilmember. Mayor Strazdas said that what is important is that the city do it right, not to move fast or slow. Discussion followed. Councilmember Urban outlined the time and care taken to write this Ordinance, to present it openly to the public and to provide full deliberation.

Mayor Strazdas recognized three factions who have an interest in this Ordinance; asked that they meet with the City Manager to discuss the details; and, that he wants everyone to have an opportunity to address this Ordinance and get answers to their questions prior to the public hearing. Mr. Shaffer concurred and indicated that he would be happy to meet with anyone at any time, and would be delighted to facilitate it.

Councilmember Pearson restated his approval of the Ordinance, and asked that the City Attorney bullet point the differences between the proposed City of Portage Non-Discrimination Ordinance and the Ordinances from the Oshtemo/Kalamazoo/Kalamazoo Township. Discussion followed.

Mayor Strazdas called for the question. Upon a roll call vote, motion carried 7 to 0. Discussion followed and Mayor Strazdas asked everyone to maintain civility when addressing this issue.

COMMUNICATIONS:

COMMUNICATION FROM JOHN SPEETER, CHAIR OF THE LONG LAKE GOVERNMENTAL LAKE BOARD: After introducing the item, Mayor Strazdas asked Mr. Shaffer for comments and recommendation regarding the letter from John Speeter, Chair of the Long Lake Governmental Lake Board, requesting a continuation of the Long Lake aquatic weed control program. Mr. Shaffer reviewed the letter from Mr. Speeter and the Long Lake Governmental Lake Board asking for the continuation of the program that has been in place since 2011 with the addition of a water testing component and recommended City Council endorsement of the request.

Councilmember Urban, who sits on the Board, informed Council and the audience of a new letter from Mr. Speeter, who took over as Chair of the Long Lake Governmental Lake Board. He noted that the Resolution from the Board Attorney lists a lot of past accomplishments by the Board that do not really have to be in the Resolution, mentioned some of them and indicated that the consultant recommended a new special assessment which has nothing to do with City Council, only the Long Lake Governmental Lake Board. He intimated after a debate over whether the addition of the recommended water testing required City Council approval, the Attorney provided the Resolution and the Board Chair sent it to City Council, but without referencing the Water Quality Check Program. In conclusion, the only important part of the Resolution for consideration is the charge for the Water Quality Check Program component contained in the *Now Therefore* segment of the Resolution since the Long Lake Governmental Lake Board is already implementing the weed management portion contemplated by the Resolution. Councilmember Urban said by adopting the Resolution, City Council enables the Board to do the study, determine the scope, hold the public hearings and assess the special assessment. Mayor Strazdas questioned the timing of the receipt of the revised letter from Mr. Speeter which Councilmember Urban said was on line as of Monday, June 13, 2016. Discussion followed and Councilmember Urban stressed that City Council does nothing except allow the Governmental Lake Board to investigate, take public comment, hold public hearings, then decide whether there is a need for a water testing program. In answer to Mayor Strazdas, Councilmember Urban said there is an urgency as both the City of Portage and Pavillion Township must adopt the Resolution; however, Pavillion Township only meets once a month, took action last night, and waiting a month to have commensurate Resolutions from both municipalities delays the notice requirements and negatively affects the timeliness of the program. In answer to Mayor Strazdas, Councilmember Urban indicated that he did not know if Pavillion Township adopted the Resolution last night, but felt positive that he would have been notified had they not.

Councilmember Ford asked if there were any concerns regarding the water quality of Long Lake, so Councilmember Urban distinguished the type of water quality testing as it is not testing the levels of e coli or bacteria; rather, it is testing the levels of phosphorus, nutrients, oxygen, etc., that relate to weed growth. He said this was recommended by the consultant since the process is now going into a maintenance mode and will add only a few extra dollars to the special assessment. He reflected that there was discussion regarding whether the Water Quality Check Program needed a new Resolution, or whether it was a part of the weed program, and the Board Attorney advised that a new Resolution was necessary.

At the request of Mayor Strazdas, motion by Reid, seconded by Urban, to receive the communication from John Speeter, Chair of the Long Lake Governmental Lake Board, requesting a continuation of the Long Lake aquatic weed control program, and to adopt the Resolution Regarding Long Lake Improvement Pursuant to the Inland Lake Improvement Act and direct the Governmental Lake Board for Long Lake to proceed with the necessary steps to improve Long Lake.

In answer to Mayor Pro Tem Ansari, Councilmember Urban said that the intent is to treat this (special assessment) as any other charge from the Lake Board; he noted that under State law, an engineering report is necessary and, in this case, it is a consultant's report. He also restated that the Board has to determine the scope, hold the Public Hearing of Necessity and get input from the residents; afterwards, the Board makes the decision on the special assessment, which is already being done on the treatment of the weeds. He continued by saying that the Board sets an assessment amount for the Water Quality Check Program and will probably fold it into the weed assessment amount which will add only a few dollars to the existing assessment. City Council does nothing beyond tonight; however, he noted that because the City of Portage has property on the lake, the City is assessed an amount under each special assessment.

Councilmember Pearson reflected that because this is a minor component of the special assessment, he at first wondered whether Council needed to address it, but owing to the opinion of the Board Attorney, he now agrees with the involvement of Council and would be supporting the motion. Councilmember Urban responded that in the interest of being open and fully transparent, the Board Attorney opined that it should be brought to Portage City Council and the Pavillion Township Board, and noted that all of the steps of the special assessment, including two public hearings, will have to be taken for this action. Upon a roll call vote, motion carried 7 to 0.

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

Portage Human Services Board of May 26, 2016.
Portage Planning Commission of May 19, 2016.

COUNCIL COMMITTEE REPORTS:

KALAMAZOO COUNTY ENVIRONMENTAL HEALTH ADVISORY BOARD: Councilmember Ford discussed a presentation at the Kalamazoo County Environmental Health Advisory Board Meeting from Kalsec (Natural Flavors, Colors, and Extracts) composting facility recently built in Cooper Township, and mentioned that they add chilies and rosemary to the soil to help farmers grow good products in recycled material. He also mentioned that the Board discussed non-potable wells and that his impression is that the County plans to do something with them as well.

Motion by Randall, seconded by Reid, to receive the verbal report from Councilmember Ford regarding the discussion at the Kalamazoo County Environmental Health Advisory Board Meeting. Upon a voice vote, motion carried 7 to 0.

COUNTY CONSOLIDATED DISPATCH – 911: Councilmember Reid reported on the County Consolidated Dispatch Finance Committee which is anticipating doing the investigation necessary to be able to bring to the entire Dispatch Board a proposal related to how we are going to be able to fund Consolidated Dispatch. In order to answer that question. She said the group has to determine what exactly that is going to look like and where it is going to be housed, so the question continues to be more and more complex. She anticipated that the Finance Committee will be bringing a proposal forward at the next meeting in July 2016 to allow for time to provide a Resolution placing an issue on the November ballot. She indicated that this matter is still under discussion and there are a lot of different ways this project can be put together, so the Board has a decision to make. She said that the Finance Committee is meeting on a weekly basis at this point, and she expressed her optimism that she will bring back better information about what is happening at the next Council Meeting. Discussion followed.

Councilmember Reid reflected positively on a suggestion by Councilmember Pearson that was referred to the Technical Committee, i.e. in the meantime, can we implement a text option to contact 911 Dispatch which would demonstrate a tangible difference in service delivery for the 42 cents per month per phone device the public is currently paying. Discussion followed.

In response to Mayor Strazdas, Councilmember Reid reminded everyone that the meetings are open to the public and take place on Wednesdays at 3 p.m. at the Crosstown Police Facility, Kalamazoo.

Motion by Ansari, seconded by Ford, to receive the verbal report on County Consolidated Dispatch from Councilmember Reid. Upon a voice vote, motion carried 7 to 0.

BID TABULATIONS:

* **MILL AND FILL SUMMER REPAIRS – BID TABULATION:** Motion by Randall, seconded by Ford, to award a contract in the amount of $365,885.85 to Michigan Paving & Materials, Incorporated, for mill and fill asphalt repair of major and local street sections and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **GARDEN DRIVE BIKEWAY IMPROVEMENTS– BID TABULATION:** Motion by Randall, seconded by Ford, to award a contract to A1 Asphalt, Incorporated, in the amount of $21,971 to provide repairs to the Garden Drive Bikeway and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban indicated that he had the privilege a couple of weeks ago to discuss government with the Fourth Graders at Portage Central Elementary School. He thanked Senator O'Brien's office for providing state information brochures and highlighted some of the information in them. He said he discussed local and state government, including the separation of powers and the three branches, and he mentioned the high school students who came to Council and asked for a skate park, and got it. He said the teachers asked the students for two suggestions for Council and offered some examples: jobs for kids, cool schools, homeless shelter, animal shelter, security cameras, a park in the center of town, and a request to start school at 9:30 a.m. so they could sleep in. His own daughters suggested a place to sample different foods (like Taste of Portage) and a dog park which surprised him because he was pretty sure he had never talked about a dog park. Discussion followed. He asked City Manager Shaffer to research one of the questions from the students: why are scooters not allowed at the skate park. He said he also held a mock election and thanked the City Clerk Office for providing the materials, including sample ballots, and voting booths to provide a realistic voting experience. Discussion followed.

Councilmember Reid reflected on changes in the community and the nation, owing to the death of the bicycle riders on North Westnedge Avenue, Cooper Township, the shooting in Orlando Bar frequented by the LGBT community, and the importance of supporting your own family. She indicated that she and her husband went on a two week, 3,100 mile road trip to the Black Hills, Colorado, and back. She was struck by how very different the country is in different places, expressed her appreciation for variety in our country and that she was happy when she got back in Michigan.

Councilmember Randall expressed her condolences for the families affected by the bike accident on North Westnedge Avenue, Cooper Township, and noted that two of the victims were parishioners at the Church she attends and one victim was a co-worker of her husband. She indicated that she took up biking about six years ago and bikes nearly 3,000 miles in the summer; and her husband was on that ride two weeks earlier and expressed her appreciation for how precious life is. She stated that as humans, we have more in common than we have differences and asked that our moral compasses need to guide us toward more unity and acceptance of all people. She commented on the respect for the drivers she encountered during her first organized ride and expressed her hope that this consideration continues.

Councilmember Ford also expressed his condolences for the bike riders, and expressed his appreciation for the snow plows that were painted and displayed in the Arboretum. Mayor Strazdas concurred. When he announced that he may be absent for the next meeting as he has a baby on the way who is due June 24, 2016, Mayor Strazdas and Councilmember Pearson congratulated him.

City Manager Larry Shaffer announced that the City has two brush and leaf drop-off days, 8 a.m. until 12 p.m., Saturday, July 30, 2016, and Saturday, October 29, 2016, at 10905 Oakland Drive, and acknowledged Councilmember Ford, whose idea inspired the drop-off.

Mayor Pro Tem Ansari expressed his sorrow for the families and the victims in the recent Orlando shooting and condemned it as an act of terrorism, and expressed his condolences for the cyclists on North Westnedge Avenue, Cooper Township.

Mayor Strazdas also expressed his condolences for the families for all of the recent tragic events and indicated that the families need time to grieve. He said there has to be some good to come from this somehow, and mentioned the new alert system initiated by the State and Councilmember Randall's comments about car driver respect for the cyclists. He announced he will be attending the Southwest Michigan First Leadership Breakfast and today he was asked to speak to the new Stryker Corporation employees and reflected on the diversity of the people in the community as a result of worldwide companies in the area.

At the request of Mayor Pro Tem Ansari, Mr. Shaffer volunteered to use the Portage Alert System to notify residents of construction delays.

MATERIALS TRANSMITTED:

* **MATERIALS TRANSMITTED OF MAY 20, 2016:** Motion by Randall, seconded by Ford, to receive the Materials Transmitted of May 20, 2016.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:39 p.m.

James R. Hudson, City Clerk

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

NOTES FROM THE SPECIAL PRE-MEETING OF THE PORTAGE CITY COUNCIL OF JULY 11, 2016

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

There being no quorum, Mayor Pro Tem Ansari asked if there were any questions for the Administration from Councilmember Reid regarding items on the Agenda.

Councilmember Reid asked for a clarification at the bottom of the first page of the June 28, 2016 Regular City Council Meeting Minutes regarding the comment by Councilmember Urban, "who highlighted some of the key moments in the movement for the rights of Lesbian, Bisexual, Gay, Transgendered and Queer (and/or questioning) (LGBTQ) individuals," and whether the word "queer" was actually spoken by Councilmember Urban, or did he use the word "questioning."

She also asked if the City is committed to continuing to use the BoardSync Software since three out of the seven Councilmembers still receive hard copy of the Agenda Packet. She pondered how an online system can be made more functional if only four Councilmembers are using it. In reference to the Resolution to establish a stipend for City Council electronic devices and to direct the City Manager to create a City Council policy for the administration of the benefit, she asked if there was going to be a review or "questioning" opportunity. City Manager Shaffer answered that the City is committed to BoardSync presently and there has been no discussion internally about leaving BoardSync; however, if Council wants to leave BoardSync, or have the City review a different software, we are happy to do that, but the Administration is not looking at any other software at this time except BoardSync. She reflected that three out of the seven Councilmembers are receiving a hard copy of the Agenda and wondered if it was time to have a session to make this online system more functional since three Councilmembers arenot using the electronic version. Mr. Shaffer said that is a great point and indicated that there are a number of alternative software systems available; the City has reviewed a couple of them. Furthermore, owing to the time an effort spent developing BoardSync, he expressed a disinterest in pursuing other software to accommodate those three Councilmembers who are not deploying BoardSync without figuring out first what can be done to ensure 100% participation by City Council. Mayor Pro Tem Ansari reflected that he thought the hardcopy was to be included until some issues with BoardSync could be figured out or corrected. City Clerk James Hudson provided assurances that our working relationship with BoardSync is very good and, with the five or six contacts at BoardSync, any requests for features, tweaks or other improvements are addressed to our satisfaction. He welcomed input from City Council, whether it be a feature from another software, or any desirable change to allow staff to work with BoardSync to meet that need or satisfy the request. Mr. Shaffer indicated that staff is happy with Boardsync, no hard copies are being issued and staff is all electronic. He noted that the only issue is with City Council; that we want to be very respectful of their wishes, such as receiving information in the desired form and format; and, if Council wishes to receive information in the form of paper, so be it, but the Administration is hopeful of moving everyone over, and the hope is that the stipend will provide the motivation to do so. Mr. Shaffer concurred with her suggestion that a discussion take place regarding aspects of BoardSync that are not user friendly for what Council does with the software in order to determine what changes would be helpful. Mr. Shaffer offered to initially poll City Council to ascertain issues or challenges, and perhaps bring those up as an agenda item or at a Committee of the Whole (COW) for review.

Mr. Shaffer assured Councilmember Reid that the Sanitary Sewer Payback Agreement – Whispering Rock Condominium Development, Item F.3, is for seven years. She asked how many connections are anticipated during the seven-year period contemplated by the agreement, the number of properties that abut and the number of sewer connections anticipated. She asked if the stubs have been installed in the sewer line, or would this be a more complicated connection because the stub was not put in as it was a private line. Mr. Shaffer assured her that the stubs are in, but did not have the anticipated number of connections, and would get that for her.

Councilmember Reid asked once the sewer line is transferred to the City, will the adjacent property owners be subjected to the requirement for mandatory hook-up for sewer; if so, then how many properties would be involved. Mr. Shaffer indicated mandatory hook-up would be required if they are vacant, but he felt they may not be required if they are already built and established (and the septic system is not defective). Mr. Shaffer answered in the affirmative that once the City takes over, the line is the City responsible for maintenance. Mr. Shaffer also answered in the affirmative that the City is giving the entire fee that it would normally get for hook-up to AVB, but that does not include the labor costs; that is still the responsibility of the property owner.

Councilmember Reid asked if there is a time period where the signatures on the petition for a Governmental Lake Board are no longer valid since some of the signatures on the petition for Gourdneck Lake were dated 2014, and Mr. Hudson answered that the State used the 180 day limit for the Referendum on Marijuana, but did not apply the rule to the petition to change the City Charter based on the Home Rule Cities Act, and indicated he would find the answer for her.

ADJOURN: Mayor Pro Tem Ansari adjourned the meeting at 9:17 a.m.

James Hudson, City Clerk

CITY COUNCIL MEETING MINUTES FROM JUNE 28, 2016

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

At the request of Mayor Strazdas, Deacon Patricia Catellier of the Chapel Hill United Methodist Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, the Deputy City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Randall, to approve the June 14, 2016 Regular Meeting Minutes. Upon a voice vote, motion carried 7 to 0.

Motion by Randall, seconded by Reid, to approve the Pre-Council Meeting Minutes of June 27, 2016, as presented. Upon a voice vote, motion carried 5 to 0 with Councilmembers Ford and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. No items were removed from the Consent Agenda.

Motion by Reid, seconded by Ansari, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 28, 2016:** Motion by Reid, seconded by Ansari, to approve the Accounts Payable Register of June 28, 2016. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

NON-DISCRIMINATION ORDINANCE: Mayor Strazdas began discussion on the topic by reviewing the process to be followed during the public hearing. He encouraged everyone to be respectful and indicated that everyone who wants to make a public comment would have an opportunity to be heard. Mayor Strazdas then asked Councilmember Urban to initiate the discussion on this topic.

Councilmember Urban informed the audience that he had asked for this ordinance to be developed and that City Council has received numerous communications regarding the topic. Councilmember Urban highlighted one such communications and stated that, in America, we have the freedom to believe what we want, practice our religion freely but government does sometimes force people to do things we might not believe in such as paying taxes, having a driver's license or building a home to certain requirements. Councilmember Urban stated that one thing people do not get to do in this country is to discriminate. He continued by reviewing those categories of people for which protections have been established such as age and gender and stated that this ordinance adds gender identity and sexual orientation to the list. Councilmember Urban strongly emphasized that he does not want to appear inclusive and loving, he intends to be inclusive and loving and that everyone on City Council will vote their convictions. Mr. Urban continued by highlighting some of the key moments in the movement for the rights of Lesbian, Bisexual, Gay and Transgendered (LGBT) individuals ~~Transgendered and Queer (and/or questioning) (LGBTQ) individuals~~. Councilmember Urban concluded his introductory comments with a personal story on the topic and emphasized the present need for laws such as the Non Discrimination Ordinance (NDO).

Mayor Strazdas next invited Amanda Wood, Chairperson of the Human Services Board (HSB), to speak as the HSB was charged with researching and developing the NDO. Ms. Wood provided background as to why the HSB looked into the matter as well as the history which brought the NDO before City Council at this meeting. Ms. Wood reviewed the opportunity for public input into the development process and informed City Council that the HSB voted unanimously to recommend the ordinance to City Council.

Mayor Strazdas thanked Ms. Wood and members of the HSB for their efforts and asked Vicki Georgeau, Director of Community Development, to come forward and review the NDO. Ms. Georgeau reviewed and summarized details of the ordinance section by section along with questions that were raised such as whether there was a mandate for businesses to have unisex or single user restrooms. Ms. Georgeau also reviewed the public input process that was utilized, how the ordinance was thoroughly reviewed, how many other communities in Michigan have enacted similar ordinances and what ordinances were used as models for the one under discussion this evening. Finally, she reviewed the penalty process should provisions of the ordinance be violated.

Mayor Strazdas next opened the public hearing on the Non-Discrimination Ordinance and again reviewed the process that would be followed.

The following individuals spoke in opposition to the Non Discrimination Ordinance: Phil Stinchcomb, 1607 Bellaire Avenue, Portage; Scott McGraw, 10608 Dandale Street, Portage; Jerry Whitaker, 6280 Cully's Trail, Portage; and Ellen Neal, 3496 Woodbridge Lane, Portage.

The following individuals spoke in support of the Non Discrimination Ordinance: Jennifer Robinson, 622 Cliffwood Avenue, Portage; Andrew Robinson, 622 Cliffwood Avenue, Portage; Sheila Bigelow, 731 Cottondale Avenue, Portage; Dr. Colleen Thebert-Wright, 6623 Evergreen Street, Portage; Reverend Doctor David Moffett-Moore of the Portage United Church of Christ, 1718 Greenbriar Drive, Portage; Bob Betzig, 7000 Portage Road, Portage, Interim Site Leader for the Pfizer Portage location read a letter of support on behalf of the Pfizer Corporation; Gary Pilnick, 3426 Sandhill Lane, Portage, Vice-President of the Kellogg Company, spoke on behalf of the Kellogg Company; Cheryl Gilliam, 9727 Southern Oaks Court, Portage; Ginger Clifton, 3429 Woodhams Avenue, Portage; Kathy Greaves, 2651 Woody Noll Drive, Portage, spoke in support and read a letter of support from John Bryant, Chairman of the Board and CEO of the Kellogg Company; Dr. Bill Clegg, 10639 Sudan Street, Portage; Stasia Taverna, 5105 Bronson Boulevard, Portage; Sunny Sahu, 7414 Starbrook Street, Portage; Nicholas Dennert, 10539 Woodlawn Drive, Portage; Dalee Camp, 341 Admiral Avenue, Apartment 1, Portage; Lindy Nebiolo, 7437 Oak Shore Drive, Portage; Reverend Dr. Deborah Kohler, 6839 Keystone Street, Portage; Jason Foster, 620 Calico Avenue, Portage; Monica Padula, 2007 Elkerton Avenue, Apartment 215, Kalamazoo; Reverend Duffy Peet spoke for himself and on behalf of Unitarian Universalist Church of SW Michigan, 8353 Greenspire Drive, Portage; Olivia Gratz, 10217 Periwinkle, Portage; Pastor John Fisher spoke on behalf of the Oshtemo United Methodist Church, 3506 East Shore Drive, Portage; Dr. Romeo Phillips, 1983 Brighton Lane, Portage; Love Chambers, 4812 Pinefield Avenue, Portage; Damon Chambers, 4812 Pinefield Avenue, Portage; Erin Bissonnette, 6950 Orchard Meadow Court, Portage; Nadean Makin, 7585 Timbercreek Court, Apartment 1, Portage; Paul Dearing, 1815 West Kilgore Drive, Portage; Michael Hanley, 6323 Echo Court, Apartment 2A, Portage; Chris Buckley, Executive Director of the Portage Community Center (PCC), spoke on behalf of the PCC, 1429 Wickford Drive, Kalamazoo; Tom Taverna, 5105 Bronson Boulevard, Portage; Esther Gray, 3821 Old Colony Road, Portage; Daniel Smith, 3022 Fleetwood Drive, Portage; and Michael Quinn, 7025 Rockford Street, Portage.

