

5:45 p.m. Board & Commission Interviews.

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. 2022 Christmas Light Display Contest Winners
2. National Day of Racial Healing 2023

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Regular Meeting of December 20, 2022
2. Approve the Accounts Payable Register of January 10, 2023 as presented.
3. Grant tentative approval of the Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue.
4. Approve a Consolidation and Contamination Risk Reduction grant agreement in the amount of \$525,969 between the Michigan Department of Environment, Great Lakes and Energy and the city and authorize the City Manager to sign all documents related to the project on behalf of the city.
5. Approve a ten-year contract (one base year and nine option years) with Dickinson Wright for Bond Counsel services, as well as a ten-year contract (one base year and nine option years) with MFCI, LLC for Financial Advisor services, and authorize the City Manager to execute all documents related to these actions on behalf of the city.
6. Adopt Resolution No. 1, accept the City Manager Report and request preparation of Resolution No. 2 for the Austin Lake Invasive Weed Management Program Special Assessment District No. 023-A.
7. Adopt the 2023 Recreation and Open Space Plan Update for submittal to the MDNR in accordance with their grant requirement guidelines.
8. Amend the City Manager Employment Agreement to increase the allocation for relocation expenses from \$20,000 to \$40,754.61.
9. Approve the City Council priorities for Fiscal Year 2023-2024.
10. Minutes of Boards & Commissions:
 - a. Planning Commission of December 1, 2022.
11. Materials Transmitted of December 20, 2022
12. Calendar of Meetings:
 - Environmental Board: January 11, 2023 at 7:00 p.m. at City Hall.
 - Senior Citizens Advisory Board: January 18, 2023 at 2:30 p.m. at the Portage Zhang Senior Center.
 - Planning Commission: January 19, 2023 at 7:00 p.m. at City Hall.

B. Petitions and Statements of Citizens:

C. Communications:

D. Public Hearings:

E. Regular Business Agenda:

1. Appoint individuals to the Historic District Commission, Human Services Board, Local Officers Compensation Commission, Local Development Finance Authority, Board of Review, and Zoning Board of Appeals.

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

NATIONAL DAY OF RACIAL HEALING

- WHEREAS,** the City of Portage affirms that all people, regardless of their racial, ethnic and religious group identification, skin color or physical traits, deserve an equal opportunity to experience well-being in a just society and be full participants in our democracy, we acknowledge that we must work to address historic and present-day harms of racism, heal the wounds created by racial, ethnic and religious bias and build communities where all children can reach their full potential and thrive;
- WHEREAS,** all children have the right to safety, dignity, and humanity, and must be provided every opportunity to grow, learn and flourish in a nurturing environment;
- WHEREAS,** every individual possesses the ability to learn, grow and change, and build communities of accountability, care, and collective action;
- WHEREAS,** if we all dedicate ourselves to a process that brings individuals and communities to wholeness, repairs the damage caused by racism and transforms societal structures into ones that affirm the inherent value of all people, we can bring about the necessary changes in thinking and behavior that will propel this great country forward as a society where everyone belongs;
- WHEREAS,** racial healing is a vital and crucial commitment to the educational, social, mental and overall well-being of all our children; and
- WHEREAS,** the City of Portage, in conjunction with others throughout the United States of America and across the globe, acknowledges the Tuesday following Martin Luther King Jr. Day as the "National Day of Racial Healing" and urges all citizens to promote racial healing and transformation individually and collectively as a means of working together to ensure the best quality of life for every child.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby proclaim that the City of Portage honors and recognizes the Tuesday following Martin Luther King Jr. Day or the third Tuesday in January as the "National Day of Racial Healing."



Signed this ____ day of _____

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM DECEMBER 20, 2022

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM in the Council Chambers at Portage City Hall.

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

ABSENT: Councilmembers Chris Burns and Vic Ledbetter.