Pastor Paul Naumann, 1749 Greenbriar Drive, Portage, of St. Michael Lutheran Church also spoke and stated that while he has concerns about the ordinance, he appreciates the desire for no discrimination and for people to live without fear, believes that liberty and justice for all are of paramount importance and encouraged City Council to make the reasonable decision that is best for everybody. He did not advocate for or against the proposed ordinance.

There being no others in the audience wishing to speak, motion by Reid, seconded by Ford, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Mayor Strazdas asked City Attorney Randy Brown to respond to questions that were raised in the hearing and to offer some thoughts on the discussion that was just heard and on the ordinance. City Attorney Brown reviewed the topic of bathroom usage and informed the audience that there is no law in Michigan that prohibits a man from entering a woman's restroom or vice versa. He also stated that there is no constitutional right to privacy in a bathroom. Attorney Brown recognized the passion involved in the issue and addressed concerns raised about whether the NDO creates a private right to sue a business. He continued by reviewing the penalty/enforcement process and that the ordinance is designed to protect those people who have experienced proven discrimination.

City Manager Shaffer addressed additional questions that were raised in the hearing such as how many businesses and how many people were consulted with regard to the NDO. Mr. Shaffer highlighted the opportunities for input that have been afforded to the public throughout the process.

Mayor Strazdas thanked those in the audience for the excellent and respectful discussion and asked City Council for their thoughts on the proposed ordinance. He then asked to get a motion on the ordinance. Motion by Urban, seconded by Randall, to approve the Non Discrimination Ordinance as presented.

Mayor Pro Tem Ansari stated that he abhors discrimination but does not like the process of singling out certain classes of people for protection. He stated that he would like the ordinance to state simply: "Thou shall not discriminate." He explained that he believed the "special class system" is flawed and that people claim to be united and yet create classes and categories. Mr. Ansari continued by stating that he believes additional consideration should be given to determine unintended consequences of the ordinance and that he is not aware of any complaints in the community to which instituting this ordinance would apply.

Councilmember Reid stated that while the City Council and City Administration may not have heard any complaints she believe that is, in part, due to the fact that there is no ordinance on the books related to this topic. With regard to the topic of compelling businesses to serve LGBTQ individuals, she opined that businesses are already mandated to serve a lengthy list of customers. Ms. Reid continued by emphasizing the importance of safety and the misunderstandings that have been generated during this process. She reviewed the need and authority for City Council to take action on this item rather than sending it for a public vote and stated her belief that enacting this ordinance would be a step forward for the City of Portage.

Councilmember Randall thanked everyone who came to the hearing and expressed her appreciation for the atmosphere in the room and articulate comments that have been shared. Ms. Randall stated that she is a "numbers person" and shared that 28 states have laws in place similar to the proposed NDO along with 39 cities in Michigan. She continued by stating that only five cities ended up having a referendum on the topic and that the referendums passed overwhelmingly in each one. She concluded by stating that it is City Council's responsibility to lead, that passage of the NDO is the right thing to do and that it will be a "win-win" for everyone.

Councilmember Ford thanked everyone for coming forward as well as Councilmember Urban and the Human Services Board for their work on this topic. He continued by stating that he is somewhat persuaded by the argument for a referendum on the matter but pointed out there is a process available by which the public can put the question before the voters. He concluded by stating his support of the motion and by quoting Martin Luther King, Jr. and stated that he hopes his children and all Portage residents will be "evaluated by the content of their character."

Mayor Strazdas discussed how the proposed NDO strongly aligns with both his personal values and the values of the community. He cited the phrase "peace, progress and prosperity" that is on the City Seal and how this proposed ordinance aligns with all three. Mayor Strazdas explained that people and communities do change over time and that this is a vote for the future of the City of Portage.

Councilmember Urban spoke and expressed his appreciation for the support of City Council and also expressed his regret that he had not pushed for the development of the Non Discrimination Ordinance before now.

Mayor Pro Tem Ansari stated that he is not tolerant of discrimination for any reason and highlighted some of the ways in which he has fought against discrimination at the County level.

Councilmember Pearson shared that he previously had several questions surrounding the proposed NDO but that staff and the City Attorney had satisfactorily answered them in advance of the hearing. He continued by stating that the answers were logical and sensible and that he would be supporting the ordinance.

Upon a roll call vote, motion carried 6 to 1 with Mayor Pro Tem Ansari voting no.

Mayor Strazdas asked the City Attorney to review the next steps in the process and informed the public to contact City Administration with any questions or concerns especially since administrative rules and procedures were going to be developed.

REPORTS FROM THE ADMINISTRATION:

* **FOUR YEAR AGREEMENT FOR SOFTWARE MAINTENANCE:** Motion by Reid, seconded by Ansari, to approve a four-year renewal agreement to Tyler Technologies (formerly New World Systems, Inc.) for software maintenance to the Police Division's computer-aided-dispatch and records management system at a total cost of $610,584 for the period of July 1, 2016 through June 30, 2020 and authorize the City Manager to execute all related documents. Upon a roll call vote, motion carried 7 to 0.

* **CREATION OF A RESOLUTION FOR ESTABLISHMENT OF A GOVERNMENTAL LAKE BOARD:** Motion by Reid, seconded by Ansari, to direct the City Attorney to prepare a Resolution to provide for the establishment of a Governmental Lake Board in accordance with part 309 of Public Act 451 for Gourdneck Lake. Upon a roll call vote, motion carried 7 to 0. Resolution recorded in City of Portage Resolution Book No. 187.

* **SOLE SOURCE PURCHASE OF ROAD SAFETY RS-4000 SYSTEMS:** Motion by Reid, seconded by Ansari, to approve the sole source purchase of ten Road Safety RS-4000 systems from ZOLL Data Systems, Inc., at a total cost of $45,425 and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **SOLE-SOURCE CONTRACT FOR THE GARDEN LANE #3 PUMP AND MOTOR REPLACEMENT:** Motion by Reid, seconded by Ansari, to award a sole-source contract for the Garden Lane #3 pump and motor replacement to Peerless-Midwest, Incorporated, in an amount not to exceed $39,816 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **LIQUOR LICENSE FOR CELERY FLATS MUSIC FESTIVAL:** Motion by Reid, seconded by Ansari, to resolve to submit applications to the Michigan Liquor Control Commission (MLCC) for a Special License for the sale of beer and wine for consumption on the premises at Celery Flats (7335 Garden Lane), for The Celery Flats Music Festival on July 10, 2016 and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **SETTING A COMMITTEE OF WHOLE MEETING FOR JULY 26, 2016:** Motion by Reid, seconded by Ansari, to set a Committee of the Whole meeting on July 26, 2016, at 6 p.m. in Conference Room #1 to review the General Fund and Community Development Block Grant human/public service funding application review process. Upon a roll call vote, motion carried 7 to 0.

* **APPOINTMENTS TO THE LOCAL DEVELOPMENT FINANCE AUTHORITY:** Motion by Reid, seconded by Ansari, to confirm City Manager appointments to the Local Development Finance Authority by adopting the Resolution to Appoint Members to the Local Development Finance Authority of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

* **APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY:** Motion by Reid, seconded by Ansari, to confirm City Manager appointments to the Downtown Development Authority of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

* **DOWNTOWN DEVELOPMENT AUTHORITY ANNUAL REPORTS:** Motion by Reid, seconded by Ansari, to accept the Downtown Development Authority Annual Reports as Information Only. Upon a roll call vote, motion carried 7 to 0.

* **LOCAL DEVELOPMENT FINANCE AUTHORITY ANNUAL REPORT:** Motion by Reid, seconded by Ansari, to accept the Local Development Finance Authority Annual Report as Information Only. Upon a roll call vote, motion carried 7 to 0.

* **MAY 2016 ENVIRONMENTAL ACTIVITY REPORT:** Motion by Reid, seconded by Ansari, to receive the May 2016 Environmental Report as Information Only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

* **COMMUNICATION FROM ENVIRONMENTAL BOARD CHAIR RUTH CAPUTO REGARDING DEER POPULATION CONSIDERATIONS:** Motion by Reid, seconded by Ansari, to receive the communication from Environmental Board Chair Ruth Caputo and instruct the City Manager to coordinate with the Environmental Board on the various issues related to development of a deer management program for the City of Portage. Upon a roll call vote, motion carried 7 to 0.

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

Portage Youth Advisory Committee of May 9, 2016.

BID TABULATIONS:

* **ZYLMAN AVENUE SANITARY SEWER LIFT STATION IMPROVEMENTS:** Motion by Reid, seconded by Ansari, to award a construction contract for the Zylman Avenue Sanitary Sewer Lift Station Improvement Project to Balkema Excavating, Incorporated, at a total price of $477,325 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban thanked everyone for coming out this evening.

Councilmember Reid stated that the hearing tonight is an example of how democracy is supposed to work.

Councilmember Randall shared that this has been an inspirational evening and thanked everyone for coming.

Councilmember Ford thanked everyone for coming and shared that he and his wife had a baby daughter eight days earlier and that both baby and mother are doing well.

Councilmember Pearson reminded everyone of the upcoming 4th of July fireworks display sponsored by the Portage Rotary Club and provided details about the event.

Mayor Pro Tem Ansari reiterated his opposition to any sort of discrimination.

Mayor Strazdas explained that City Council is non-partisan and that it is all right for people to disagree as that is part of a healthy democracy. He thanked everyone in the audience for coming together and having a respectful and excellent discussion.

MATERIALS TRANSMITTED:

* **DEPARTMENT MONTHLY REPORTS:** Motion by Reid, seconded by Ansari, to receive the May 2016 Departmental Monthly Reports as information only.

* **MATERIALS TRANSMITTED OF JUNE 14, 2016:** Motion by Reid, seconded by Ansari, to receive the Materials Transmitted of June 14, 2016.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:49 p.m.

Adam Herringa, Deputy City Clerk

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

NOTES FROM THE SPECIAL PRE-MEETING OF THE PORTAGE CITY COUNCIL OF JULY 11, 2016

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

There being no quorum, Mayor Pro Tem Ansari asked if there were any questions for the Administration from Councilmember Reid regarding items on the Agenda.

Councilmember Reid asked for a clarification at the bottom of the first page of the June 28, 2016 Regular City Council Meeting Minutes regarding the comment by Councilmember Urban, "who highlighted some of the key moments in the movement for the rights of Lesbian, Bisexual, Gay, Transgendered and Queer (and/or questioning) (LGBTQ) individuals," and whether the word "queer" was actually spoken by Councilmember Urban, or did he use the word "questioning."

She also asked if the City is committed to continuing to use the BoardSync Software since three out of the seven Councilmembers still receive hard copy of the Agenda Packet. She pondered how an online system can be made more functional if only four Councilmembers are using it. In reference to the Resolution to establish a stipend for City Council electronic devices and to direct the City Manager to create a City Council policy for the administration of the benefit, she asked if there was going to be a review or "questioning" opportunity. City Manager Shaffer answered that the City is committed to BoardSync presently and there has been no discussion internally about leaving BoardSync; however, if Council wants to leave BoardSync, or have the City review a different software, we are happy to do that, but the Administration is not looking at any other software at this time except BoardSync. She reflected that three out of the seven Councilmembers are receiving a hard copy of the Agenda and wondered if it was time to have a session to make this online system more functional since three Councilmembers arenot using the electronic version. Mr. Shaffer said that is a great point and indicated that there are a number of alternative software systems available; the City has reviewed a couple of them. Furthermore, owing to the time an effort spent developing BoardSync, he expressed a disinterest in pursuing other software to accommodate those three Councilmembers who are not deploying BoardSync without figuring out first what can be done to ensure 100% participation by City Council. Mayor Pro Tem Ansari reflected that he thought the hardcopy was to be included until some issues with BoardSync could be figured out or corrected. City Clerk James Hudson provided assurances that our working relationship with BoardSync is very good and, with the five or six contacts at BoardSync, any requests for features, tweaks or other improvements are addressed to our satisfaction. He welcomed input from City Council, whether it be a feature from another software, or any desirable change to allow staff to work with BoardSync to meet that need or satisfy the request. Mr. Shaffer indicated that staff is happy with Boardsync, no hard copies are being issued and staff is all electronic. He noted that the only issue is with City Council; that we want to be very respectful of their wishes, such as receiving information in the desired form and format; and, if Council wishes to receive information in the form of paper, so be it, but the Administration is hopeful of moving everyone over, and the hope is that the stipend will provide the motivation to do so. Mr. Shaffer concurred with her suggestion that a discussion take place regarding aspects of BoardSync that are not user friendly for what Council does with the software in order to determine what changes would be helpful. Mr. Shaffer offered to initially poll City Council to ascertain issues or challenges, and perhaps bring those up as an agenda item or at a Committee of the Whole (COW) for review.

Mr. Shaffer assured Councilmember Reid that the Sanitary Sewer Payback Agreement – Whispering Rock Condominium Development, Item F.3, is for seven years. She asked how many connections are anticipated during the seven-year period contemplated by the agreement, the number of properties that abut and the number of sewer connections anticipated. She asked if the stubs have been installed in the sewer line, or would this be a more complicated connection because the stub was not put in as it was a private line. Mr. Shaffer assured her that the stubs are in, but did not have the anticipated number of connections, and would get that for her.

Councilmember Reid asked once the sewer line is transferred to the City, will the adjacent property owners be subjected to the requirement for mandatory hook-up for sewer; if so, then how many properties would be involved. Mr. Shaffer indicated mandatory hook-up would be required if they are vacant, but he felt they may not be required if they are already built and established (and the septic system is not defective). Mr. Shaffer answered in the affirmative that once the City takes over, the line is the City responsible for maintenance. Mr. Shaffer also answered in the affirmative that the City is giving the entire fee that it would normally get for hook-up to AVB, but that does not include the labor costs; that is still the responsibility of the property owner.

Councilmember Reid asked if there is a time period where the signatures on the petition for a Governmental Lake Board are no longer valid since some of the signatures on the petition for Gourdneck Lake were dated 2014, and Mr. Hudson answered that the State used the 180 day limit for the Referendum on Marijuana, but did not apply the rule to the petition to change the City Charter based on the Home Rule Cities Act, and indicated he would find the answer for her.

ADJOURN: Mayor Pro Tem Ansari adjourned the meeting at 9:17 a.m.

James Hudson, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

Laurence Shaffer

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of July 12, 2016 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period June 5, 2016 through July 3, 2016 and notes $932,301.13 in automated clearing house payments, $2,097,818.73 in paper checks and $71,121.94 in auto-pay payments for a grand total of $3,101,241.80.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

Check Dates From: 6/5/2016 To: 7/3/2016

Check Date	Check	Vendor Name	Amount
06/17/16	5255(A)	A-1 SIGNS	679.40
06/17/16	5256(A)	AIRGAS GREAT LAKES	392.97
06/17/16	5257(A)	ALL CITY MANAGEMENT SERVICES, INC.	3,115.80
06/17/16	5258(A)	ALL-PHASE ELECTRIC SUPPLY CO.	362.04
06/17/16	5259(A)	AMERICAN SAFETY & FIRST AID	125.52
06/17/16	5260(A)	ANIMAL REMOVAL SERVICE, LLC	955.00
06/17/16	5261(A)	APOLLO FIRE EQUIPMENT COMPANY	1,551.83
06/17/16	5262(A)	BATTERIES PLUS	98.20
06/17/16	5263(A)	BELL EQUIPMENT COMPANY	20,686.00
06/17/16	5264(A)	BLUE CARE NETWORK-GREAT LAKES	77,963.04
06/17/16	5265(A)	BLUESTONE PSYCH	465.00
06/17/16	5266(A)	BRENNER OIL CO.	19,436.06
06/17/16	5267(A)	C D W GOVERNMENT, INC.	3,238.68
06/17/16	5268(A)	C T S TELECOM, INC.	678.95
06/17/16	5269(A)	CARRIER & GABLE	1,426.00
06/17/16	5270(A)	CROWN TROPHY	315.00
06/17/16	5271(A)	D & D PRINTING CO.	1,293.60
06/17/16	5272(A)	EG WORKFORCE SOLUTIONS	564.80
06/17/16	5273(A)	ENGINEERED PROTECTION SYSTEMS, INC.	4,095.59
06/17/16	5274(A)	EXTREME POWER EQUIPMENT, INC.	436.77
06/17/16	5275(A)	FARM N GARDEN	1,099.00
06/17/16	5276(A)	FURRY, WILLIAM	147.00
06/17/16	5277(A)	GLOBAL TELEMATIC SOLUTIONS LLC	800.00
06/17/16	5278(A)	GRIFFIN PEST SOLUTIONS, INC.	170.00
06/17/16	5279(A)	INDUSCO SUPPLY CO., INC.	294.85
06/17/16	5280(A)	IRISH AYRES ENTERPRISES, LLC	20,061.25
06/17/16	5281(A)	J-AD GRAPHICS, INC	2,078.00
06/17/16	5282(A)	JAROTH, INC	303.00
06/17/16	5283(A)	JONS TO GO PORTABLE RESTROOM	100.00
06/17/16	5284(A)	KENDALL ELECTRIC, INC.	180.53
06/17/16	5285(A)	KUSHNER & COMPANY, INC.	255.61
06/17/16	5286(A)	MATERIALS RESOURCES	1,918.74
06/17/16	5287(A)	MAURER'S TEXTILE RENTAL SERVICES	333.90
06/17/16	5288(A)	MEDEMA, TIMOTHY	161.00
06/17/16	5289(A)	MEEKHOF TIRE SALES & SERVICE INC.	4,695.40
06/17/16	5290(A)	MEIER, MICHAEL	192.00
06/17/16	5291(A)	MEJEUR ELECTRIC LLC	619.00
06/17/16	5292(A)	MICHIGAN PAVING & MATERIALS CO.	78,091.33
06/17/16	5293(A)	NEW FRESH CLEANING SERVICE	1,512.00
06/17/16	5294(A)	O'BOYLE-COLWELL-BLALOCK & AS.	1,240.00
06/17/16	5295(A)	ONSTAFF USA INC	9,776.82
06/17/16	5296(A)	PCM SALES, INC.	40,550.00
06/17/16	5297(A)	PECKELS, CHRISTINE	240.00
06/17/16	5298(A)	RIETH-RILEY CONSTRUCTION CO., INC	148,750.18

Check Date	Check	Vendor Name	Amount
06/17/16	5299(A)	ROAD EQUIPMENT PARTS CENTER	338.61
06/17/16	5300(A)	ROCKWOOD, KEITH	126.00
06/17/16	5301(A)	ROE-COMM, INC.	4,900.00
06/17/16	5302(A)	S B F ENTERPRISES, INC.	836.35
06/17/16	5303(A)	SIMPLIFILE LLC	347.30
06/17/16	5304(A)	SOLARWINDS, INC.	1,373.00
06/17/16	5305(A)	THE IRRIGATOR	225.71
06/17/16	5306(A)	TOO CLEAN JANITORIAL	5,510.00
06/17/16	5307(A)	U S LAWNS- KALAMAZOO	984.50
06/17/16	5308(A)	VANDERBERG, WARD M	235.00
06/17/16	5309(A)	VISION SERVICE PLAN (OH)	2,154.79
06/17/16	5310(A)	WEST MICHIGAN STAMP & SEAL,INC	43.15
06/17/16	5311(A)	WEST, STEVEN R	114.00
06/17/16	5312(A)	WIGHTMAN & ASSOCIATES, INC.	39,186.66
06/24/16	5313(A)	MONIFA A. JUMANNE, PH.D.	1,666.00
07/01/16	5314(A)	ABONMARCHE CONSULTANTS, INC	44,717.19
07/01/16	5315(A)	ALL CITY MANAGEMENT SERVICES, INC.	2,804.22
07/01/16	5316(A)	AMERICAN HYDROGEOLOGY CORP.	1,938.83
07/01/16	5317(A)	AMERICAN SAFETY & FIRST AID	198.31
07/01/16	5318(A)	APOLLO FIRE EQUIPMENT COMPANY	180.97
07/01/16	5319(A)	APPROVED PROTECTION SYSTEMS	330.00
07/01/16	5320(A)	ARGUS-HAZCO	62,439.00
07/01/16	5321(A)	BLUESTONE PSYCH	465.00
07/01/16	5322(A)	C D W GOVERNMENT, INC.	3,841.89
07/01/16	5323(A)	CAPSTONE HOME IMPROVEMENT, LLC	8,493.00
07/01/16	5324(A)	CARRIER & GABLE	26,135.00
07/01/16	5325(A)	CLEAN EARTH ENVIRONMENTAL SERV	5,001.80
07/01/16	5326(A)	DATA CONSTRUCTS LLC	97.95
07/01/16	5327(A)	DELTA DENTAL PLAN OF MICHIGAN	17,671.42
07/01/16	5328(A)	ENGINEERED PROTECTION SYSTEMS, INC.	1,018.41
07/01/16	5329(A)	ENTENMANN-ROVIN CO.	116.50
07/01/16	5330(A)	ETNA SUPPLY, INC.	405.41
07/01/16	5331(A)	FARRELL AUDIO VIDEO LLC	440.17
07/01/16	5332(A)	FISHBECK THOMPSON CARR & HUBER, INC	2,506.50
07/01/16	5333(A)	FURRY, WILLIAM	99.64
07/01/16	5334(A)	GRIFFIN PEST SOLUTIONS, INC.	200.00
07/01/16	5335(A)	HOWARD PRINTING	4,062.00
07/01/16	5336(A)	INDUSCO SUPPLY CO., INC.	950.33
07/01/16	5337(A)	IRISH AYRES ENTERPRISES, LLC	770.00
07/01/16	5338(A)	KUSHNER & COMPANY, INC.	267.72
07/01/16	5339(A)	LACOSTA FACILITY SUPPORT SERVICES	3,465.79
07/01/16	5340(A)	LAND & RESOURCE ENGINEERING, INC	1,400.00
07/01/16	5341(A)	LAWSON PRODUCTS, INC	1,632.47
07/01/16	5342(A)	MATERIALS RESOURCES	395.10

Check Date	Check	Vendor Name		Amount
07/01/16	5343(A)	MAURER'S TEXTILE RENTAL SERVICES		428.74
07/01/16	5344(A)	MAURER'S TEXTILE RENTAL SERVICES		215.75
07/01/16	5345(A)	MEDEMA, TIMOTHY		255.00
07/01/16	5346(A)	MEIER, MICHAEL		288.00
07/01/16	5347(A)	MEJEUR ELECTRIC LLC		1,817.00
07/01/16	5348(A)	MICH AMATEUR SOFTBALL ASSOC		3,800.00
07/01/16	5349(A)	MIDWEST CIVIL ENGINEERS		6,038.75
07/01/16	5350(A)	O'BOYLE-COLWELL-BLALOCK & AS.		1,530.00
07/01/16	5351(A)	ONE WAY PRODUCTS		2,071.44
07/01/16	5352(A)	ONSTAFF USA INC		9,933.44
07/01/16	5353(A)	PARADIGM DESIGN, INC.		640.52
07/01/16	5354(A)	PORTAGE FIREFIGHTERS		1,672.14
07/01/16	5355(A)	PORTAGE ON-CALL FIREFIGHTERS		100.00
07/01/16	5356(A)	PORTAGE POLICE OFFICERS ASSOC		714.00
07/01/16	5357(A)	PREIN & NEWHOF		528.70
07/01/16	5358(A)	RIETH-RILEY CONSTRUCTION CO., INC		787.17
07/01/16	5359(A)	ROAD EQUIPMENT PARTS CENTER		997.88
07/01/16	5360(A)	ROCKWOOD, KEITH		168.00
07/01/16	5361(A)	ROMENCE GARDENS, INC		177.84
07/01/16	5362(A)	ROTO-ROOTER SEWER & DRAIN SERV		334.57
07/01/16	5363(A)	SAFETY SERVICES, INC.		1,918.60
07/01/16	5364(A)	SECANT TECHNOLOGIES		5,953.30
07/01/16	5365(A)	SEVERANCE ELECTRIC COMPANY,INC		4,680.00
07/01/16	5366(A)	SIMMONS FORD		224.84
07/01/16	5367(A)	SUEZ WATER ENVIRONMENTAL SERVICES		167,775.40
07/01/16	5368(A)	TECHNOLOGY SOLUTIONS		127.50
07/01/16	5369(A)	THE LIFEGUARD STORE		1,147.41
07/01/16	5370(A)	THOMPSON, HELENE		408.00
07/01/16	5371(A)	TOO CLEAN JANITORIAL		4,630.00
07/01/16	5372(A)	U S LAWNS- KALAMAZOO		331.59
07/01/16	5373(A)	UL LLC		2,554.20
07/01/16	5374(A)	UNITED AUTO. IMPLEMENT WORKERS 2290		590.41
07/01/16	5375(A)	VANDERBERG, WARD M		282.00
07/01/16	5376(A)	WARNER NORCROSS & JUDD LLP		3,866.67
07/01/16	5377(A)	WEST MICHIGAN STAMP & SEAL,INC		249.00
07/01/16	5378(A)	WEST SHORE FIRE, INC.		1,018.42
07/01/16	5379(A)	WEST, STEVEN R		57.00
07/01/16	5380(A)	WESTERN DETENTION PRODUCTS, INC.		265.89
07/01/16	5381(A)	WESTERN MICHIGAN INT'L TRUCKS		1,758.94
07/01/16	5382(A)	WOLVERINE LAWN SERVICE, INC.		427.47
		SUBTOTAL:	**128 CHECKS**	**932,301.13**
06/07/16	297886	CHAD SARQUIZ		80.81
06/07/16	297887	COMMAND PRESENCE TRAINING ASSOC		119.00

Check Date	Check	Vendor Name	Amount
06/07/16	297888	FINITI	15.00
06/07/16	297889	KENDALL ELECTRIC, INC.	80.55
06/07/16	297890	MICHIGAN STATE TAX COMMISSION	250.00
06/08/16	10002	PETTY CASH-MARILYN MARION	680.35
06/10/16	10003	PETTY CASH-ALYSSA MILBECK	314.36
06/10/16	10004	PETTY CASH-BARB GARLOW	452.96
06/17/16	10005	PETTY CASH-JANET GATES	371.22
06/17/16	297892	56-B DISTRICT COURT	198.00
06/17/16	297893	5TH DISTRICT COURT	200.00
06/17/16	297894	7TH DISTRICT COURT	200.00
06/17/16	297895	A NEW LEAF	85.00
06/17/16	297896	A T & T	4,448.95
06/17/16	297897	ADP, INC.	1,748.42
06/17/16	297898	ALLEGRA PRINT & IMAGING	1,876.80
06/17/16	297899	ALTA EQUIPMENT CO.	832.62
06/17/16	297900	AT&T YELLOW PAGES	52.80
06/17/16	297901	B S & A SOFTWARE	205.00
06/17/16	297902	BALKEMA EXCAVATING, INC.	111,721.76
06/17/16	297903	BARNES, W. CHRISTOPHER	275.00
06/17/16	297904	BESCO WATER TREATMENT, INC.	11.00
06/17/16	297905	BEST WAY DISPOSAL, INC.	87,978.38
06/17/16	297906	BILL'S LOCK SHOP, INC.	170.00
06/17/16	297907	BLUE CROSS/BLUE SHIELD OF MICH	126,446.57
06/17/16	297908	BRAYSHER, ALAN & EILEEN	94.00
06/17/16	297909	BRIDGEPORT EQUIPMENT CO.	107.44
06/17/16	297910	BURKE, GREG	450.00
06/17/16	297911	BURTIS, AMY	100.00
06/17/16	297912	BYMA, CHERI	100.00
06/17/16	297913	CAMPBELL AUTO SUPPLY	85.00
06/17/16	297914	CARDINAL BUS, INC.	1,679.50
06/17/16	297915	CARLETON EQUIPMENT CO.	1,097.00
06/17/16	297916	CARSTAR PORTAGE	235.00
06/17/16	297917	CHARTER COMMUNICATIONS	629.35
06/17/16	297918	CHICAGO TITLE OF MICHGAN	85.21
06/17/16	297919	CHICAGO TITLE OF MICHGAN	118.85
06/17/16	297920	CITY OF KALAMAZOO TREASURER	209,870.59
06/17/16	297921	COLE KRUM CHEVROLET	116.13
06/17/16	297922	COMMERCIAL DOOR SERVICES	1,980.00
06/17/16	297923	COMPASS MINERALS AMERICA INC	63,904.05
06/17/16	297924	CONSUMERS ENERGY	34,381.69
06/17/16	297925	CONSUMERS ENERGY-BILL PMT CNT	1,000.00
06/17/16	297926	COSTAR REALTY INFORMATION, INC.	307.95
06/17/16	297927	CRAZY 8	1,387.13
06/17/16	297928	CROUCH, DAN	100.00

Check Date	Check	Vendor Name	Amount
06/17/16	297929	D L GALLIVAN INC.	167.68
06/17/16	297930	DAR CONSTRUCTION, INC.	100.00
06/17/16	297931	DEVON TITLE AGENCY	4,133.27
06/17/16	297932	DOSTER, KYLE	512.31
06/17/16	297933	EMERGENCY VEHICLE PRODUCTS	16,264.24
06/17/16	297934	ENGINEERING SUPPLY & IMAGING	502.75
06/17/16	297935	EPILEPSY FOUNDATION OF MICHIGAN	100.00
06/17/16	297936	FAMILY RELOCATION	1,200.00
06/17/16	297937	FAWLEY OVERHEAD DOOR, INC.	90.00
06/17/16	297938	FERGUSON ENTERPRISES, INC.	359.98
06/17/16	297939	FIRE DEPARTMENT TRAINING NETWORK	1,500.00
06/17/16	297940	FIRST IMAGE	308.00
06/17/16	297941	FORSHEE, MARK	368.00
06/17/16	297942	FOUR WINDS CASINO SHUTTLE	165.00
06/17/16	297943	GEAR GRID LLC	2,405.00
06/17/16	297944	GORDON FOOD SERVICE	99.58
06/17/16	297945	GORDON WATER SYSTEMS	59.75
06/17/16	297946	GRYPHON PLACE	1,170.00
06/17/16	297947	HAEGER, JENNIFER	100.00
06/17/16	297948	HALL BUILDERS LLC	9,750.00
06/17/16	297949	HARTMAN, CHARLES	188.00
06/17/16	297950	HECHT, KAREN	150.00
06/17/16	297951	HOFFMAN BROTHERS, INC.	125,535.20
06/17/16	297952	HOGNACHI, DAVID	184.00
06/17/16	297953	HOME DEPOT	4,655.06
06/17/16	297955	HOWARD PRINTING	3,118.00
06/17/16	297956	IAFC	1,190.00
06/17/16	297957	INDIANA WIPING CLOTH, INC.	1,703.00
06/17/16	297958	INTERNATIONAL CODE COUNCIL, INC	73.00
06/17/16	297959	IP CONSULTING, INC.	18,587.85
06/17/16	297960	IRONS, MARTHA	850.00
06/17/16	297961	JOHN BAUMANN	44.14
06/17/16	297962	JOHNSTON LEWIS ASSOCIATES INC.	3,550.60
06/17/16	297963	KALAMAZOO COUNTY HEALTH & COMMUNITY	3,562.95
06/17/16	297964	KALAMAZOO COUNTY ROAD COMMISSI	2,519.34
06/17/16	297965	KALAMAZOO DEPART OF PUBLIC SAFETY	400.00
06/17/16	297966	KALAMAZOO LANDSCAPE SUPPLIES	102.60
06/17/16	297967	KALAMAZOO NATURE CENTER, INC.	6,000.00
06/17/16	297968	KAR LABORATORIES	190.00
06/17/16	297969	KENDALL AUTO REPAIR, INC.	45.00
06/17/16	297970	KISHPAUGH, JANET	90.18
06/17/16	297971	KLOOSTER, FRAN	151.90
06/17/16	297972	KNIGHT, MICHAEL	55.00
06/17/16	297973	KUIPER BROTHERS MOVING INC.	188.00

Check Date	Check	Vendor Name	Amount
06/17/16	297974	KZOO TIRE COMPANY	2,312.00
06/17/16	297975	LAKE MICHIGAN MAILERS, INC.	49.00
06/17/16	297976	LASER SHOT, INC.	1,984.00
06/17/16	297977	LAVERDURE, ROBERT	147.00
06/17/16	297978	LEXISNEXIS RISK SOLUTIONS	150.00
06/17/16	297979	LOGISOFT COMPUTER PRODUCTS LLC	1,810.00
06/17/16	297980	LOUTHAN, WILLIAM F	192.00
06/17/16	297981	LOWE'S HOME CENTER	10.34
06/17/16	297982	MAINTENANCE MASTERS	1,500.00
06/17/16	297983	MALSCH, MARY	114.00
06/17/16	297984	MARTIN, WENDY	100.00
06/17/16	297985	MATHEWS, SCOTT	250.00
06/17/16	297986	MAYE, ELMA	145.00
06/17/16	297987	MCCLUNG, KELSEY	250.00
06/17/16	297988	MCCULLIN, LARRY W.	252.00
06/17/16	297989	MCDONALD'S TOWING & RESCUE, INC.	90.00
06/17/16	297990	MCNALLY ELEVATOR CO.	119.75
06/17/16	297991	MCNEES, MICHELLE	100.00
06/17/16	297992	MEDILODGE OF PORTAGE	28.00
06/17/16	297993	MEDILODGE OF PORTAGE	213.50
06/17/16	297994	MELENDEZ, LISA	50.00
06/17/16	297995	MENARD'S (WEST MAIN)	1,043.61
06/17/16	297996	MENARDS, INC	1,267.04
06/17/16	297997	METRO ADVANTAGE	46.91
06/17/16	297998	MICH LAW ENFORCEMENT TRAINING ASSOC	250.00
06/17/16	297999	MICHAEL FRANCIS	300.00
06/17/16	298000	MICHIGAN ASSOC. OF PLANNING	700.00
06/17/16	298001	MIDWEST ENERGY COOPERATIVE	272.68
06/17/16	298002	MIGALA CARPET ONE, INC.	485.61
06/17/16	298003	MITCHELL, JENNIFER	100.00
06/17/16	298004	MLIVE	825.07
06/17/16	298005	MLIVE MEDIA GROUP	860.80
06/17/16	298006	MOORE ELECTRICAL SERVICE, INC.	2,649.04
06/17/16	298007	MOORE MEDICAL, LLC	412.05
06/17/16	298008	MOSQUITO CONTROL OF SW MICHIGAN	169.00
06/17/16	298009	NASHVILLE CONSTRUCTION COMPANY	7,997.50
06/17/16	298010	NEWSOME, MAXWELL	252.00
06/17/16	298011	NORMAN CAMERA CO.	159.00
06/17/16	298012	NORMAN CAMERA CO.	75.00
06/17/16	298013	NORTHUIS, JILL	100.00
06/17/16	298014	NYE UNIFORMS	2,437.12
06/17/16	298015	OFFICE DEPOT, INC.	1,093.47
06/17/16	298016	OLNEY, KEVIN	100.00
06/17/16	298017	P M V PAINTING AND DECORATING INC	1,670.00

Check Date	Check	Vendor Name	Amount
06/17/16	298018	PAM DAZEY	176.00
06/17/16	298019	PARIS CLEANERS	2,583.85
06/17/16	298020	PETERMAN CONCRETE CO.	85.00
06/17/16	298021	PRINTEK, INC.	147.25
06/17/16	298022	PRO SERVICES, INC.	532.90
06/17/16	298023	PUBLIC SAFETY CENTER	206.51
06/17/16	298024	Q3 TECHNOLOGIES LLC	1,522.00
06/17/16	298025	QUADMED, INC.	40.95
06/17/16	298026	R C M HEADSETS/R C M & ASSOC.	288.00
06/17/16	298027	REEVES, KRISTY	100.00
06/17/16	298028	REYNOUT, BRENT	62.95
06/17/16	298029	RIDGE AUTO NAPA	358.43
06/17/16	298030	ROSS, JOHN	150.00
06/17/16	298031	S A MORMAN & CO.	3,135.00
06/17/16	298032	SAULT HISTORIC SITES	192.50
06/17/16	298033	SCHOENWETHER, PAM	100.00
06/17/16	298034	SIRIUS XM RADIO INC.	220.55
06/17/16	298035	SITEONE LANDSCAPE SUPPLY LLC	393.13
06/17/16	298036	SLAVIN, NATHAN	180.00
06/17/16	298037	ST JOSEPH COUNTY COURT	300.00
06/17/16	298038	STACEY BAKER	77.00
06/17/16	298039	STAP BROS LAWN & LANDSCAPE,INC	7,914.33
06/17/16	298040	STATE OF MICHIGAN (DOT)	35,621.52
06/17/16	298041	STATE SYSTEMS RADIO, INC	1,887.50
06/17/16	298042	STEENSMA LAWN & POWER EQUIPMENT	2,250.50
06/17/16	298043	SUMMER THYME CAFE	397.50
06/17/16	298044	SWT EXCAVATING, INC	2,875.00
06/17/16	298045	T. G. ONLINE LLC	304.00
06/17/16	298046	THOMAS HAMANN	807.50
06/17/16	298047	THOMAS, SUSAN	100.00
06/17/16	298048	TODD ARBANAS ENTERPRISES INC.	1,200.00
06/17/16	298049	TRACTOR SUPPLY CORP.	34.99
06/17/16	298050	U S POSTAL SERVICE	5,000.00
06/17/16	298051	UNITED PARCEL SERVICE	12.00
06/17/16	298052	UNITED PARTY & EVENT SERVICES	310.00
06/17/16	298053	VALLEY TRUCK PARTS, INC.	101.45
06/17/16	298054	VERIZON WIRELESS SERVICES, LLC	2,171.62
06/17/16	298055	W. S. DARLEY & CO.	167.04
06/17/16	298056	WATKINS, GREG	230.00
06/17/16	298057	WRAPS N SIGNS	2,116.00
06/17/16	298058	XEROX CORPORATION	1,305.63
06/17/16	298059	ZANTELLO'S INTERIOR CARE. LLC.	857.22
06/17/16	298060	ZOLL DATA SYSTEMS, INC.	1,500.00
06/20/16	298961	DEVON TITLE AGENCY	238.66

Check Date	Check	Vendor Name	Amount
06/20/16	298962	NATIONAL LINK	55.65
06/20/16	298963	STRYKER	40.00
06/23/16	298965	CHEMICAL BANK	250,000.00
06/23/16	298966	STATE OF MICHIGAN (TREASURY)	164.14
06/29/16	298967	MERCANTILE BANK	250,000.00
06/30/16	298968	57TH DISTRICT COURT	1,261.00
06/30/16	298969	A PIZZA YEN	150.00
06/30/16	298970	A T & T	130.20
06/30/16	298971	ACTION PIANO SERVICE	135.00
06/30/16	298972	ADP, INC.	954.75
06/30/16	298973	ALLEGRA PRINT & IMAGING	611.70
06/30/16	298974	ANALYTICAL TESTING & CONSULTIN	1,650.00
06/30/16	298975	ARROWHEAD SCIENTIFIC, INC.	332.12
06/30/16	298976	ARTWEAR APPAREL GRAPHICS, INC.	1,082.00
06/30/16	298977	ASSURED TITLE/ SHERRY STOWE	3,000.00
06/30/16	298978	BARKHOLZ, MARY	100.00
06/30/16	298979	BESCO WATER TREATMENT, INC.	29.00
06/30/16	298980	BEST BUY CO, INC	2,999.94
06/30/16	298981	BILL'S LOCK SHOP, INC.	3,243.50
06/30/16	298982	BIXLER, MICHELLE	100.00
06/30/16	298983	BORGESS HEALTH ALLIANCE	253.00
06/30/16	298984	BRINK WOOD PRODUCTS, INC.	1,242.00
06/30/16	298985	BRINK'S, INC	294.13
06/30/16	298986	BRINK, CARA	100.00
06/30/16	298987	BRONSON HEALTHCARE GROUP	400.00
06/30/16	298988	BRUTSCHE CONCRETE PRODUCTS	140.00
06/30/16	298989	CARDINAL BUS, INC.	1,823.00
06/30/16	298990	CARTRIDGE WORLD	1,528.74
06/30/16	298991	CHICAGO TITLE OF MICHGAN	213.13
06/30/16	298992	CONTRACTORS EQUIPMENT & SUPPLY	365.00
06/30/16	298993	CORFMAN, MICHAEL	305.00
06/30/16	298994	COUNTY OF KALAMAZOO	10,800.00
06/30/16	298995	CROSSROADS CAR WASH	479.50
06/30/16	298996	D & A AUTO BODY	2,426.43
06/30/16	298997	DATA STRATEGY LLC	57,640.41
06/30/16	298998	DAVIS, MICHELLE	100.00
06/30/16	298999	DELIA TACTICAL INSTERNATIONAL LLC	503.00
06/30/16	299000	DENOOYER BROTHERS, INC.	6,675.67
06/30/16	299001	DEVON TITLE AGENCY	15.16
06/30/16	299002	DIGITAL COMBUSTION, INC.	654.00
06/30/16	299003	ECHELBARGER, HIMEBAUGH, TAMM & CO	150.00
06/30/16	299004	EMERGENCY VEHICLE PRODUCTS	5,736.49
06/30/16	299005	EMERGENCY VEHICLE PRODUCTS	575.00
06/30/16	299006	ENGINEERING SUPPLY & IMAGING	341.25