ALSO PRESENT: City Manager Pat McGinnis, Deputy City Manager Adam Herringa, Deputy City Manager Michael Carroll, City Attorney Catherine Kaufman, and Deputy City Clerk Tamm Durian.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the experience of the holiday season with generosity and inclusivity. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS: Safa Mazhar, a 4th-grade student at Moorsbridge Elementary School, read her "I Love Portage" winning essay.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. City Manager McGinnis removed Item 4F and a member of the audience removed item 4G from the Consent Agenda. Motion by Knapp, seconded by Urban, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 5 to 0.

Approval of Minutes: Motion by Knapp, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of December 6, 2022. Upon a roll call vote, motion carried 5 to 0.

Accounts Payable Register: Motion by Knapp, seconded by Urban, to approve the Accounts Payable Register of December 20, 2022, as presented. Upon a roll call vote, motion carried 5 to 0.

Tentative Plan and Rezoning Application #22/23-6: Motion by Knapp, seconded by Urban, to receive the Tentative Plan and Rezoning Application #22/23-6, from RM-1 Multifamily Residential to PD Planned Development for Kings Landing at 6601 Constitution Boulevard, and set a public hearing for January 24, 2023. Upon a roll call vote, motion carried 5 to 0.

2023 Fee Schedules: Motion by Knapp, seconded by Urban, to adopt the: 2023 Cemetery Fee Schedule; 2023 Proposed Freedom of Information Act fees; 2023 Proposed Community Development and Building Permit fees; 2023 Proposed Public Safety Department fees; and the 2023 Proposed Recreation and Park Facility fees. Upon a roll call vote, motion carried 5 to 0.

Bishop's Bog Floating Boardwalk - Sole Source Purchase: Motion by Knapp, seconded by Urban, to approve the sole-source purchase of floating boardwalk materials for Bishop's Bog from Aggressive Industries of Minneapolis, MN, in the amount of \$997,104, 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 5 to 0.

Bishop's Bog Floating Boardwalk - Installation: Motion by Knapp, seconded by Urban, to award a contract in the amount of \$420,000 to TJM Services for the installation of floating boardwalk materials for Bishop's Bog 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 5 to 0.

Cable Access Professional Services Contract with Overneath Creative: Motion by Knapp, seconded by Urban, to approve a multiple-year contract of two base years and three option years with

Overneath Creative for the continuation of professional cablecast, live stream and videography operations in the two-year amount of \$192,210 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 5 to 0.

Portage Road Residential Planned Development Professional Engineering Services Tabulation of Proposals: Motion by Knapp, seconded by Urban, to award a contract to Wightman & Associates, Incorporated, of Kalamazoo, Michigan in the amount not to exceed \$118,450 to perform design engineering services for the Portage Road Residential Planned Development 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 5 to 0.

Resolution for Use of Purchasing Cards and Adoption of Purchase Card Use Policy: Motion by Knapp, seconded by Urban, to adopt the Resolution for Use of Purchasing Cards and City of Portage Purchasing Card Use Policy. Upon a roll call vote, motion carried 5 to 0.

Proposed Meeting: Motion by Knapp, seconded by Urban, to set a Committee of the Whole Meeting on January 24, 2023, at 6:00 p.m. to review and discuss potential locations and expansion/enhancement of the Portage Farmers Market. Upon a roll call vote, motion carried 5 to 0.

2022 Attainable Housing Plan: Motion by Knapp, seconded by Urban, to receive and approve the proposed 2022 Attainable Housing Plan. Upon a roll call vote, motion carried 5 to 0.

Minutes of Boards & Commissions: Motion by Knapp, seconded by Urban, to receive the minutes of the Zoning Board of Appeals of September 12, 2022, and Environmental Board of November 9, 2022. Upon a roll call vote, motion carried 5 to 0.

Materials Transmitted: Motion by Knapp, seconded by Urban, to receive the Materials Transmitted of December 6, 2022. Upon a roll call vote, motion carried 5 to 0.

Calendar of Meetings: Motion by Knapp, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 5 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: None.

COMMUNICATIONS:

Annual Presentation by the Environmental Board: Environmental Board Member, Jerry Kroehn, reported that more time and further review are needed before presenting updates to the City Council.