Check Date	Check	Vendor Name	Amount
06/30/16	299007	ENGINEERING SUPPLY & IMAGING	1,320.00
06/30/16	299008	FEDEX KINKOS - CAS	107.00
06/30/16	299009	FLANDERS, KENNETH	100.00
06/30/16	299010	FLETCHER ENTERPRISES	415.00
06/30/16	299011	FORSHEE, MARK	414.00
06/30/16	299012	GLOBAL EQUIPMENT CO., INC.	211.36
06/30/16	299013	GORDON FOOD SERVICE	225.44
06/30/16	299014	GORDON WATER SYSTEMS	268.50
06/30/16	299015	GREAT LAKES WEST, LLC	2,800.00
06/30/16	299016	GREATER KALAMAZOO FOP LODGE 98	3,350.12
06/30/16	299017	GREATER KALAMAZOO UNITED WAY	891.68
06/30/16	299018	HARTMAN, CHARLES	141.00
06/30/16	299019	HOCKEY SERVICES	3,398.80
06/30/16	299020	HOGNACHI, DAVID	322.00
06/30/16	299021	HOME DEPOT	593.17
06/30/16	299022	HOME DEPOT	2,029.06
06/30/16	299023	HOME DEPOT	1,431.44
06/30/16	299024	IAFC MEMBERSHIP	259.00
06/30/16	299025	KAL COUNTY FIRE CHIEFS ASSOC.	840.00
06/30/16	299026	KALAMAZOO AREA TRANSPORTATION STUDY	2,760.00
06/30/16	299027	KALAMAZOO COUNTY HEALTH & COMMUNITY	84.50
06/30/16	299028	KALAMAZOO COUNTY ROAD COMMISSI	4,255.35
06/30/16	299029	KALAMAZOO COUNTY TREASURER	497.50
06/30/16	299030	KALAMAZOO IN BLOOM, INC.	5,250.00
06/30/16	299031	KALAMAZOO LANDSCAPE SUPPLIES	1,122.65
06/30/16	299032	KALAMAZOO NATURE CENTER, INC.	300.00
06/30/16	299033	KALAMAZOO SPORTSWEAR	143.75
06/30/16	299034	KAR LABORATORIES	100.00
06/30/16	299035	KASTEN INSULATION SERVICES, INC.	2,823.00
06/30/16	299036	KATERBERG CO., INC.	2,819.64
06/30/16	299037	KEALA, TRICIA	326.56
06/30/16	299038	KEALA, TRICIA	248.52
06/30/16	299039	KLOOSTERMAN, MARK W & T L	200.00
06/30/16	299040	KLOSTERMAN DISTRIBUTING	1,089.37
06/30/16	299041	KOPEN, JANICE	60.00
06/30/16	299042	KZOO TIRE COMPANY	404.00
06/30/16	299043	LADIK, AMY	100.00
06/30/16	299044	LAND MATTERS LLC	956.32
06/30/16	299045	LAVERDURE, ROBERT	84.00
06/30/16	299046	LEE'S ADVENTURE SPORTS	1,839.50
06/30/16	299047	LOEDEMAN'S CARPET & UPHOLSTERY CLEA	440.00
06/30/16	299048	LOUTHAN, WILLIAM F	48.00
06/30/16	299049	MAHLER, LISA	3.65
06/30/16	299050	MAIL MANAGEMENT, INC.	448.49

Check Date	Check	Vendor Name	Amount
06/30/16	299051	MAPLE HILL SPRINKLING, INC.	10,234.00
06/30/16	299052	MAXWELL PRODUCTS, INC.	19,053.29
06/30/16	299053	MCCULLIN, LARRY W.	210.00
06/30/16	299054	MED EXPRESS URGENT CARE, PC MICH	190.00
06/30/16	299055	MENARDS, INC	288.06
06/30/16	299056	MFSIA	85.00
06/30/16	299057	MIBIZ	1,820.00
06/30/16	299058	MICH ASSOC OF CHIEFS OF POLICE	100.00
06/30/16	299059	MICH MUNICIPAL POLICE & FIRE REPAIR	2,745.15
06/30/16	299060	MICH MUNICIPAL POLICE & FIRE REPAIR	515.41
06/30/16	299061	MICHIGAN ASSOC. OF SENIOR CENTERS	75.00
06/30/16	299062	MICHIGAN ASSOCIATION OF FIRE CHIEFS	72.50
06/30/16	299063	MICHIGAN MUNICIPAL LEAGUE	337.10
06/30/16	299064	MICHIGAN PAVEMENT MARKINGS LLC	86,537.20
06/30/16	299065	MICHIGAN SURVEYORS SUPPLY, INC.	10,070.00
06/30/16	299066	MIDWEST ENERGY COOPERATIVE	278.14
06/30/16	299067	MILLER ROAD TRANSFER STATION	380.00
06/30/16	299068	MILLS, DANIEL	872.39
06/30/16	299069	MILLS, MARK	100.00
06/30/16	299070	MIRACLE RECREATION EQUIPMENT CO.	1,942.00
06/30/16	299071	MLIVE MEDIA GROUP	1,179.72
06/30/16	299072	MODERN PLUMBING,SEWER & DRAIN	55.00
06/30/16	299073	MOORE, LARRY	426.43
06/30/16	299074	MULDER WATERPROOFING & SEALANT	1,735.00
06/30/16	299075	NASON, RICHARD	440.06
06/30/16	299076	NATIONAL RECREATION & PARK AS.	240.81
06/30/16	299077	NEWSOME, MAXWELL	210.00
06/30/16	299078	NYE UNIFORMS	2,930.75
06/30/16	299079	O'REILLY AUTO PARTS	207.19
06/30/16	299080	OFFICE DEPOT, INC.	393.32
06/30/16	299081	OFFICE DEPOT, INC.	530.16
06/30/16	299082	OFFICE DEPOT, INC.	41.30
06/30/16	299083	ORCHARD, HILTZ & MCCLIMENT, INC.	3,000.00
06/30/16	299084	ORIENTAL TRADING CO.	307.49
06/30/16	299085	OUR DESIGNS, INC.	193.60
06/30/16	299086	OUTDOOR ALUMINUM	2,200.00
06/30/16	299087	PAINT RECYCLING SERVICES, LLC	6,940.70
06/30/16	299088	PATESEL, TERRY	141.00
06/30/16	299089	PEDAL BICYCLES	28.99
06/30/16	299090	PEERLESS-MIDWEST, INC.	25,436.78
06/30/16	299091	PETERMAN CONCRETE CO.	346.15
06/30/16	299092	PHILLIPS, KIMBERLY	28.36
06/30/16	299093	PORTAGE ROTARY	2,365.25
06/30/16	299094	POSTMAN INC., THE	2,240.00

Check Date	Check	Vendor Name	Amount
06/30/16	299095	POWERS, DEBORAH	100.00
06/30/16	299096	PRENTISS, SHERRY	150.00
06/30/16	299097	PRO SERVICES, INC.	5,715.22
06/30/16	299098	PROFESSIONAL LAKE MANAGEMENT	6,488.50
06/30/16	299099	QUALIFICATION TARGETS, INC.	136.82
06/30/16	299100	R C M HEADSETS/R C M & ASSOC.	107.00
06/30/16	299101	R W LAPINE INC.	8,740.00
06/30/16	299102	R-COMM MEDIA	924.00
06/30/16	299103	RATHCO SAFETY SUPPLY, INC.	7,567.10
06/30/16	299104	RECREATION PARK AND BEACH	3,141.00
06/30/16	299105	REECE, DIANE	67.00
06/30/16	299106	RENEWED EARTH, INC.	7,916.66
06/30/16	299107	RENTALEX OF MICHIGAN, INC.	198.50
06/30/16	299108	REPUBLIC SERVICES OF WEST MICHIGAN	1,222.20
06/30/16	299109	RESTORATIVE LAKE SCIENCES, LLC	1,500.00
06/30/16	299110	REYNOUT, BRENT	107.61
06/30/16	299111	RIDGE AUTO NAPA	525.14
06/30/16	299112	ROWLEY BROTHERS, INC.	1,954.17
06/30/16	299113	S A MORMAN & CO.	1,823.00
06/30/16	299114	SHANNON HERTZ	152.10
06/30/16	299115	SHERWIN WILLIAMS	476.54
06/30/16	299116	SHORT, LAURA	100.00
06/30/16	299117	SITEONE LANDSCAPE SUPPLY LLC	459.18
06/30/16	299118	SPARTAN ATHLETIC CO.	594.00
06/30/16	299119	STAP BROS LAWN & LANDSCAPE,INC	8,464.33
06/30/16	299120	STATE INDUSTRIAL PRODUCTS CORP	497.26
06/30/16	299121	STATE OF MICHIGAN	300.00
06/30/16	299122	STATE OF MICHIGAN (DOT)	160,116.87
06/30/16	299123	STATE SYSTEMS RADIO, INC	276.00
06/30/16	299124	STEENSMA LAWN & POWER EQUIPMENT	5,139.94
06/30/16	299125	T-MOBILE USA INC	29.99
06/30/16	299126	TANNER, STEVE	413.20
06/30/16	299127	TENNIS COURTS UNLIMITED, INC.	7,989.00
06/30/16	299128	TERRYBERRY CO.	856.51
06/30/16	299129	TIME	5.99
06/30/16	299130	TODD ARBANAS ENTERPRISES INC.	13,300.00
06/30/16	299131	TOOGOOD, KIM	100.00
06/30/16	299132	TOWNSQUARE MEDIA KALAMAZOO, LLC	854.00
06/30/16	299133	TRACTOR SUPPLY CORP.	679.30
06/30/16	299134	TRAFFIC CONTROL CORP.	3,105.00
06/30/16	299135	ULINE, INC.	764.49
06/30/16	299136	UNDERGROUND PIPE & VALVE, INC.	3,515.00
06/30/16	299137	UNITED PARCEL SERVICE	23.97
06/30/16	299138	USABLUEBOOK	3,001.77

Check Date	Check	Vendor Name		Amount
06/30/16	299139	VANGUARD FIRE & SUPPLY CO., INC.		1,915.19
06/30/16	299140	VARIDESK LLC		1,485.00
06/30/16	299141	VERIZON WIRELESS SERVICES, LLC		2,540.83
06/30/16	299142	WASHCO, LLC		2,000.00
06/30/16	299143	WATERMAN, ANNAMARIE		100.00
06/30/16	299144	WATKINS, GREG		368.00
06/30/16	299145	WEISSERT, CATHY		82.08
06/30/16	299146	WEST MICHIGAN OFFICE INTERIORS		2,462.70
06/30/16	299147	WESTERN MICH ASSOC OF FIRE CHIEFS		35.00
06/30/16	299148	WORLDPOINT ECC		847.42
06/30/16	299149	XEROX GOVERNMENT SYSTEMS LLC		1,583.00
06/30/16	299150	ZERO WASTE USA, INC.		1,395.00
06/30/16	299151	ZIMMERMAN, KAREN		58.06
07/01/16	10006	PETTY CASH-ALYSSA MILBECK		430.17
07/01/16	10007	PETTY CASH-BARB GARLOW		333.97
07/01/16	10008	PETTY CASH-DEREK HENSON		218.58
		SUBTOTAL:	**370 CHECKS**	**2,097,818.73**
06/05/16	3199	AUTO-PAY PAYMENT		5,186.22
06/06/16	3202	AUTO-PAY PAYMENT		4,066.49
06/10/16	3231	AUTO-PAY PAYMENT		13,345.72
06/14/16	3240	AUTO-PAY PAYMENT		5,410.61
06/16/16	3259	AUTO-PAY PAYMENT		26,752.73
06/17/16	3266	AUTO-PAY PAYMENT		10,911.67
06/20/16	3269	AUTO-PAY PAYMENT		2,077.28
06/21/16	3276	AUTO-PAY PAYMENT		33.68
06/22/16	3277	AUTO-PAY PAYMENT		1,207.87
06/27/16	3300	AUTO-PAY PAYMENT		920.26
06/28/16	3302	AUTO-PAY PAYMENT		238.88
06/29/16	3306	AUTO-PAY PAYMENT		970.53
		SUBTOTAL:	**12 CHECKS**	**71,121.94**
		GRAND TOTAL:	**510 CHECKS**	**3,101,241.80**

** (A) DENOTES ACH PAYMENTS

PORTAGE
A Natural Place to Move

CITY COUNCIL AGENDA ITEM F.1.
JULY 12, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager Laurence Shaffer

SUBJECT: Gourdneck Lake - Creation of Governmental Lake Board

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

ACTION RECOMMENDED: That City Council accept the request of the Gourdneck Lake Association and adopt a Resolution to establish a lake board for Gourdneck Lake, in accordance with Part 309 of Public Act 451 of 1994, Inland Lake Improvements.

On June 28, 2016 City Council received the attached correspondence from the Gourdneck Lake Association requesting the creation of the Gourdneck Lake Governmental Lake Board (GLGLB). The GLGLB would be established in accordance with Part 309 of Public Act 451 of 1994, Inland Lakes Improvements. City Council requested that the City Attorney prepare a resolution to establish the GLGLB, which is attached and recommended for adoption.

For the information of Council, Gourdneck Lake is situated partially in the City of Portage and partially in Schoolcraft Township. The Schoolcraft Township Board received a similar request from the Gourdneck Lake Association; it is anticipated that the board will act favorably on a similar resolution to establish the GLGLB on July 12, 2016.

In accordance with the Act, the GLGLB would consist of a member of the Kalamazoo County Board of Commissioners, the Kalamazoo County Drain Commissioner, a Schoolcraft Township representative, a City of Portage representative and a riparian property owner. Creation of the GLGLB would provide for the establishment of a defined legal entity to address any lake improvement projects and would include the power to levy special assessments for the purpose of supporting lake improvement projects, such as the weed control program currently proposed by the Gourdneck Lake Association.

It is recommended that Council accept the request of the Gourdneck Lake Association and adopt a Resolution to establish a lake board for Gourdneck Lake, in accordance with Part 309 of Public Act 451 of 1994, Inland Lake Improvements.

FUNDING: N/A

Attachments:
1. Gourdneck Lake Association Letter
2. Resolution

RECEIVED

JUN 0 9 2016

CITY MANAGER'S OFFICE
PORTAGE, MI

June 7, 2016

Gourdneck Lake Association
Chris Haas, President
10631 Sudan Street
Portage, Michigan 49002

City of Portage

Ladies and Gentlemen:

On behalf of the Gourdneck Lake riparian's, we are writing to open a dialogue with the City of Portage and Schoolcraft Township regarding the need for an Aquatic Plant Management Program for Gourdneck Lake.

Gourdneck Lake is home to 22 native aquatic plant species and 24 different species of fish. However, in recent years, there has been a proliferation of Eurasian Watermilfoil, an exotic invasive species. In the fall of 2013, the Gourdneck Lake Association engaged Restorative Lake Sciences ("RLS") to evaluate Gourdneck's aquatic ecosystem. As a result of RLS' assessment, it was determined that the existence of the Eurasian Watermilfoil threatens the native plants and ultimate health of our lake. In addition to the invasive Eurasian Watermilfoil, three other invasive species were found, including the Curly-leaf Pondweed, Purple Loosestrife, and *Phragmites*. These three invasive species were low in abundance, but require monitoring.

Eurasian Watermilfoil is especially threatening to Gourdneck Lake's ecosystem as it's an invasive plant species that establishes itself early in the growing season and can grow at greater depths than most plants. Eurasian Watermilfoil is known for its ability to form a thick canopy at the lakes surface and degrade the fish habitat. The Eurasian Watermilfoil often competes and displaces more desirable, native plants and quickly becomes the dominant species in the lake ecosystem. The presence of Eurasian Watermilfoil also significantly hinders the recreational activity on the lake.

In June, 2014, Chris Haas, President of the Gourdneck Lake Association, informed the City of Portage and Schoolcraft Township of the associations desire to look into a lake weed control program. At this time, we were informed that the appropriate mechanism to implementing a lake weed control program would be to create a governmental lake board due to special circumstances facing Gourdneck Lake. The special circumstances faced by Gourdneck Lake include being situated in two different jurisdictions and significant lake frontage owned by both Kalamazoo County and State of Michigan. At the direction of the respective jurisdictions, the Gourdneck Lake Association proceeded with petitioning freeholding owners of land abutting the lake in order to establish a governing lake board and ultimately a lake weed control program.

In order to determine which properties were considered "freeholding owners of land abutting the lake", a listing of parcels was obtained from the City of Portage and Schoolcraft Township. Once the listings were obtained, members of the Gourdneck Lake Association went door-to-door to obtain petition signatures. In addition, emails were sent to the Gourdneck Lake Association email distribution list, which included a link to our website (www.gourdnecklakemi.com). The website includes a PDF of the RLS study, as well as more information regarding the formation of a governing lake board. Finally, petition signatures were also gathered at our annual All Resident's meeting, which is held in May of each year. In the process of obtaining the petition signatures, we found overwhelming support for establishing a lake weed control program.

As of June 7, 2016, we have obtained over two-thirds of the signatures of freeholding owners of land abutting the lake for residents of the City of Portage. We are continuing to gather signatures for Schoolcraft Township and our current progress indicates that we will be able to obtain the two-thirds requirement very soon.

At this time, we respectfully request the City of Portage to refer to the information contained herein regarding the creation of a governing lake board. Given the recent proliferation and expansion of the Eurasian Watermilfoil, time is of the essence and the need to take action is now. Concurrently, we are requesting Schoolcraft Township to proceed with establishing a governing lake board for Gourdneck Lake in accordance with Part 309 of Act 451 of 1994, as amended.

Gourdneck Lake and the surrounding lakes are important assets to our county. The aquatic ecosystems must be protected, not only for us, but for future generations of Kalamazoo County.

We would be happy to meet with you and share our knowledge and concerns regarding this issue. Please let us know if you have any further questions or need additional information.

Kind regards,

Chris Haas, President
Gourdneck Lake Association

Tyler Sheerer

Tyler Sheerer, Vice President
Gourdneck Lake Association

Petition for Formulation of a Lake Board for the Improvement of Gourdneck Lake Pursuant to Part 309 of Public Act 451 of 1994, as amended

The undersigned petitioners and freeholders owning land abutting Gourdneck Lake, Kalamazoo County, Michigan hereby petition the Township Board of the Township of Schoolcraft and the City Council of the City of Portage to form a Lake Board to provide for the improvement of Gourdneck Lake as authorized by Part 309 of Act 451 of 1994, as amended. The undersigned hereby acknowledge that a special assessment district may be established by the respective Lake Board to finance the improvements.

Certificate of Circulator(s)

The undersigned circulator(s) of the above petition asserts that he/she is a freeholder of property abutting Gourdneck Lake, that each signature on the petition was signed in his/her presence: that to his/her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the same: and, to the best of his/her knowledge, the person was a freeholder of property abutting Gourdneck Lake at the time of signing.

Circulator and pages	Date
[signature] Pg 1-7	4-25-15
[signature] PG 1-7	6/2/16
[signature] pgs 1-7	6/2/16
Christine Price pgs 1-7	6/3/2016

5f

Williams, Robert E & D K 10930 S Westnedge Ave 00033-170-O Robert E Williams Date: 11-24-14	Recreation Park & Beach Assn 10951 S Westnedge Av 00034-171-O Date:
Hoogstraten, Garrett J & G M 175 Matteson Ct 00033-177-O Garrett Hoogstraten Gayle M Hoogstraten Date: 11-24-14	Bock, Aaron & Rebekah 1614 Metsa Ct 02800-004-O Date:
Eichelberg, William 1610 Metsa Ct 02800-005-O Date: 5/2/15	Ferguson, Robert J Trust 1609 Metsa Ct 02800-006-O Robert J Ferguson Date: 12/20/2014
Patel, Keyur & Vashu 10900 James Way 00034-151-O Date: 11/25/14 11/25/14	Talanda, Dorothy 10910 James Way 00034-152-O Date:
Shrimplin, Robert D & J 10920 James Way 00034-153-O Robert Shrimplin Judith Shrimplin Date: 11-25-14	Alfieri, Gary & Marcia Trust 10930 James Way 00034-200-O Gary Alfieri Marcia Alf Date: 11-25/14 12-1-14
Mleczewski, Terry L 418 Marylynn Ct 00034-175-C Date: 12/20/14	Mleczewski, Terry & Debra 420 Marylynn Ct 00034-175-D Debra Mleczewski Date: 11-25-14 12/20/14
Campagna, Cary J & M P 360 Marylynn Ct 00034-175- Cary Campagna Date: 5/21/15	Fogleson, Susan G Trust 408 Marylynn Ct 00034-180-O Susan Fogleson Date: 11-24-14

MLM

Taraszka, Anthony J & M J
410 Marylynn Ct
00034-185-O Mildred J. Taraszka

Anthony J. Taraszka

Date: 5-12-16

Lipari, Lori M Trust
416 Marylynn Ct
00034-190-O

Date:

Hunt, Timothy & Christie
422 Marylynn Ct
00034-195-O

Date: 5/12-2016

Nicoll, Robert L.
330 - Mary Lynn Ct.
Robert Nicol 8-16-15

Karnes, Harold A & C M
10727 Sudan St
02860-002-O 4-26-15
Carol M Karnes
Date:

x Polley, Barbara J
10723 Sudan St
02860-003-O

Date:

Stout, James & Charlene Trust
10715 Sudan St
02860-004-O

Date:

Hossack, William L & S M
10711 Sudan St
02860-005-O

Date: 5-11-15

Moffit, Timothy E & Kimberley Y
10703 Sudan St
02860-006-O
Timothy E Moffit Kimberley Y Moffit
Date: 4-26-15

Hoeksema, Edwin D & K Y
10661 Sudan St
02860-007-O
Kathy Hoeksema
Ed Hoeksema
Date: 5-11-15

Vonmaur, R Kurt & S
10653 Sudan St
02860-008-O
Sharon von Maur
Date: 5/11/15

Stearns, Donald K & Lea J Trust
10647 Sudan St
02860-009-O
Lea Stearns
Date: 4-26-15 4-26-15

Clegg, William & Denise
10639 Sudan St
02860-010-O
Mary Denise Clegg 4/26/15
Date: 5/2/15

Haas, Christopher & Allison
10631 Sudan St
02860-011-O
Allison Haas
Date: 4-25-15

Price, Scott & C
10627 Sudan St
02860-012-O
Christa Price
Date: 4/26/15

Kuiper, Jack E & Janie L
10619 Sudan St
02860-013-O
Jack E Kuiper Jan Kuiper
Date: 5-11-15

Clark, James A & A A
10609 Sudan St
02860-014-O
Jodi Clark
Date: James A. Clark
5/14/15

White, Laurence E
10831 Cora Dr
00034-206-O

Date:

Watson, Shirley C Trustee
10827 Cora Dr
00034-207-O

Date:

Ely, Randy L & J M
10847 Cora Dr
00034-208-O
Jane Ely
Date: 11-26-14

Smith, James A &
10905 Cora Dr
00034-209-O
James A. Smith
Date: 11/25/14

~~Andrew, James & Delores~~ *
10825 Cora Dr
00034-210-O
Michele T. Kraft
Date: 11/26/14

Hill, Ervan R Trust
10845 Cora Dr
00034-212-O

Date:

Talanda, Michele
10853 Cora Dr
00034-214-O
Lot only

Date:

Matthews, Jack W & B J
10823 Cora Dr
00034-215-O
Jack W. Matthews
Date: May 2 2015

Dark, J William
10809 Cora Dr
00034-220-O

Date: 12-6-14

Newhouse, Steven L & D B
10805 Cora Dr
00034-225-O
Stephanie Deb Newhouse
Date: 12/20/14

Kucera, Robert F & J A
10747 Cora Dr
00034-230-O
Robert F. Kucera
Date: 11/21/2014

Smith, Gary S & B L
10753 Cora Dr
00034-235-A
Gary S Smith
Date: 12-1-14 12/1/14

Lambarth, Cliff and Shaelie
10801 Cora Dr
00034-240-A
Cliff Lambarth Shaelie
Date: 12/1/14

Stephanak, Margaret F
10725 Cora Dr
02860-001-O
Margaret Stephanak
Date: 12.1.14

Michael Tucker
10825 Cora Drive
00034-210-0
Michael Tucker 5/12/2016

Ck

Vanswedeen, Wayne
10744 Portage Rd
00034-265-O

Date:

Speirs, Donna M Trust
10742 Portage Rd
00034-275-O

Donna M Speirs
Date: 03 May 2015

Bertolissi, Kenneth M & J K
10646 Portage Rd
00034-285-O

Ken Bertolissi Jan Bertolissi
Date: 5/13/15

Rosema, Carl E & M F
10934 Portage Rd
02800-010-O

Marilyn Rosema
Carl E. Rosema, MR
Date: 5-2-15

Adams, Robert M
10926 Portage Rd
02800-012-O

Date: 5-2-15

Mott, Michelle
10912 Portage Rd
02800-013-B

Date: 5.3.2015

Varas, Theodore S
10624 Portage Rd
03900-008-O

Theodore S Varas
Date: 5-12-2015

Bertolissi, Jeffery J & R M
10748 Portage Rd
00034-270-O

Robin Bertolissi Jeff Bertolissi
Date: 5/13/15

Whitcomb, J E & M
10706 Portage Rd
00034-280-O

Marguerite A Whitcomb James E Whitcomb
Date: 8-2-2015

Selden, Mary F - Living Trust
10630 Portage Rd
00034-290-O

Paul Selden (for MS)
Date: 5-3-15

Werner, Roger S & M J
10930 Portage Rd
02800-011-O

Roger S. Werner Mary J Werner
Date: 5-2-15

Swanson, M & Eichelberg, W
10922 Portage Rd
02800-013-A

Date: 5/2/15

Taft, Kenneth L
10902 Portage Rd
02800-014-O

Date:

Bare-Thompson, Nancy L
10725 Portage Rd
08640-015-A

Nancy L. Bare-Thompson
Date: 5-14-2015

Walker, Sally R 10733 Portage Rd 08640-017-B	Walker, David A & Sally R 10737 Portage Rd 08640-018-B
Date:	Date:
Reish, Joseph G & Helene 1426 Vickery Rd 03900-001-O	Preston, David B & M S 1504 Vickery Rd 03900-002-O
Date:	Date:
Ferris, Patrick K & K M 1510 Vickery Rd 03900-003-O	Casanto, Todd & Karen 1516 Vickery Rd 03900-004-O
Date:	Date:
Stannard, William & Linda 1524 Vickery Rd 03900-005-O Linda Stannard	Wagner, Victoria J Trust 1530 Vickery Rd 03900-006-O Victoria J. Wagner
Date: 5/12/16	Date: 4-20-16
Nicola, Robert J & H M 1608 Vickery Rd 03900-007-O	
Date:	

MKR Properties, LLC
1420 E Osterhout Av
00034-295-O

Date:

Geib, Frank A & C L
1414 E Osterhout Av
09180-001-O

Date: 5/12/16

Moss, Glen M & Julien-Moss, Kay
1406 E Osterhout Av
09180-002-O

Date:

Fox, Thomas A & R E
1330 E Osterhout Av
09180-003-O

Date:

Downing, Thomas & Lyn
1322 E Osterhout Av
09180-004-O

Date:

Murray, James E & S M
1310 Wetherfield South Dr
09180-007-O

Jim Murray Susan M. Dennis
Date: 4/23/15

Deceased
Thysse, Marvin & Gilkison, Timothy
1304 Wetherfield South Dr
09180-008-O

Date: 4/23/15

Kitchen, Wayne & Nancy Trust
1230 Wetherfield South Dr
09180-009-O

Wayne Kitchen Nancy Kitchen
Date: 4-30-15

Chapman, John T & P B
1226 Wetherfield South Dr
09180-010-O

Peggy B. Chapman
Date: april 22, 2015

Sheerer, Tyler & Krystal
1222 Wetherfield South Dr
09180-011-O

Tyler Sheerer + Krystal Sheerer
Date: 12/3/14

Simpson, Gerald A & R K
1216 Wetherfield South Dr
09180-012-O

Date: 12/3/14

Hall, Stanley R - Trust
1104 Wetherfield South Dr
09180-014-O

Date:

Shephard, Cecilia L Trust
1128 Wetherfield South Dr
09180-016-O

Cecilia Shepard/jo
Date: 5/14/15

RESOLUTION
CITY OF PORTAGE, MICHIGAN

RESOLUTION TO ESTABLISH A LAKE BOARD FOR GOURDNECK LAKE, JOINTLY WITH SCHOOLCRAFT TOWNSHIP

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on __________, 20___ at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: ____

ABSENT: ____

The following resolution was offered by:

COUNCILMEMBER:__________________ and supported by

COUNCILMEMBER:__________________.

WHEREAS, Gourdneck Lake is a public inland lake as defined by the Inland lake Improvements Act being MCLA 324.30901, etc. seq., as amended (hereinafter "Act");

WHEREAS, Gourdneck Lake is located partly within the boundaries of the City of Portage and partly within the boundaries of Schoolcraft Township;

WHEREAS, the Gourdneck Lake Association has represented to the City Council (and to the Schoolcraft Township Board) that an Aquatic Plant Management Program ("Program") is desired for Gourdneck Lake;

WHEREAS, it has been represented that the goal of the Program is to reduce or eliminate invasive species of weeds, including Eurasian Watermilfoil, in the lake;

WHEREAS, that said Program would likely maintain and improve the quality and usefulness of Gourdneck Lake by area residents, and preserve its longevity as a valuable asset to the City of Portage;

WHEREAS, the City of Portage, pursuant to a request by the Gourdneck Lake Association and a petition filed by two-thirds of the freeholders owning lands abutting the lake, desires to improve Gourdneck Lake for the protection of the public health, safety and welfare, the conservation of the natural resources of the City of Portage, and to preserve property values around the Lake;

NOW THEREFORE, BE IT RESOLVED that the City of Portage under Section 30903 of the Act, and in conjunction with Schoolcraft Township, establishes the Gourdneck Lake Improvement Board to proceed with the necessary steps for improving Gourdneck Lake and shall be subject to and conditioned on all of the following:

1. The Gourdneck Lake Improvement Board shall consist of those members as described by the Act.

2. The Gourdneck Lake Improvement Board shall elect a chairperson, treasurer and secretary. A majority of the members of the board shall constitute a quorum. The concurrence of a majority on any matters within the duties of the board shall be required for the determination of a matter.

3. The City of Portage desires the Gourdneck Lake Improvement Board to determine the scope of any proposed project, including an engineering feasibility report, an economic study report, and estimate of cost, and report its findings to the City Council. A copy of each report generated by the Gourdneck Lake Improvement Board and/or its engineering consultant or other consultants shall be provided to the City of Portage (and Schoolcraft Township) contemporaneous with preparation of same, and shall also be fully available to the general public.

4. The Gourdneck Lake Improvement Board shall initiate proceedings as described in the Act to accomplish the lake improvement as described, including establishing a special assessment district of all lands benefitted by the lake improvement.

5. Any proposed special assessment roll prepared or otherwise authorized by the Gourdneck Lake Improvement Board shall include provisions sufficient to reimburse City of Portage for all expenses incurred by the City of Portage with respect to the process for establishing the Gourdneck Lake Improvement Board and implementing any Program of the Gourdneck Board, including but not limited to legal fees and any additional assessing official compensation incurred by City of Portage to establish and/or assist in administering the Gourdneck Lake Improvement Board.

6. The Gourdneck Lake Improvement Board shall not impose any at-large special assessment or other financial obligation on the City of Portage, without prior approval of the Portage City Council.

7. The Gourdneck Lake Improvement Board shall retain or otherwise consult with legal counsel competent in lake improvement board matters sufficiently to carry-out its actions in accordance with all applicable legal requirements.

BE IT FURTHER RESOLVED that this resolution shall be null and void in its entirety if the Schoolcraft Township Board does not approve a resolution to establish the Gourdneck Lake Improvement Board pursuant to the Act by September 1, 2016.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

ADOPTED: __________

AYES: Councilmember______________________________

NAYS: Councilmember______________________________

ABSENT: Councilmember______________________________

____
James R. Hudson, City Clerk

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APPROVED AS TO FORM
DATE 7/7/2016
____
CITY ATTORNEY

PORTAGE
A Natural Place to Move

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: City Council Wireless Device Stipend

SUPPORTING PERSONNEL: Rob Boulis, Deputy City Manager
Devin Mackinder, Director of Technology Services

ACTION RECOMMENDED: That City Council adopt the resolution establishing a stipend for City Council electronic devices and direct the City Manager to create a City Council policy for administration of the benefit.

The City of Portage Fiscal Year 2016-2017 Budget, as approved on May 24, 2016, contains $21,000 to fund the use of private cell phone, laptops, computers, cost of internet access and other support devices for Mayor and Councilmember use in the conduct of public business. Access to automation and communication technology has become an essential element of the legislative process. The ability to effectively access information in an increasingly paperless environment is a primary method of receiving, organizing and accessing important critical information relative to the legislative process. A democracy, to function equitably, must provide resources to those elected public officials in order for each to provide for their legislative responsibilities. To deny such resources is to limit the individuals who might otherwise stand and serve for Mayor and the City Council.

With the gradual but steady increase in the use of automation to support the legislative process, to include paperless City Council meeting agendas (Boardsync), instantaneous notification to Mayor and City Council utilizing text messaging, cell phone usage and e-mail linkage, it is a benefit to the City Administration to encourage and incentivize the use of privately held automation and communication device(s) use by the Mayor and City Council. Having the City Council utilize their own devices (cell phones, laptops and / or tablets) eliminates the need for the city to provide tablets for City Council usage.

Further, to enhance the security of the City of Portage automation system, the stipend shall be paid to the Mayor and City Council only after each execute an agreement to access the city's automation system through administratively designated portals as determined and revised from time to time by the Technology Department, as approved by the City Manager.

> *Section 3.1 of the Portage City Charter states, "(a) The elective officers of the City are the Mayor, the six Councilmen..."*
>
> *Section 3.5 of the Portage City Charter states, "City officers shall be entitled to reimbursement for actual and reasonable expenses incurred by them in connection with the execution of their offices, when the claim therefor has been audited by the Clerk and approved by the Council."*

City Code, Chapter 2, Article 7, Division 5, Section 2-312 Duties states, in part, "Any expense, allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city."

However, direction for disbursement of the stipend and adherence to security measures need to be outlined for future use. One way to address the issue is to craft a separate policy for the cellular/wireless devices for the Mayor and City Council. Per the City Attorney's recommendation, a resolution for Council approval has been provided to direct the City Administration to draft a City Council policy. As such, it is recommended that City Council approve the resolution for a Wireless Device Stipend for Mayor and City Council and direct the City Manager to create a Council policy for administration of the benefit.

FUNDING: The FY 2016-2017 Budget includes $21,000 for compensation of City Council wireless device usage.

Attachments: 1. Resolution

RESOLUTION
CITY OF PORTAGE, MICHIGAN

RESOLUTION APPROVING WIRELESS DEVICE STIPEND FOR MAYOR AND THE CITY COUNCIL AND DIRECTING THE CITY MANAGER TO PREPARE A CITY COUNCIL POLICY

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on __________, 20___ at 7:30 p.m. local time at City Hall in the City of Portage, Kalamazoo County, Michigan.

PRESENT: ____

ABSENT: ____

The following resolution was offered by:

COUNCILMEMBER:____________________ and supported by

COUNCILMEMBER:____________________.

WHEREAS, the efficient and effective functioning of local government includes the ability of the Mayor and City Council to receive communications, reports, agendas, voicemails, maps, citizen inquires and expressions of support, opposition or posting questions on matters affecting the City of Portage; and

WHEREAS, the most efficient and effective tools to receive such information is through a variety of electronic communication devices to include cell phones, laptop computers and tablets; and

WHEREAS, the public served by the Mayor and the City Council increasingly communicates with its elected officials utilizing cell phone(s), text message(s), email(s); and

WHEREAS, the most efficient and effective method to receive such communication is upon the use of a personal cell phone, personal laptop and/or personal tablet; and

WHEREAS, the cost to acquire such equipment and service by the City of Portage to provide to the Mayor and City Council with phone and automation services is prohibitively expensive; and

WHEREAS, the Mayor and the City Council will experience logistical difficulty in maintaining both a City of Portage owned cell phone, laptop and/or tablet and a duplicate managed personal cell phone, laptop and/or tablet; and

WHEREAS, the Mayor and City Council have utilized a paperless meeting agenda system that utilizes the internet and automation to receive and utilize City Council agendas; and

WHEREAS, City Charter, Section 3.5 states, in part that, "City Officers shall be entitled to reimbursement for actual and reasonable expenses incurred by them in connection with the execution of their offices......" and further, City Code, Chapter 7, Division 5, Section 2-312 states, in part, "Any expense allowable or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business...".

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Council may be individually reimbursed for personal cell phone use at the rate of Fifty ($50.00) Dollars per month and/or Seventy Five ($75.00) Dollars per month for personal laptop and/or tablet use.

BE IT FURTHER RESOLVED that in the alternative, the Mayor and City Council may utilize cell phone, laptop and or/tablet issued by the City without a reimbursement by the City of Portage.

BE IT FURTHER RESOLVED that the City Manager is directed to prepare a City Council Policy for Council's review and adoption consistent with this Resolution which will govern the Council with regard to the Wireless Device Stipend.

BE IT FURTHER RESOLVED that the Mayor and members of City Council shall agree to comply with security protocols as determined by the City Council Policy.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

ADOPTED: ___________

AYES: Councilmember____

NAYS: Councilmember____

ABSENT: Councilmember____

____
James R. Hudson, City Clerk

z:\jody\portage\res\wireless device stipend resolution.062716.docx

APPROVED AS TO FORM
DATE 7/8/2016
____
CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Sanitary Sewer Payback Agreement - Whisper Rock Condominium Development

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

ACTION RECOMMENDED: That City Council approve the payback agreement between the City of Portage and American Village Development II, LLC, for installation of sanitary sewer and authorize the City Manager to sign all documents related to this matter on behalf of the city.

American Village Development II, LLC (AVD) is proceeding with the development of Whisper Rock, a condominium development located near the southwest quadrant of Oakland Drive and West Centre Avenue. To facilitate construction of the overall development, it is necessary for the developer to install a sanitary sewer lift station and approximately 300 feet of sanitary sewer adjacent to the Oakland Drive right-of-way. City Council previously approved the final plan for Whisper Rock (Phase I) on February 23, 2016.

Portions of the sanitary sewer installed by the AVD, at the developer's expense, on Oakland Drive have the potential to serve property that is not owned by the developer. As such, AVD has requested a payback agreement for the cost to install the sewer as provided for in section 82-263 of the Code of Ordinances of the City of Portage. The payback agreement, which has been reviewed and approved by the City Attorney, indicates that the City of Portage will reimburse AVD an amount equal to any connection charges received by the city from benefiting property owners for connection to the sanitary sewer. The agreement is valid for a period of seven years (until July 2023). The total payback to AVD is limited to the amount the developer expended on the initial construction.

The payback agreement provides the developer a means to recoup some of the initial capital expense associated with the infrastructure improvements necessary to permit completion of the residential condominium project. The city will accept the 300-foot-long segment of sanitary sewer for public use at no cost. The city is only required to pay AVD monies received, therefore, there is no net expenditure on the part of the city.

It is recommended that City Council approve the payback agreement for installation of sanitary sewer between the City of Portage and American Village Development II, LLC.

FUNDING: N/A

Attachments: 1. Agreement for Installation of Sanitary Sewer and Lift Station

AGREEMENT FOR THE INSTALLATION OF SANITARY SEWER AND LIFT STATION

THIS AGREEMENT, made this ___ day of July, 2016, by and between the City of Portage, whose address is 7900 South Westnedge Avenue, Portage, MI 49024, hereinafter referred to as "City" and, and American Village Development II, L.L.C. a Michigan Limited Liability Company whose address is 4200 West Centre Avenue, Portage MI, 49024, hereinafter referred to as "Developer".

WHEREAS, the Developer is the owner of a certain parcel of land located within the aforesaid City, which they are developing a condominium community commonly known as Whisper Rock and which is more fully described on Exhibit "A", attached here to by reference:

WHEREAS, the Developer must provide sanitary sewers and a sanitary lift station as an incident to the development, and for that purpose must install a sanitary sewer on said described in Exhibit "A":

WHEREAS, numerous other persons may desire to connect into said sanitary sewer and utilize the sanitary lift station and thereby benefit from the sanitary sewer and sanitary lift station to be installed by the developer; and,

WHEREAS, the Developer has paid the sum of One Hundred Fifty Thousand dollars and no/100 ($150,000.00) for the full cost of the sanitary sewer, sanitary lift station and appurtenances thereto necessary to furnish public sanitary sewer service to the their premises heretofore described; and

WHEREAS, the City is agreeable to allowing some portion of the cost of such installation to be recovered by the Developer for those persons or other private organizations hereinafter connection to and using said sanitary sewer; and

WHEREAS, the City is agreeable to assuming the obligation of acting as an Escrow Agent for the purpose of collecting and remitting such sums as may be received from persons connecting to said sanitary sewer under the terms and conditions hereinafter set forth; and

WHEREAS, the Developer is agreeable to installing said sanitary sewer and appurtenances in accordance with all the terms of this agreement; and

NOW, THEREFORE, BE IT AGREED AS FOLLOWS:

1. The Developer agrees that said Developer will install, at his expense, a sanitary sewer lift station within the Whisper Rock Community and 8-inch diameter sanitary sewer and manholes as shown in Attachment B attached hereto and made a part hereof by reference.

2. The City will act as Escrow Agent for the purpose of collecting and remitting certain funds as hereinafter provided.

3. The City will establish a special fund for the sums collected hereunder, and will accurately account to the Developer for the same.

4. Each and every person, and every organization or corporation, who or which hereafter shall desire to connect to the sanitary life station hereinbefore described, shall do so only with specific permission of the City, and upon compliance with the terms and conditions established by the City and the payment of the fees and costs hereinafter mentioned.

5. As a condition precedent to the issuance of any permit allowing any connection to be made into the aforesaid sanitary sewer lift station, the City as Escrow Agent, shall collect, on behalf of the Developer, fee or fees to be computed as follows:

> For each connection made for the purpose of serving a single and multiple user of the sanitary sewer, the following fee shall be paid: for sanitary sewer along Oakland Drive, the front footage charge and charge for the lead which is in effect at the time of connection will be applied to the property served and shall be collected.