REGULAR BUSINESS AGENDA:

Item 4F - Proposed 2023 Senior Center Facility Fee: At the request of City Manager McGinnis, Item 4F was removed from the Consent Agenda and added to the Regular Business Agenda for review. He asked that the proposed 2023 Senior Center fees are reviewed and compared to other facilities, and to move to the January 24, 2023, Council Meeting. Motion by Knapp, seconded by Brayton, to table Item 4F: Proposed 2023 Senior Center Facility fee, and add to the regular Council Meeting on January 24, 2023. Upon a roll call vote, motion carried 5 to 0.

Item 4G - Proposed 2023 Special Assessment Rates: At the request of an audience member, Item 4G was removed from the Consent Agenda and added to the Regular Business Agenda for review.

Mayor Randall invited audience member Scott Cook, 4208 Mahoney, to speak regarding the proposed 2023 Special Assessment rate. Mr. Mahoney shared his concern with the increase and inquired about paying before the first of the year. Manager McGinnis questioned the status of the

special assessment Mr. Cook referenced, and Councilmember Urban further explained the process for special assessment rates.

Mayor Randall then asked Director of Transportation and Utilities, Kendra Gwin, to provide more information and background for the proposed special assessment rate. Director Gwin explained the annual steps taken to get an average cost for installing water and sewer utilities, noting for a water main installation each property is paying a third of the cost, and the frontage for a residential property is capped at 80 feet. Director Gwin also mentioned that the Ramona Park Subdivision (which includes Gray, Mahoney, and Lum Street) is under engineering design and due to the expected construction date, the proposed rates would be in effect at the time of the project. Mayor Randall asked how the rate increase was determined, and the percentage rate from one year to the next. Director Gwin answered that the City of Portage sets the special assessment rate and referenced the attachment to the Special Assessment Rate Resolution that shows the percentage increase. Manager McGinnis asked if the actual numbers presented are based on the experience of the City of Portage's last several projects, and Director Gwin replied yes, and further information was provided. Discussion took place regarding Extension Districts, rate sharing, and assistance options.

At the invitation of the Mayor, audience members provided input.

Scott Cook, 4208 Mahoney Street, shared his concern with the percentage increase and inquired about a repair to his existing driveway.

Gary Tolliver, 5802 Dakota Avenue, is also concerned with the proposed special assessment rate increase, providing numbers based on his property.

Scott Cook, 4208 Mahoney Street, again questioned the percentage increase from last year to the proposed 2023 rate.

Karen Ninke, 4213 Lum Street, is concerned about the proposed rate increase for their utility project compared to the initial project petition 10 years ago.

Voicemails:

Maurine Best, 4208 Gray Street, spoke in opposition to the proposed special assessment rate increase, asking to wait until labor and material prices go down.

Judith Pyle, 4216 Gray Street, also spoke in opposition to the proposed special assessment rate increase, noting the amount of the increase and the timing of the increase before a scheduled project.

Mayor Randall responded to the public, understanding there is an increase, and asked about the possibility of a rate adjustment. Discussion took place, and Attorney Kaufman explained the practice of adopting the special assessment rate, provided options to the council, and explained how rates are set. Councilmember Urban reminded the audience that the proposed special assessment rates that are presented are not just for a specific project or utility, they are for a variety of items and is in favor of adopting the proposed special assessment rate.

Motion by Urban, seconded by Knapp, to adopt the Resolution setting the 2023 proposed Special Assessment Rate. Mayor Randall asked for further discussion by Council. Councilmember Urban commented this is an overall process for several rates and based on current policy, it's appropriate to set the rates for all upcoming projects. Mayor Randall invited comments from the audience. Scott Cook, 4208 Mahoney Street, asked if it was mandatory to hook up to the sewer and for a timeframe. Director Gwin replied. As there were no further comments, upon a roll call vote, motion carried 5 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Brayton gave an Environmental Health Advisory Council (EHAC) update, which included water systems and PFAS. She then provided a Discover

Kalamazoo update, noting a representative from Western Michigan University was present and reported on GPA achievements and recruitment efforts.