6. As each property connects to said sewer, the amount due from said property for the front footage charge as a result of said connection shall be paid by the City to the Developer on approximately the 31st day of December in the year of the connection. City shall inform Developer of each connection as it occurs.

7. Notwithstanding anything herein contained to the contrary, the Developer shall be entitled to receive reimbursement for only those connections made during the seven-year period from the date of acceptance, up to maximum of One Hundred Fifty Thousand dollars and no/100 ($150,000.00).

8. Except to collect the fees as aforesaid and to properly account for and remit the same, the City shall have no responsibility to the Developer under this agreement, The Developer shall not be entitled to any predetermined or fixed amount, but only to the fees collected as aforesaid. The Developer shall pay all City service charges, trunk sewer fees and inspection fees for sanitary sewer, but not fees or charges normally assessed for the construction sanitary sewers.

9. Notwithstanding anything to the contrary herein contained, in the event that a controversy arises between two or more of the parties hereto or between any of the parties here to and any other person not a party hereto, as to whether or to whom City shall deliver any funds or as to any other matter arising out of or relating hereto, City shall not be required to determine the same and need not make any delivery of the funds or any portion thereof to the parties to the dispute, but may choose to (a) commence an action in a court of competent jurisdiction and pay over the funds at issue as such court shall direct or (b) retain same until the rights of the parties to the dispute shall have been finally determined by a written agreement signed by all of the undersigned parties or by final order of a court of competent jurisdiction. In this latter instance, City shall deliver the funds within seven (7) days after it has received written notice of any such agreement or final order or finding; provided, however, that the time for appeal from any such final order or finding has expired without an appeal having been taken and such written notice is accompanied by an affidavit that the time for appeal has expired without an appeal having been taken. City shall be entitled to assume that no such controversy has risen unless it has received a written notice from any of the undersigned, or a third party that such controversy has arisen which refers specifically to this Agreement and specifically identifies by name and address the adverse claimants to the controversy and the nature of the controversy.

10. In performing any of its duties hereunder, City shall not incur any liabilities to anyone for damages, losses or expenses except for in the event that such damage, loss or expense was/were caused by City's gross negligence, or willful default. Developer further specifically agrees to hold City harmless from any liability including attorneys' fees and expenses arising from the failure of any party hereto or third party to perform as agreed or anticipated,

11. Should any law or court decision now or in the future prevent the City from assessing and collecting from the future users of sanitary sewers the charges as set forth in the contract, the Developer

agrees to relinquish any claim it has against the City for the collection of said charges to the extent of the law or the Court decision prevents the City from assessing and collecting same.

12. The rights, duties, and obligations hereunder shall inure to the benefit of, and shall be fulfilled by the heirs, legal representatives, successors and assigns to the parties hereto and shall be a covenant running with the above described premises.

13. This Agreement is governed by and construed under the laws of the State of Michigan.

14. This agreement is subject to all Ordinances of the City and all sewer service contracts between the City and any other municipal corporation and shall not be construed in any manner to be superior to such ordinances or contracts whether the same are presently in effect or adopted or entered into in the future as general City Ordinances or general City sanitary sewer contracts.

15. When applicable, pronouns and relative words shall read as plural or feminine.

16. This Agreement shall be recorded with the Kalamazoo County Register of Deeds and cost of same is to be borne by Developer.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

American Village Development II, L.L.C.,
a limited liability company

By: Jack S. Gesmundo, Trustee of the
Jack S. Gesmundo Trust u/a/d August 24, 1998,
as amended by a first amendment dated
September 13, 2013, Document number 2014-007796
Kalamazoo County Records

Its: Member

City of Portage,
a Michigan Municipal Corporation

By: Laurence Shaffer
Its: City Manager

APPROVED AS TO FORM
DATE 7/8/2016

CITY ATTORNEY

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

The foregoing instrument was acknowledged before me on June__, 2016 by Jack S. Gesmundo, the Member of American Village Development II, L.L.C., on behalf of the Michigan Limited Liability Company.

____
Bethany Leigh Lehmer
State of Michigan
County of Kalamazoo
My Commission Expires August 20, 2019
Acting in the County of Kalamazoo

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

The foregoing instrument was acknowledged before me on June____, 2016 by Laurence Shaffer, the City Manager for the City of Portage, on behalf of the corporation.

____
, Notary Public
County, Michigan
My Commission Expires:
Acting in Kalamazoo County

Drafted by:
Jack S. Gesmundo
4200 W. Centre Ave.
Portage, MI 49024

z:\jody\portage\agreemen\sanitary sewer payback agreement whispering rock h&s.053116.docx

PORTAGE
A Natural Place to Move

CITY COUNCIL AGENDA ITEM F.4.
JULY 12, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager Laurence Shaffer

SUBJECT: Portage Creek Bicentennial Trail Relocation

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation & Utilities
Kendall Klingelsmith, Director of Parks, Recreation and Senior Citizen Services

ACTION RECOMMENDED: That City Council approve a change order in the amount of $33,236.50 to Rieth Riley Construction to perform the asphalt paving portion of the Portage Creek Bicentennial Park Trail Relocation Project and authorize the City Manager to sign all documents related to this action on behalf of the city.

On November 3, 2015, City Council approved a budget amendment to fund the relocation of approximately 1,000 feet of the Portage Creek Bicentennial Park Trail between East Milham Avenue and I-94. The relocation is necessary to move the trail from an easement on adjacent property to city-owned property. The original trail was constructed in 2000 on a private easement adjacent to Milham Tech Park with the stipulation that at a future time, the trail would be relocated to city-owned property to be acquired at some future date. Sufficient property in the vicinity was secured by the city in 2004 as part of the Lovers Lane Reconstruction Project.

The trail relocation has been permitted by the Michigan Department of Environmental Quality and the excavation and base course have been completed by city forces. In an effort to complete the paving of the trail yet this construction season, city staff obtained quotes from two asphalt paving contractors already under contract to and performing work the city. The low quote was submitted by Rieth Riley Construction in the amount of $33,236.50. Reith Riley is currently performing the Local Street Reconstruction Program for the city and is progressing satisfactorily.

It is recommended that City Council approve a change order in the amount of $33,236.50 to Rieth Riley Construction to perform the asphalt paving portion of the Portage Creek Bicentennial Park Trail Relocation Project and authorize the City Manager to sign all documents related to this matter for the city.

FUNDING: Funding in the amount of $185,000 was approved by City Council on November 3, 2015, as part of a larger budget amendment from the General Fund to the Capital Improvement Fund.

Attachments: 1. Tabulation of Quotes

Quote Tabulation

Portage Creek Bicentennial Park Trail Relocation

Asphalt Paving

Company	**Quote**
Reith Riley Construction, Inc Kalamazoo, Michigan	$32,236.50
Michigan Paving & Materials Kalamazoo, Michigan	$41,275.00

pmn
where every voice matters

June 21, 2016

James Hudson
City Clerk
City of Portage
7900 S. Westnedge
Portage, MI 49002

C: IT

Dear Mr. Hudson:

Public Media Network (PMN) is pleased to work with our municipal partners to televise more than nineteen (19) government meetings per month. Over the years, we have expanded resources to improve our government meeting coverage, including: interns as directors rather than volunteers, creating the Meeting Production Specialist position, new equipment at many locations, a dedicated government programming channel, online access to meeting recordings, etc..

As PMN's meeting coverage has evolved, we have encountered questions about our process for production system testing and meeting setup. An excerpt from the PMN Government Production Services Unit Operating Policies and Procedures that relates to meeting setup procedures is provided below:

GPSU staff will also establish a standard meeting production system set up and testing protocol for each meeting. PMN and the GPSU staff are not responsible for the condition and set up of meeting rooms beyond basic audio and video settings directly related to the production, recording, and telecast of a meeting. GPSU staff will not manipulate, move, or arrange furniture, seating, display devices, or decorative objects prior to, during, or after production of a government meeting.

Approved by the PMN Board of Directors, March 22, 2012

Typically, PMN's Meeting Production Specialist will turn on the telecast production system at each meeting location and test cameras, graphics, and audio hours before the scheduled meeting. In the case of "live" meetings, a test signal is sent to PMN to confirm acceptable transmission quality. This early test gives us a viable chance to troubleshoot any technical issues before the meeting is scheduled to start and has proven invaluable in a few instances.

public media network
359 S. Kalamazoo Mall, Ste. 300, Kalamazoo, MI 49007
p:269-343-2211 f:269-343-3710 www.publicmedianet.org

A complication arises in that each meeting location contains various forms of audio/visual (A/V) presentation technology (public address audio system, video monitors, projection system, display screen, etc.). ***Although we make every effort to integrate these A/V elements into our meeting telecasts, the set up, testing, operation, and troubleshooting of these A/V components should be done by appropriate City of Portage staff.***

We enjoy the opportunity to provide media coverage of important community meetings, and look forward to working with you well into the future. PMN's Meeting Production Specialist, Jake Andrews, should be your primary contact and resource regarding City of Portage meeting coverage (343-2211, gps3@publicmedianet.org).

Thank you for your support of PMN and community-centric media!

Sincerely,

Harry S. Haasch
Executive Director, PMN

BOARD OF EDUCATION
REGULAR BUSINESS MEETING MINUTES

May 16, 2016

The regular business meeting of the Board of Education of the Portage Public Schools held on Monday, May 16, 2016, was called to order at 6:30 p.m. by President Van Antwerp in the Community Room at Central High School, 8135 South Westnedge. He welcomed an audience of 60 people; all in attendance recited the Pledge of Allegiance.

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

Board Members Absent: Celeste Shelton-Harris

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

REPORTS

North Middle School Robotics Grant. Superintendent Bielang welcomed Ms. Moranda Gowell, SET SEG Marketing Manager; Ms. Darci Muller, SET SEG Account Executive; and Ms. Jill Fennessy, Michigan Association of School Boards Board of Directors. Ms. Gowell, Ms. Muller and Ms. Fennessy presented the Education Excellence Award (a $2,500 Grant) to the North Middle School Robitcs Team. North Middle School Principal, Mr. Travis Thomsen accepted the Award and recognized Robotics Team students and Teachers/Team Coaches: Mr. Colin Killmer; Mr. Devin Kaiser and Mr. Mark Randall.

Art Department Update. Mr. Michael Huber, Director of Curriculum, introduced Mrs. Donna Emerson, Teacher and Chair of the Art Department. Mrs. Emerson introduced the following District Art Teachers: Ms. Cassie Phelps, Ms. Michelle Reile, Ms. Karen Milito, Ms. Veronica Schaner, Ms. Kim Dillon, Ms. Karen French-Hall and Ms. Sarah Nott. Mrs. Emerson also acknowledged the following Art Teachers: Ms. Amy DeLaRosa, Ms. Andrea Ramsdell, Ms. Teresa Essex, Mr. Joe King, Ms. Maile Whipple and Ms. Elizabeth Honeysett. Mrs. Emerson thanked Ms. Phelps for creating the video presentation highlighting jewelry making classes in the district. Mrs. Emerson noted this class was made possible by an Education For the Arts grant as well as a District contribution.

Bond Implementation Update. Mr. Ron Herron, Assistant Superintendent of Operations, introduced Mr. Steve Jelinek, Design Specialist, from Stantek, and Mr. Bob McGraw, Principal In Charge, from c2ae. Mr. McGraw and Mr. Jelinek updated Trustees on the schematic design process for Central and North Middle Schools as well as the Central and Northern campus layouts. Mr. McGraw and Mr. Jelinek responded to numerous questions on the Bond projects.

Financial Report. Mrs. Karla Colestock, Director of Finance, shared the financial report for the ten month period ending April 30, 2016.

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

Superintendent's Report. Superintendent Bielang recognized and congratulated Mr. Jim French, Northern High School Principal, for being selected as the President Elect of the Michigan Association of Secondary School Principals. Mr. French will serve as President Elect for one year and as President for two years. The Superintendent noted the 2015 Building The Future of Learning community information campaign, developed by Mr. Rick Chambers, Rick Chambers and Associates, in Partnership with the District, was recognized with a Gold PRoof Award from the Public Relations Society of America's West Michigan chapter. The video was named one of two Gold winners in the PRoof Awards' Community Relations category.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Mrs. Novaria explained guidelines the Board uses for this portion of the meeting.

Ms. Jennifer Odza, 3555 Fleetwood Drive, a parent, discussed the benefits of later start times for high school and middle school students. She encouraged the Administration consider this option for the District.

Mrs. Kat Frink, 2025 Wingate Road, a teacher and Vice President of the Portage Education Association, wished both the Portage Education Association and Administration successful contract negotiations.

Mr. Eric VerHey, 50314 Fulton Road, Leonidas, a teacher and President of the Portage Education Association, wished both the Portage Education Association and Administration successful contract negotiations.

President Van Antwerp opened the meeting to comments from Trustees.

Mrs. Willson shared highlights from attending the Project Lead The Way and thanked the generous support of local businesses for helping fund the project.

Mrs. Novaria congratulated the Robotics Team from North Middle for winning the Education Excellence Award and Grant. She also thanked Mrs. Emerson for the Art Department Update and noted the jewelry making classes are very impressive.

Mr. Droppers noted it was exciting to see the progress made thus far by the architectural firm.

President Van Antwerp congratulated Superintendent Bielang, Mr. Ron Herron and Mrs. Karla Colestock on the very successful sale of Bonds. He discussed attending the Northern High School Senior Awards Ceremony and reminded Trustees that the Central High Senior Awards Ceremony will take place on Monday, May 23 at 1 p.m. at McCamley Field.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: The minutes of the April 18, 2016, Regular Business Meeting and the May 2, 2016, Committee of the Whole Work Session; Recommendation to Set Public Hearing on Proposed 2016/2017 Budget (June 27, 2016 at 6:30 p.m.); Michigan Council for the Arts and Cultural Affairs Grant (Recommendation to approve the submission of the $30,000 Grant to Michigan Council for the Arts and Cultural Affairs [MCACA] to support the Aesthetic Education Program between October 1, 2016 and June 15, 2017.); Revised Governance Policy 3.12, Superintendent Evaluation (Recommendation to approve a revised Governance Policy – 3.12, Superintendent Evaluation to replace the current Policy.); Purchase Recommendation Woodland Elementary School Public Announcement, Clock and Bell Systems (Recommendation to approve the purchase of replacement public address, clock, and bell systems for Woodland Elementary School from Michigan-Kal-Electric, Inc. (Kalamazoo, MI) in an amount not to exceed $45,239.00, proceeds coming from the 2015 Bond Construction Fund #1.); and Approval of Technology Consultant Contract (Recommendation to authorize the Superintendent to direct c2ae/Stantec to contract the services of Commtech, of Rockford, MI, for technology consulting as it relates to the 2015 Bond projects. The estimated base cost of these services is $240,000, with proceeds coming from the 2015 Bond Fund #1.).

There being no objections, motion carried unanimously.

REQUIRED APPROVAL ITEM

Motion offered by Mrs. Novaria, seconded by Mr. Rathburn, that the Board of Education adopt the Resolution indicating support of the Kalamazoo Regional Educational Service Agency 2016/2017 General Education Fund Budget, as presented.

Mrs. Colestock provided answers to Trustee questions pertaining to an operating deficit, compensation and changes to the insurance program. Mr. Snyder and Mr. Rathburn noted their concerns pertained to the Special Education budget.

Upon a roll call vote, all Trustees present voted in favor of the motion.

DISCUSSION ITEMS

Recommended Purchase of Teacher Chromebooks. Mr. Dan Vomastek, Director of Information and Technology Systems, presented the recommendation to purchase 525 chromebooks from Netech (Wixom, MI) in an amount not to exceed $204,120.00, proceeds coming from the 2015 Bond Construction Fund #1.

Recommended Purchase of Phone System Upgrades. Mr. Vomastek provided background information on the recommendation to purchase phone system upgrades from Netech (Caledonia, MI) in an amount not to exceed $70,762.55, proceeds coming from the 2015 Bond Construction Fund #1.

Recommended Purchase of Education for Employment Computer Lab Replacement. Mr. Vomastek shared the recommendation to purchase 32 computers from Netech (Caledonia, MI) in an amount not to exceed $25,429.76, proceeds coming from the General Fund.

Superintendent Bielang noted, while it's not customary to approve items during a Committee of the Whole Work Session, in order to expedite all three technology related orders, these items will be voted on at the June 13, 2016, meeting.

There being no further business to come before the Board, the meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

Kalamazoo Regional Educational Service Agency ("ISD")

GENERAL EDUCATION FUND BUDGET RESOLUTION

A regular meeting of the Board of Education of the Portage Public School District was held in the Administration Building on May 16, 2016 at 6:30 pm.

Members present were: Kurt Droppers, Terri Novaria, Rusty Rathburn, Bo Snyder,

Randy Van Antwerp and Joanne Willson

Member absent were: Celeste Shelton-Harris

The following preamble and resolution were offered by Member Mrs. Novaria and seconded by Member Mr. Rathburn.

WHEREAS:

This Board received the Kalamazoo Regional Educational Service Agency General Education Fund Budget on or before May 1, 2016; and

WHEREAS:

In accordance with Section 380.624 of the Revised School Code, this Board must now adopt a resolution expressing its support or disapproval of the proposed ISD budget, and must submit to the ISD Board any specific objections and/proposed changes the Board may have to the budget prior to June 1, 2016.

THEREFORE, BE IT RESOLVED THAT:

Based upon the information received from Kalamazoo Regional Educational Service Agency and recognizing that a limited review of a budget document provides limited oversight of the financial affairs of an organization, the General Education Fund Budget for the 2016/2017 school year be supported. Furthermore, that the Secretary of the Board is hereby directed to submit a copy of this Resolution to the Secretary of the ISD Board of Education, along with any specific objections or proposed changes to the budget.

Ayes: Members Kurt Droppers, Terri Novaria, Rusty Rathburn, Bo Snyder, Randy Van Antwerp and Joanne Willson

Nays: Members None

Motion declared adopted.

The undersigned duly qualified and acting Secretary of the Board of Education of Portage Public Schools Portage, Michigan hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board at a regular meeting held on May 16, 2016, the original of which resolution is a part of the Board's minutes, and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

Signed:

President, Board of Education

BOARD OF EDUCATION
COMMITTEE OF THE WHOLE WORK SESSION MEETING MINUTES

June 13, 2016

The Work Session meeting of the Board of Education of the Portage Public Schools held on Monday, June 13, 2016, was called to order at 6:30 p.m. by Superintendent Bielang in Conference Room 1 at the Administration Building, 8107 Mustang Drive. He welcomed an audience of 15 people; all in attendance recited the Pledge of Allegiance.

Board Trustees Present: Celeste Shelton-Harris, Rusty Rathburn, Bo Snyder, Randy Van Antwerp (via phone) and Joanne Willson

Board Members Absent: Kurt Droppers and Terri Novaria

SELECT PRESIDING OFFICER

Motion offered by Mrs. Willson, seconded by Dr. Shelton-Harris, that the Board of Education approve the selection of Bo Snyder as Presiding Officer for the June 13, 2016, Board meeting.

Motion carried unanimously.

REVISIONS/APPROVAL OF AGENDA

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

Motion carried unanimously.

REPORTS

Superintendent's Report. Superintendent Bielang offered thanks to all staff for the smooth ending to the 2015/16 school year. He noted the District is still busy with professional development, curriculum work and new tools being implemented during the summer break.

Focus School Reports, Third Quarter – North Middle School and Woodland Elementary School. Mr. Larry Killips, Assistant Superintendent of Instruction and Assessment, briefed the Board on the third Focus School Reports for the 2015/16 school year highlighting the progress of supports implemented and areas of improvement that Woodland Elementary and North Middle School continue to work on. Mr. Killips noted Northern High School is no longer a Focus School.

COMMENTS OR COMMUNICATIONS

Mr. Snyder opened the comments and communications portion of the meeting and asked if there were any citizens who would like to speak to the Board. Seeing no one come forward, Mr. Snyder opened the meeting to comments from Trustees.

Mrs. Willson shared comments on the graduation ceremonies and noted the summer Meet Up and Eat Up food program has begun. She thanked Food Services Manager, Ms. Susan Livingston, for her role in this program.

Dr. Shelton-Harris echoed Superintendent Bielang's comments about all the summer work going on in the District. She noted Ms. Tara Heywood, North Middle School Teacher, will be presenting at a National Conference in Washington, D.C. and continues to seek grants to assist in the classroom. Dr. Shelton-Harris applauded all the District teachers for their efforts.

Mr. Rathburn congratulated the Northern High School Baseball Team and coach, Mr. Chris Andrews, on their successful season. He wished the team success as they head to the State Quarter Finals.

Mr. Snyder noted it was a good end to the school year highlighting the District graduations.

DISCUSSION ITEMS

2015/2016 Final Budget Amendments: General Fund Budget Amendment #2. Mrs. Karla Colestock, Director of Finance, provided details on the budget amendment #2 resolution to the General Appropriations Act (General Fund) for the 2015/16 school year.

2015/2016 Final Budget Amendments: Building and Site Sinking Fund Budget Amendment #2. Mrs. Colestock shared background on the resolution, Amendment #2 to the Building and Site Sinking Fund Appropriations Act for the 2015/16 school year.

2015/2016 Final Budget Amendments: Debt Retirement Fund Budget Amendment #1. Mrs. Colestock presented the resolution, Amendment #1 to the Debt Retirement Fund Appropriations Act for the 2015/16 fiscal year.

2015/2016 Final Budget Amendments: School Service Fund Budget Amendment #1. Mrs. Colestock reviewed the resolution, Amendment #1 to the School Service Fund Appropriations Act for the 2015/16 school year.

2016/2017 Budget Planning for the General Fund, Building and Site Sinking Fund, Debt Retirement Fund and School Service Fund. Mrs. Colestock presented a 2016/17 preliminary budget overview highlighting revenue assumptions, significant expenditure assumptions, fund balance overview, the Building and Site Sinking Fund, Debt Retirement Fund, Lunch Fund and the budget calendar. She responded to Trustee questions regarding the MPSERS rates.

School Meal Prices 2016/2017. Mrs. Colestock provided details on the recommendation to set student meal prices for the 2016/17 school year as follows, based on the pricing equity requirements from the Michigan Department of Education:

	Current 2015/16	Proposed 2016/17
Elementary Breakfast	$1.35	$1.35
Elementary Lunch	$2.20	$2.25
Ala Carte Entrée	$2.20	$2.25
Milk	$ .50	$ .50
Secondary Breakfast	$1.50	$1.50

Middle School Lunch	$2.50	$2.75
High School Lunch	$2.50	$2.75
Premium Secondary Lunch (Crust & Stuff, Ready Set Deli)	$2.85	$3.00
Ala Carte Entrée	$2.50/$2.85	$2.75/$3.00

Recommended Purchase: Staff Desktop Computer Replacements. Mr. Dan Vomastek, Director of Information and Technology Systems, shared background information on the recommendation to approve the purchase of 138 desktop computers and related hardware from Netech (A Presidio Company, Wixom, MI) in an amount not to exceed $93,843.07, proceeds coming from the 2015 Bond Construction Fund #1.

Operational Policy Revisions and Updates. Superintendent Bielang provided an overview of the proposed new, revised and replacement Operational Policies prepared and reviewed by NEOLA's legal counsel for statutory compliance and reviewed by appropriate District Administrators. The Superintendent responded to Trustee questions pertaining to weapons on all District property.

Review of Policies: 3.4, Agenda Planning and 3.10, Cost of Governance. Mr. Snyder urged Trustees to review both Policies and e-mail President Van Antwerp and Superintendent Bielang with any revisions or issues that need to be addressed.

CONSENT AGENDA

Mr. Snyder presented the following Consent Agenda items for approval by the Board of Education: Recommended Purchase of Teacher Chromebooks (Recommendation to purchase 525 chromebooks from Netech (Wixom, MI) in an amount not to exceed $204,120.00, proceeds coming from the 2015 Bond Construction Fund #1.); the Recommended Purchase of Phone System Upgrades (Recommendation to purchase phone system upgrades from Netech (Caledonia, MI) in an amount not to exceed $70,762.55, proceeds coming from the 2015 Bond Construction Fund #1.); and the Recommended Purchase of Education For Employment Computer Lab Replacement (Recommendation to purchase 32 computers from Netech (Caledonia, MI) in an amount not to exceed $25,429.76, proceeds coming from the General Fund.).

There being no objections, motion carried unanimously.

ACTION ITEMS

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve Monitoring Report – Policy 1.0, Global Ends, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Superintendent Bielang shared an overview of Monitoring Report 1.0 and Trustee discussion pertained to: struggling with Policy Governance and the way the District is operating; Board Retreat discussion on how to imbed high expectations; State testing and data collected; and identifying sub-groups of students to see exactly what extra measures are being done to increase achievement.

Upon a roll call vote, the motion carried by a vote of 4-1 with Mr. Rathburn voting against the motion.

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve Monitoring Report – Policy 2.0, Global Executive Constraint, as a reasonable interpretation and evidence of compliance with Policy, as presented.

Upon a roll call vote, the motion carried by a vote of 4-1 with Mr. Rathburn voting against the motion.

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the Michigan Association of School Boards and Legal Trust Fund Membership for 2016/2017, as presented.

Upon a roll call vote, all Trustees present voted in favor of the motion.

Motion offered by Mr. Rathburn, seconded by Dr. Shelton-Harris, that the Board of Education adopt the Resolution confirming the District's membership with the Michigan High School Athletic Association for the 2016/2017 school year, as presented.

Upon a roll call vote, all Trustees present voted in favor of the motion.

There being no further business to come before the Board, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Edna Kent
Recording Secretary

MHSAA 2016-17

michigan high school athletic association

1661 Ramblewood Drive
East Lansing, MI 48823
(517) 332-5046

The Michigan High School Athletic Association is a voluntary, nonprofit corporation comprised of public, private and parochial junior high/ middle and senior high schools whose Boards of Education/Governing Bodies have voluntarily applied for and received membership for and on behalf of their secondary schools. The association sponsors statewide tournaments and makes eligibility rules with respect to participation in such Michigan High School Athletic Association sponsored tournaments in the various sports. Each Board of Education/Governing Body that wishes to host or participate in such meets and tournaments must join the MHSAA and agree to abide by and enforce the MHSAA rules, regulations and qualifications concerning eligibility, game rules and tournament policies, procedures and schedules. **It is a condition for participation in any MHSAA postseason tournaments that high schools adhere to at least the minimum standards of Regulation I and the maximum limitations of Regulation II in ALL MHSAA Tournament sports.**

Michigan High School Athletic Association tournaments are the collective property of the MHSAA and not of any individual member school. The MHSAA reserves the right to promote and advance the membership's interests with publication information; exclusive arrangements to create recognition and exposure for school-sponsored activities; restrictive policies prohibiting exploitation and commercialization of MHSAA-sponsored tournaments; appropriate proprietary interests, and the use of images or transmissions identifying contest officials, spectators and member schools' students, personnel and marks.

To obtain membership, it is necessary for the Board of Education/Governing Body to adopt the following resolution for its junior high/middle and senior high schools. This resolution must be formally ratified by your Board of Education/Governing Body and properly signed. Please return one signed copy for our files and retain one copy for your files. Resolutions that are modified in any way or are supplemented with letters placing additional conditions on MHSAA membership or tournament participation shall be rejected.

MEMBERSHIP RESOLUTION

For the year August 1, 2016 — through July 31, 2017

LIST ON BACK the Secondary School(s) which are under the direction of this Board of Education/Governing Body.

(Junior high/middle and senior high schools of your school system which are to be listed as MHSAA members and receive MHSAA mailings during 2016-17 must be listed on the back of this form)

Portage Public Schools City of Portage

County of Kalamazoo, of State of Michigan, are hereby:

(A) enrolled as members of the Michigan High School Athletic Association, Inc., a nonprofit association, and
(B) are further enrolled to participate in the approved interschool athletic activities sponsored by said association.

The Board of Education/Governing Body hereby delegates to the Superintendent or his/her designee(s) the responsibility for the supervision and control of said activities, and hereby accepts the Constitution and By-Laws of said association and adopts as its own the rules, regulations and interpretations (as minimum standards), as published in the current *HANDBOOK* as the governing code under which the said school(s) shall conduct its program of interscholastic athletics and agrees to primary enforcement of said rules, regulations, interpretations and qualifications. In addition, it is hereby agreed that schools which host or participate in the association's meets and tournaments shall follow and enforce all tournament policies, procedures and schedules.

This authorization shall be effective from August 1, 2016 and shall remain effective until July 31, 2017, during which the authorization may not be revoked.

RECORD OF ADOPTION

The above resolution was adopted by the Board of Education/Governing Body of the

Portage Public *School(s), on the* 13 *day of* June*, 2016,*
and is so recorded in the minutes of the meeting of the said Board/Governing Body.

Portage Board of Education
(Governing Body Name)

8107 Mustang Dr.
(Address)

Portage, MI 49002
(City & Zip Code)

Board Secretary Signature or Designee

☐ *Check if Designee*

-OVER-

Schools Which Are To Be MHSAA Members During 2016-17

NOTE: Pursuant to the MHSAA Constitution, all high schools, junior high/middle schools, or other schools of Michigan doing a grade of work corresponding to such schools, may become members of this organization provided (a) the school building has enrollment and onsite attendance of at least 15 students, whether for grades **6 through 8 or 9, grades 7 through 8 or 9, or grades 9 or 10 through 12**; and (b) if a nonpublic school, the school qualifies for federal income tax exemption as a not-for-profit organization. To reach the15-student minimum for middle school membership, schools may join the MHSAA at the 6th-grade level whether or not 6th-grade students participate in athletics.

A. This Section does not require school districts to become member schools at the junior high/middle school level and does not require school districts to sponsor any interscholastic athletics for 6th grade students.

B. If a school district's MHSAA Membership Resolution lists a junior high/middle school as an MHSAA member school, and if the school sponsors a 6th-grade team in any sport or permits a 6th-grade student to participate with 7th- and/or 8th-grade students in any sport, then all of Regulations III and IV apply to all 6th-graders in all sports involving 6th-graders on teams sponsored by that school. If the school does not allow any 6th-graders to participate in a sport, MHSAA rules do not apply in that sport.

Member High School(s) (if any)

List separately from JH/MS even if all grades are housed in the same building.

1. Portage Central High School
2. Portage Northern High School
3. ____
4. ____
5. ____
6. ____
7. ____
8. ____
9. ____
10. ____
11. ____
12. ____
13. ____
14. ____
15. ____

If necessary, list additional schools for either column on a separate sheet.

Junior High /Middle School(s) (if any)

List separately from HS even if all grades are housed in the same building.

1. Portage Central Middle School
Name of Junior High/Middle School
Configuration of grades in school (e.g. 6-8, 7-8, 7-9): 6-8
Provide anticipated 2016-17 7th- and 8th-Grade Enrollment: 430
Provide anticipated 2016-17 6th-Grade Enrollment: 231
☑ Yes, 6th-grade students will be participating in one or more sports for our school.
☐ No, 6th-grade students will not be participating in sports for our school.

2. Portage North Middle School
Name of Junior High/Middle School
Configuration of grades in school (e.g. 6-8, 7-8, 7-9): 6-8
Provide anticipated 2016-17 7th- and 8th-Grade Enrollment: 349
Provide anticipated 2016-17 6th-Grade Enrollment: 193
☑ Yes, 6th-grade students will be participating in one or more sports for our school.
☐ No, 6th-grade students will not be participating in sports for our school.

3. Portage West Middle School
Name of Junior High/Middle School
Configuration of grades in school (e.g. 6-8, 7-8, 7-9): 6-8
Provide anticipated 2016-17 7th- and 8th-Grade Enrollment: 470
Provide anticipated 2016-17 6th-Grade Enrollment: 244
☑ Yes, 6th-grade students will be participating in one or more sports for our school.
☐ No, 6th-grade students will not be participating in sports for our school.

4. ____
Name of Junior High/Middle School
Configuration of grades in school (e.g. 6-8, 7-8, 7-9): ____
Provide anticipated 2016-17 7th- and 8th-Grade Enrollment: ____
Provide anticipated 2016-17 6th-Grade Enrollment: ____
☐ Yes, 6th-grade students will be participating in one or more sports for our school.
☐ No, 6th-grade students will not be participating in sports for our school.

PLANNING COMMISSION

June 16, 2016

The City of Portage Planning Commission meeting of June 16, 2016 was called to order by Vice-Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Vice-Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Patterson (yes), Bosch (yes), Stoffer (yes), Dargitz (yes), Schimmel (yes), Richmond (yes), Shoup (yes) and Joshi (yes). A motion was offered by Commissioner Dargitz, seconded by Commissioner Bosch, to approve the role excusing Chairman Welch. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Vice-Chairman Stoffer referred the Commission to the June 2, 2016 meeting minutes contained in the agenda packet. A motion was then made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

1. Site Plan: Pfizer (north warehouse addition), 7171 Portage Road. Mr. Forth summarized the staff report dated June 10, 2016 regarding a request by Pfizer to construct an approximate 98,000 square foot warehouse addition along the north side of Building 41 of the Pfizer manufacturing complex located at 7171 Portage Road. Mr. Forth discussed the Zoning Board of Appeals variances approved on December 14, 2015 and June 13, 2016 involving building setback, building height and the loading/unloading area. Mr. Forth indicated that staff is recommending approval of the site plan.

Mr. Tom Kasten of Pfizer was present to support the application and explain the development project. Mr. Kasten explained planned changes to manufacturing and warehousing operations and also discussed proposed parking lot expansions. Commissioner Dargitz asked if the building addition required FAA review and approval. Mr. Kasten stated the proposed building addition will not exceed the height of the northwest portion of the existing building and also discussed other building/structures within the complex that are in excess of 100-feet in height. Mr. Kasten indicated that he would check with FAA, but does not believe any review/approval would be necessary.

After additional discussion, a motion was made by Commissioner Dargitz, seconded by Commissioner Patterson, to approve the Site Plan for Pfizer (north warehouse addition), 7171 Portage Road. The motion was unanimously approved 8-0.

PUBLIC HEARINGS:

None

NEW BUSINESS:

1. Comstock Charter Township Master Plan Update. Mr. Forth summarized the staff report dated June 10, 2016 regarding notification received from the Charter Township of Comstock concerning the Comstock Township Vision 2025 Master Plan. Mr. Forth stated that Comstock Township was requesting review and comment of the proposed Master Plan update prior to the planned July 14, 2016 public hearing. Mr. Forth indicated that staff has reviewed the Master Plan and does not have any comments.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to accept the Comstock Township Vision 2025 Master Plan with no comments. The motion was unanimously approved 8-0.

STATEMENT OF CITIZENS:

None.

7:20 p.m.	-	The Commission took a short recess.
7:25 p.m.	-	The Commission reconvened the meeting in City Hall Conference Room No. 1

OLD BUSINESS:

1. Community Impact Projects Grant Fund – additional discussion. Commissioner Dargitz asked if the Commission had any additional comments regarding the community impact projects grant fund program and comments received from Chairman Welch and Commissioner Patterson. Commissioner Patterson summarized his comments and indicated any grant fund program should involve long-term community group involvement and maintenance with City Council reviewing and evaluating applications. Commissioner Patterson stated he believes the idea should be first tested as a "pilot" program to determine community interest and does not believe the Planning Commission should be involved in the administration on any grant fund program. Commissioner Dargitz agreed that any grant program should start small and then expanded based on the amount of interest and applications received. Commissioner Dargitz indicated that projects could be located on either public or private property so long as a public benefit is provided.

The Commission next discussed various elements of a possible grant fund program including who could apply (individuals, community groups/organizations, etc.), eligible projects, general criteria for evaluation and grant amounts. Commissioner Bosch suggested that a general outline for a grant fund program be prepared that could be proposed to City Council, from the full Planning Commission, prior to developing program specifics. Commissioner Patterson agreed. Commissioner Richmond stated the program should emphasize neighborhood enhancement projects, especially in older declining neighborhoods, such as community gardens, hanging flower baskets, benches, signage/banners and free library boxes. After additional discussion, Commissioner Dargitz stated she would develop a written program outline including examples that could be further reviewed and discussed by the Commission, prior to submission to City Council. Commissioner Dargitz stated she would have a working draft prepared for initial Planning Commission review at the July 7th meeting and believes a final draft could be developed for either the July 21st or August 3rd meeting.

ADJOURNMENT:

Mr. Forth provided responses to Planning Commission questions received during the June 2, 2016 meeting regarding the Portage Road Diet Study.

There being no further business to come before the Commission, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

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

T:\COMMDEV\2015-2016 Department Files\Board Files\Planning Commission\Minutes\PCMin06162016.docx

PORTAGE
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MATERIALS TRANSMITTED

Friday, June 17, 2016

1. Letter from Yeo & Yeo P.C. to City Council regarding the Independent Audit for FY 2015-2016 – Information Only.

Laurence Shaffer

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

YEO & YEO
CPAs & BUSINESS CONSULTANTS

710 E. Milham
Kalamazoo, MI 49002
(269) 329-7007 / (800) 375-3968
Fax (269) 329-0626

May 4, 2016

City Council
City of Portage
7900 South Westnedge Ave.
Portage, MI 49002

We are pleased to confirm our understanding of the services we are to provide the City of Portage for the year ended June 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City of Portage as of and for the year ended June 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Portage's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Portage's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis
2) Budgetary Comparison Schedules
3) Employee Retirement System Schedules
4) Retiree Healthcare Funding Plan Schedule

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Portage's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditors' report on the financial statements.

1) Nonmajor Governmental Funds Combining Statements
2) Nonmajor Governmental Funds Budgetary Comparison Schedules
3) Fiduciary Fund Combining Statements
4) Internal Service Funds Combining Statements
5) Agency Fund Combining Statements

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information.

1) Statistical information

Audit Objectives
The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City of Portage's financial statements. Our report will be addressed to management and City Council of the City of Portage. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

Audit Procedures—General
An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may also request written representations from the government's attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements, compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control
Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures.

An audit is not designed to provide assurance on internal controls or to identify deficiencies in internal controls. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures—Compliance
As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Portage's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services
Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein.

In conjunction with the audit, we will provide certain non-audit services, which will include:

1) Assist in preparing financial statements, related notes and supplementary financial information in accordance with U.S. Generally Accepted Accounting Principles (U.S. GAAP)
2) Assist in preparing the entity-wide conversion

We will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities
You agree to assume all management responsibilities relating to the financial statements, related notes, required supplementary information, other supplementary information, the non-audit services listed above, and any other non-audit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes, and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the non-audit services by designating one or more individuals, preferably from senior management, with suitable skill, knowledge, or experience; to evaluate the adequacy and results of the services; and accept responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. GAAP, and for compliance with applicable laws and regulations and the provisions of contracts and agreements.

Management is also responsible for making all financial records and related information available to us, and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements and grants, and for taking timely and appropriate steps to remedy any fraud, violations of contracts or grant agreements, or abuse that we may report.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles (U.S. GAAP). You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that: (1) you are responsible for the presentation of the supplementary information in accordance with U.S. GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with U.S. GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

With regard to using the auditors' report, if you request our written consent to reproduce or use our report in a bond offering, official statements, or other documents, additional procedures will be required, at an additional cost mutually agreed upon.

However, you are not required to request or obtain our consent. If you use the auditors' report without our written consent, the following statements must be included in the bond offering, official statements, or other documents:

INDEPENDENT AUDITORS

The financial statements of the City of Portage, as of June 30, 2016, and for the year then ended, included in this Official Statement, have been audited by Yeo & Yeo, P.C., CPAs & Business Consultants, independent auditors, as stated in their report appearing herein.

> Yeo & Yeo, P.C., CPAs & Business Consultants has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. Yeo & Yeo, P.C., CPAs & Business Consultants also has not performed any procedures relating to this official statement.

You acknowledge that as a condition of our agreement to perform an audit, you agree to the best of your knowledge and belief to be truthful, accurate, and complete in the representations you make to us during the course of the audit and in the written representations provided to us at the completion of the audit.

Engagement Administration, Prices, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information, and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, and other confirmations we request, and will locate any documents selected by us for testing.

We will provide copies of our reports to the City of Portage; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Yeo & Yeo, P. C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Yeo & Yeo, P. C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the U.S. Government Accountability Office If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Jamie L. Rivette is the engagement principal and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. We expect to begin our audit on approximately October 3, 2016.

Professional standards require us to be independent with respect to the Organization in the performance of our services. Any discussions that management has with personnel of Yeo & Yeo regarding employment could pose a threat to our independence. Therefore, we request that management inform the engagement principal prior to any such discussions so that we can implement appropriate safeguards to maintain our independence.

Neither party shall, during the term of this engagement and for one year after its termination, solicit for hire as an employee, consultant or otherwise, any of the other party's personnel without such other party's express written consent. If the Organization desires to offer employment to a Yeo & Yeo employee and the employee is hired in any capacity by the Organization, a compensation placement fee of 25% of their salary may apply.

Any litigation arising out of this engagement, except actions by us to enforce payment of our professional invoices, must be filed within one year from the completion of the engagement, notwithstanding any statutory provision to the contrary. In the event of litigation brought against us, any judgment you obtain shall be limited in amount, and shall not exceed the amount of the price charged by us, and paid by you, for the services set forth in this engagement letter.

Our price for these services will be $23,000 for the financial statement audit and $2,500 for CAFR preparation. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes past due and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above price is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If additional time becomes necessary to complete your engagement, we will discuss the issues with you and arrive at a new price estimate, which may or may not occur before we incur the additional time. Our price quoted above is also contingent on all items on the assistance list being completed by the due dates indicated and the audit being performed during the dates scheduled. If the dates are not met and the engagement needs to be rescheduled due to things in your control, then an additional price of 20% could apply. The reason for this is that we schedule our client work well in advance. When the job has to be rescheduled it causes a domino effect, as we likely have other clients scheduled in the new requested time slot, and our staff are likely scheduled on another client. As a result we may have to put you at the end of the line, and/or change staff. When our staff members finishing the work are not the same as those who started it, the audit is less efficient and more disruptive to your staff.

Our engagement will end upon delivery of your audited financial statements and our report thereon for the year set forth above. Any additional services that may be required will be part of a separate and new engagement. Should you wish to engage us to audit your financial statements for any other year, and should we accept such engagement, such engagement will be a separate and new engagement. A new engagement letter for any services beyond the scope of this engagement will govern the terms and conditions of the new engagement.

We appreciate the opportunity to be of service to the City of Portage and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

Yeo & Yeo, P.C.
CPAs & Business Consultants

Jamie L. Rivette

Jamie L. Rivette, CPA
Principal

RESPONSE:

This letter correctly sets forth the understanding of the City of Portage.

By: ______________________

Title: Finance Director

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MATERIALS TRANSMITTED

Tuesday, June 28, 2016

1. **TO BE REPLACED IN ITEM A.1 OF THE JUNE 28, 2016 CITY COUNCIL AGENDA:** Corrected Regular Meeting Minutes of June 14, 2016.

2. **SUPPLEMENTAL INFORMATION FOR ITEM D.1 OF THE JUNE 28, 2016 CITY COUNCIL AGENDA:** Additional citizen comment regarding the proposed Non-Discrimination Ordinance (public hearing).

3. **TO BE REPLACED IN ITEM F.2 OF THE JUNE 28, 2016 CITY COUNCIL AGENDA:** Corrected City Manager Report to reflect lake board composition.

Laurence Shaffer

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

7900 South Westnedge Avenue ▪ Portage, Michigan 49002 ▪ (269) 329-4400
www.portagemi.gov

CITY COUNCIL MEETING MINUTES FROM JUNE 14, 2016

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

At the request of Mayor Strazdas, Reverend Aaron Sorrels of Lord of Life Lutheran Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, the City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Larry Shaffer, Assistant City Attorney Charlie Bear and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Randall, seconded by Ansari, to approve the May 24, 2016 Regular Meeting Minutes. Upon a voice vote, motion carried 6 to 0 with Councilmember Reid abstaining.

Motion by Randall, seconded by Reid, to approve the Pre-Council Meeting Minutes of June 13, 2016, as presented. Upon a voice vote, motion carried 5 to 0 with Councilmembers Ford and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that Item F.5, Non-Discrimination Ordinance, be removed from the Consent Agenda, and Councilmember Randall asked that Item F.2, Fiscal Year 2016-2017 Community Development Block Grant and General Fund Contracts, be removed from the Consent Agenda.

Motion by Randall, seconded by Ford, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 14, 2016:** Motion by Randall, seconded by Ford, to approve the Accounts Payable Register of June 14, 2016. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

REQUEST FOR PERMISSION TO ENCROACH ON CITY PROPERTY: Mayor Strazdas indicated receipt of two letters from Joshua J. McBarnes, J.J. Real Estate Investments, L.L.C., dba Paramount KZOO Landscape Services, 1151 West Milham Avenue, which contained a request for permission to encroach on City property located west of 5798 West Heverly Avenue. City Manager Larry Shaffer said that this request just came in and staff has not had time to digest it. Also, he indicated that in order to consider the request more completely, prepare a recommendation to City Council and prepare for discussion, he asked that Council refer it to the Administration for review and recommendation at the next City Council meeting.

Motion by Pearson, seconded by Randall, to refer the request for permission from Mr. Joshua McBarnes to encroach on city property located at 5798 West Heverly Drive to the Administration for review and recommendation.

Councilmember Reid asked if Mr. McBarnes is here, could he speak to the request? Mayor Strazdas asked Joshua McBarnes of Paramount KZOO Landscape Services, and Christopher Rowe, 5798 Heverly Drive, for a framework and a context to their request to help in understanding the request. Mr. McBarnes indicated Chris Rowe's property abuts up to the east side of the retention pond in the Harbors neighborhood and City property comes 10 feet east of that fence line. He said the request is to install an irrigation system on that property, to put a fire pit in there and to build a forty foot retaining

Mayor Pro Tem Ansari asked whether this matter could be a part of the next COW Meeting, and Mr. Shaffer indicated the next COW was set for some time in September at which time Council would be considering purchasing procedures. Mr. Shaffer suggested setting this COW on July 12, 2016, to allow time to prepare, if City Council agrees. Mayor Strazdas indicated that Mr. Shaffer has each of the Councilmember's schedule and would work for a mutually amenable date.

Councilmember Reid noted that it might be advantageous to invite at least the HSB subgroup to the COW to let them hear questions of Council and provide feedback and rationale for why things are the way they are to provide direction to them in September regarding how to revise the form to accommodate any revisions in the criteria before it goes out in November. Mayor Strazdas concurred.

Motion by Pearson, seconded by Randall, to ask the City Manager to find a time within a month to have a Committee of the Whole (COW) and include the Human Services Board (HSB) subcommittee to meet with City Council to discuss the formula used for dispersing funds through the Community Development Block Grant (CDGB) process. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

* **BOND COUNSEL SERVICES:** Motion by Randall, seconded by Ford, to accept the five-year proposal to renew the Bond Counsel and Financial Services Contract with Axe & Ecklund, P.C., and authorize the City Manager to execute all documents related to the contract. Upon a roll call vote, motion carried 7 to 0.

* **CRASH/CRIME/FIRE SCENE ILLUSTRATOR – SOLE SOURCE PURCHASE:** Motion by Randall, seconded by Ford, to approve the sole source purchase of a Focus3D X 330 HDR Laser Scanner from FARO Technologies of Lake Mary, Florida, at a total cost of $83,699 and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

NON-DISCRIMINATION ORDINANCE: Councilmember Urban commented that since he raised this issue at the December 2015 City Council Retreat, and asked for the development of this Ordinance, the conversation about LGBT (Lesbian, Gay, Bisexual, Transgender) civil rights and laws openly discriminating against all or part of the LGBT community have changed, but the prejudice, bigotry, fear and hatred has not changed. He said it has gotten more press coverage and the battle for and against LGBT has gotten louder. He noted that actions, both good and bad, have taken place in North Carolina, Mississippi, Arizona, Michigan and 18 other states. Also, since he raise this issue, President Obama and his Administration have taken the positive action of reminding states that discrimination based on sex, including LGBT status, is a violation of Title 9 and "endangers Federal Funds." He mentioned that there has been a vitriolic response by many state legislators and state administrators; and, now he said we have the horrendous exclamation point of hatred in the actions in Orlando Sunday morning.

He pointed out that when he first raised the need for a LGBT Non-Discrimination Ordinance, someone asked, "Do we need this?" He answered "of course" and said that he is embarrassed that this has to be done on a local level because the Michigan State Legislature and the United States Congress have failed to do it on their respective levels. He made distinctions among the states and the various levels of progress in this effort, and cited the various forms of discrimination allowed in Michigan against members of this community, including employment, housing and the refusal to serve at a restaurant.

He said while LGBT discrimination is legal, it legitimizes prejudice, bigotry and hatred; and, until we do not tolerate, as legal, these forms of public discrimination we cannot hope to eliminate the bigotry and hatred in our society. He explained and cited examples to support his position. He emphasized that every local protection added citizens become aware of the need for national protection, and that all of our citizens deserve our respect as people and our protection against discrimination. He summed up and said the Non-Discrimination Ordinance is needed

Scott McGraw, 10608 Dandale Street, concurred with John Zull and Phil Stinchcomb, and indicated he did not feel the Ordinance was properly vetted at the HSB level. He respectfully requested that City Council refer it back to the HSB for further review and input from both sides.

Ginger Clifton, 3429 Woodhams Avenue, indicated that her family chose Portage because of the high quality schools, diverse community and safe community. She said that they were not a member of the LGBT community when they moved here 1½ years ago; however, one month after moving in, one of their three children came out to her as transgender, and everyone here could be one day away from a loved one, family member or someone you care about coming out as gay, lesbian or transgender. She pointed out if the Ordinance does not pass, you can legally deny employment, housing, a family dinner at a restaurant or seeing a movie together to not only her child, but also to her or my husband. She said her child is recognized now with a United States Passport as female, uses the restrooms in Portage and there are no issues; also, she is not a harm to society, nor is she trying to engage is some sexual behavior; she is simply trying to use the bathroom. With that, she asked that Council pass the Non-Discrimination Ordinance on behalf of her family, her friends and her co-workers in the community.

Larry Provancher, 7414 Starbrook Street, thanked Councilmember Urban for his Ordinance and said he is a long-time supporter of inclusiveness and accepting all people. He mentioned an incident with his wife who he said is a naturalized citizen, is from Columbia, is not white, speaks with an accent and a Portage resident since 1963: after Nine Eleven, he and his wife were talking at a gas station in Portage when a lady jumped out of a pick-up truck and yelled at his wife, "Why don't' you go back to your own country?" He expressed his frustration and told his wife that the best thing to do was to say nothing. He said anything we can do to promote inclusiveness and diversity is a good move and said he is in favor of the Ordinance.

Reginald Clapp, 1522 Rockledge Court, Apt. 1, Kalamazoo, spoke in opposition to the Ordinance suggesting it proposed something that is perverse and discriminatory against the majority of the people. He said when he was growing up, gay meant happy or happy-go-lucky and suggested that the LGBT community has perverted this term to mean something sexual. He pondered whether the daughter of Ms. Clifton had been influenced by the behavior of other people to decide she was a female. He indicated that if he had children, he would not want them to be influenced to engage in perverted behavior and said there is nothing positive about that behavior, and gave the examples that there is no way two women can have children together and two men having sex is perverted behavior. With that, he urged Council to not pass the Ordinance. He mentioned that he is a single guy, and could go around and allege he is discriminated against because he is single. And though he had no problem with it, he cited the time when he was the first guy to lose a job for the reason that he did not have a family. He indicated that the LGBT community is "trying to discriminate against us because we don't agree with them" and force him to agree with that kind of behavior. He indicated that in 2009, the gay community was about 1% of the population and now claim to be 4% which means that 96% are not gay, so why should we be forced to accept this. He referred to the recent shooting at a gay bar in Orlando, Florida, and indicated that the shooter is suspected as being a gay person instead of an alleged terrorist. With that, he again urged Council to not pass the Ordinance because it is discriminatory against the majority of people.

Glenn Smith, 10143 Portage Road, a Portage business owner, indicated he showed up here for a different reason; however, upon listening to Councilmember Urban, he began feeling a lot of pride in the fact that he lives in a City where we have progressive ideas and people in places of leadership who have the courage to stand up and make this kind of proposal. He said that this Ordinance will make our community better from within and better looking to those outside our borders. He said a city that is diverse, inclusive and progressive, plus has a conscience towards being fair to every member of society, will thrive; and, without that characteristic, we wither on the vine in every respect, economic, social and even religious. He urged a vote in favor of the Ordinance.

Katheryn Greaves, 2651 Woody Knoll, expressed her appreciation for Council taking up this Ordinance because the elected State officials are unwilling to do this. She indicated she works in Battle Creek for the Kellogg Company and teaches in Kalamazoo for Western Michigan University, and she whether what is presented is what Council wants or not. So, she was not in favor of pushing it back for a month since it can be done in two weeks. Discussion followed.

At the request of Councilmember Ford, Assistant City Attorney Bear indicated that no new Ordinance posting would be necessary since the First Reading to the Ordinance has been noticed. Councilmember Pearson restated his need for an explanation of whether an owner who denies a lease of an apartment to a gay couple suffers a $500 fine or a $90,000 fine, and on which day does the fine begin, and Mr. Bear assured him that a full explanation would be forthcoming. In answer to Councilmember Reid, Mr. Bear indicated that the answers to Council's questions should be available for the next meeting in two weeks.

Mayor Pro Tem Ansari indicated that those who could not make the meeting tonight may have questions that they would like addressed, and postponing action for an extra two weeks gives the City Attorney and City Administration the time needed to provide answers to all of the questions from the Council and the public. Councilmember Pearson expressed his support for the Ordinance, but emphasized the need for answers to his questions and to allow for minor changes, if necessary.

Councilmember Urban demonstrated that there is time to answer the questions before the next meeting in the context of the public hearing and, after the public hearing and based upon what we hear, if we recognize that there need to be changes in the proposed ordinance, we can put them in at that time and vote on it that night; or, we can delay action and ask the City Attorney for a new draft. Discussion followed.

City Manager Shaffer indicated that the Ordinance does not anticipate the matriculated process; it begins with a conciliation process. He noted that Kalamazoo, Oshtemo and Kalamazoo Township have fundamentally the same language as Section 24-156 (b). Penalties. He said he cannot be certain that any of them have issued a citation, as the Ordinance is designed to channel complaints to the City Manager's office where facts are sorted out, discussion ensues and the individual who has the complaint lodged against is brought in. He pointed out that it is an education process; it's a building process; so, it anticipates that it is the initial stage where all of your time and energy is spent. He indicated that if the conciliation process is unsuccessful, then there is the option to issue a violation, but it is not anticipated that the violations would be ongoing, day after day. He assured Council that when the issue was taken up at the HSB, the focus was on education and conciliation rather than employing the more punitive components of this proposed ordinance.

In answer to Councilmember Pearson, Mr. Bear assured him that a response to his question would be available a few days before the public hearing and not just before the meeting. With this and the understanding of the explanation from Mr. Shaffer, Councilmember Pearson *withdrew his second of the motion and without a second, the amended motion did not pass* ~~motion~~.

Discussion followed. Councilmember Reid encouraged anyone with questions regarding this matter should present them to the City Manager or to any Councilmember. Mayor Strazdas said that what is important is that the city do it right, not to move fast or slow. Discussion followed. Councilmember Urban outlined the time and care taken to write this Ordinance, to present it openly to the public and to provide full deliberation.

Mayor Strazdas recognized three factions who have an interest in this Ordinance; asked that they meet with the City Manager to discuss the details; and, that he wants everyone to have an opportunity to address this Ordinance and get answers to their questions prior to the public hearing. Mr. Shaffer concurred and indicated that he would be happy to meet with anyone at any time, and would be delighted to facilitate it.

Councilmember Pearson restated his approval of the Ordinance, and asked that the City Attorney bullet point the differences between the proposed City of Portage Non-Discrimination Ordinance and the Ordinances from the Oshtemo/Kalamazoo/Kalamazoo Township. Discussion followed.

Mayor Strazdas called for the question. Upon a roll call vote, motion carried 7 to 0. Discussion followed and Mayor Strazdas asked everyone to maintain civility when addressing this issue.

engineering report is necessary and, in this case, it is a consultant's report. He also restated that the Board has to determine the scope, hold the Public Hearing of Necessity and get input from the residents; afterwards, the Board makes the decision on the special assessment, which is already being done on the treatment of the weeds. He continued by saying that the Board sets an assessment amount for the Water Quality Check Program and will probably fold it into the weed assessment amount which will add only a few dollars to the existing assessment. City Council does nothing beyond tonight; however, he noted that because the City of Portage has property on the lake, the City is assessed an amount under each special assessment.

Councilmember Pearson reflected that because this is a minor component of the special assessment, he at first wondered whether Council needed to address it, but owing to the opinion of the Board Attorney, he now agrees with the involvement of Council and would be supporting the motion. Councilmember Urban responded that in the interest of being open and fully transparent, the Board Attorney opined that it should be brought to Portage City Council and the Pavillion Township Board, and noted that all of the steps of the special assessment, including two public hearings, will have to be taken for this action. Upon a roll call vote, motion carried 7 to 0.

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

Portage Human Services Board of May 26, 2016.
Portage Planning Commission of May 19, 2016.

COUNCIL COMMITTEE REPORTS:

KALAMAZOO COUNTY ENVIRONMENTAL HEALTH ADVISORY BOARD: Councilmember Ford discussed a presentation at the Kalamazoo County Environmental Health Advisory Board Meeting from Kalsec (Natural Flavors, Colors, and Extracts) composting facility recently built in Cooper Township, and mentioned that they add chilies and rosemary to the soil to help farmers grow good products in recycled material. He also mentioned that the Board discussed non-potable wells and that his impression is that the County plans to do something with them as well.

Motion by Randall, seconded by Reid, to receive the verbal report from Councilmember Ford regarding the discussion at the Kalamazoo County Environmental Health Advisory Board Meeting. Upon a voice vote, motion carried 7 to 0.

COUNTY CONSOLIDATED DISPATCH – 911: Councilmember Reid reported on the County Consolidated Dispatch Finance Committee which is anticipating doing the investigation necessary to be able to bring to the entire Dispatch Board a proposal related to how we are going to be able to fund Consolidated Dispatch. In order to answer that question. She said the group has to determine what exactly that is going to look like and where it is going to be housed, so the question continues to be more and more complex. She anticipated that the Finance Committee will be bringing a proposal forward at the next meeting in July 2016 to allow for time to provide a Resolution placing an issue on the November ballot. She indicated that this matter is still under discussion and there are a lot of different ways this project can be put together, so the Board has a decision to make. She said that the Finance Committee is meeting on a weekly basis at this point, and she expressed her optimism that she will bring back better information about what is happening at the next Council Meeting. Discussion followed.

Councilmember Reid reflected positively on a suggestion by Councilmember Pearson that was referred to the Technical Committee, i.e. in the meantime, can we implement a text option to contact 911 Dispatch which would demonstrate a tangible difference in service delivery for the 42 cents per month per phone device the public is currently paying. Discussion followed.

concurred. When he announced that he may be absent for the next meeting as he has a baby on the way who is due June 24, 2016, Mayor Strazdas and Councilmember Pearson congratulated him.

City Manager Larry Shaffer announced that the City has two brush and leaf drop-off days, 8 a.m. until 12 p.m., Saturday, July 30, 2016, and Saturday, October 29, 2016, at 10905 Oakland Drive, and acknowledged Councilmember Ford, whose idea inspired the drop-off.

Mayor Pro Tem Ansari expressed his sorrow for the families and the victims in the recent Orlando shooting and condemned it as an act of terrorism, and expressed his condolences for the cyclists on North Westnedge Avenue, Cooper Township.

Mayor Strazdas also expressed his condolences for the families for all of the recent tragic events and indicated that the families need time to grieve. He said there has to be some good to come from this somehow, and mentioned the new alert system initiated by the State and Councilmember Randall's comments about car driver respect for the cyclists. He announced he will be attending the Southwest Michigan First Leadership Breakfast and today he was asked to speak to the new Stryker Corporation employees and reflected on the diversity of the people in the community as a result of worldwide companies in the area.

At the request of Mayor Pro Tem Ansari, Mr. Shaffer volunteered to use the Portage Alert System to notify residents of construction delays.

MATERIALS TRANSMITTED:

* **MATERIALS TRANSMITTED OF MAY 20, 2016:** Motion by Randall, seconded by Ford, to receive the Materials Transmitted of May 20, 2016.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:39 p.m.

James R. Hudson, City Clerk

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

Sarah Dirksen
2631 Elmview
Portage, MI 49024

Kenneth D. Medema
6856 [illegible] Springs
Portage, MI 49002

To Mayor and City Council:

For the vote expected tonight regarding transgender restrooms in Portage, I would like a NO vote.

At the very least put the vote on hold and allow the residents of Portage to vote on it in the general election in Nov.

The population accessing the yes vote is not the majority and does not represent a healthy and safe community.

Thank you.

Sarah Dirksen
Kenneth D. Medema

Signature petition for a Call to Action: **Residents and business owners of Portage Michigan demand all members of the Portage City Council, at the June 28, 2016 council meeting, vote NO for the Code of Ordinances Amendment, Chapter 24, Community Quality, Article 7 NON-DISCRIMINATION ORDINANCE. The proposed ordinance violates the religious freedom of Portage business owners as stated in the Constitution of the United States, Amendment One.**

X Portage Resident
Portage Business Owner | 6-26-16 Date | Patti A. Noel Signature | Patty A. Noel Print Name

1002 Pasma Ave. Resident Address OR Business Name & Address (Street & City) | 269-823-1202 Phone (Optional) | Email (Optional)

Portage Resident
Portage Business Owner | Date | Signature | Print Name

Resident Address OR Business Name & Address (Street & City) | Phone (Optional) | Email (Optional)

Portage Resident
Portage Business Owner | Date | Signature | Print Name

Resident Address OR Business Name & Address (Street & City) | Phone (Optional) | Email (Optional)

Portage Resident
Portage Business Owner | Date | Signature | Print Name

Resident Address OR Business Name & Address (Street & City) | Phone (Optional) | Email (Optional)

Portage Resident
Portage Business Owner | Date | Signature | Print Name

Resident Address OR Business Name & Address (Street & City) | Phone (Optional) | Email (Optional)

PORTAGE

CITY COUNCIL AGENDA ITEM F.2.
JUNE 28, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Gourdneck Lake - Creation of Governmental Lake Board

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

ACTION RECOMMENDED: That City Council direct the City Attorney to prepare a Resolution to provide for the establishment of a Governmental Lake Board in accordance with part 309 of Public Act 451 for Gourdneck Lake.

The attached letter has been received from the Gourdneck Lake Association which requests the establishment of a Governmental Lake Board pursuant to the Inland Lake Improvement Act. It is believed that a Governmental Lake Board, established under the requirements of the Inland Lake Improvement Act, is the appropriate entity for performing any lake improvement work. Creation of a Governmental Lake Board would provide for the establishment of a defined legal entity to address any lake improvement projects. In accordance with the Act, a Governmental Lake Board would consist of a member of the County Board of Commissioners, the County Drain Commissioner, two representatives from the local unit of government and a lake property owner representative. The Governmental Lake Board would have the power to levy a special assessment for the purpose of supporting a lake improvement project, as provided by statute, including the weed control program proposed by the Association.

It is advised that Council accept the request of the Gourdneck Lake Association and direct the City Attorney to prepare a Resolution providing for the establishment of a Governmental Lake Board in accordance with the requirements of part 309 of Public Act 451, Inland Lake Improvements.

FUNDING: N/A

Attachments:
1. Gourdneck Lake Association Letter
2. Property Owner Petition