Mayor Pro Tem Pearson provided an update for the Central County Transit Authority (CCTA), with a focus on the Metro Comprehensive Operational Analysis (COA) study. Mayor Pro Tem Pearson commented that he and Councilmember Burns were looking forward to the COA study and recommendation, noting the need for a microtransit edition in the City of Portage. He was disappointed that the consultant proposed a limited microtransit in the City of Portage with no service for south Portage residents, as well as the discontinuance of line haul routes 26 and 27 in Portage, considering all precincts in Portage are assessed with the CTA millage. Mayor Pro Tem Pearson is concerned with the recommendations and expressed that they are reviewed, and responses are directed to the County Transit Executive Director. Mayor Pro Tem Pearson reported that he and Councilmember Burns have expressed their concern with the overall transit service reduction to City Manager McGinnis, noting Portage citizens and businesses pay the most of any county jurisdiction for transit service, and asked that council members review the analysis and report to the City Manager. Councilmember Urban commented on the analysis report, pointing out possible errors in the density calculations and map. Mayor Pro Tem Pearson again reminded everyone to respond to the proposed changes as they will be in place for the next several years.

Motion by Knapp, seconded by Brayton, to receive the Council Committee reports as presented. Upon a voice vote, motion carried 5 to 0.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban commented on the special assessment rate and the need to be financially responsible for the entire city. He also wished everyone a safe and happy holiday.

Councilmember Knapp also wished everyone a safe and happy holiday. Councilmember Brayton thanked the Portage Police and Fire for their valiant service to our community, as well as their participation with “stuff a fire truck” at Sam’s Club. She also thanked the 12 Basket Food Pantry for their contribution and wished everyone happy holidays and a Happy New Year.

City Manager McGinnis proudly reported that the National Center for Arts Research does an annual Arts Vibrancy Index and Portage-Kalamazoo made the list of the nation’s top 40 Most Arts-Vibrant Communities in 2022. He also wished everyone a safe and happy holiday.

Mayor Pro Tem Pearson wished everyone a safe and happy holiday.

Mayor Randall reflected on what a great year it’s been and is looking forward to 2023. She also thanked the plow drivers, the Department of Public Works, and wished everyone a happy holiday and safe travels.

ADJOURNMENT: Mayor Randall adjourned the meeting at 08:28 PM.

Tammy K. Durian, Deputy City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve the Accounts Payable Register of January 10, 2023 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks, auto-pay payments and electronic payments. The attached Accounts Payable Register covers the period December 11, 2022 through December 31, 2022 and notes \$2,818,222.72 in automated clearing house payments, \$277,390.68 in paper checks, \$16,845.01 in auto-pay payments and \$3,895,512.31 in electronic payments for a grand total of \$7,007,970.72.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of January 10, 2023

ACCOUNTS PAYABLE REGISTER
Check Dates From: 12/11/2022 to 12/31/2022

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
12/16/2022	18469(A)	ADP, INC.	ADP PAYROLL & ETIME SERVICES	2,246.61
12/16/2022	18470(A)	MARTIN, MATTHEW	LEADING WITHOUT RANK TR-PER DIEM	75.50
12/21/2022	18471(A)	A & L INSULATION OPERATIONS, LLC	KAL CO - HOME INSULATION	8,505.00
12/21/2022	18472(A)	A NEW LEAF	CITY HALL PLANT CARE	98.50
12/21/2022	18473(A)	AIRGAS USA LLC	WELDING SUPPLIES	236.17
12/21/2022	18474(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	3,864.00
12/21/2022	18475(A)	AMAZON.COM SALES, INC.	FIRE UNIFORMS, SUP-FD; A/V TR SUP & EQUIP-DPW	6,376.32
12/21/2022	18476(A)	VOID		0.00
12/21/2022	18477(A)	AMERICAN ARBOR LLC	MULT TREE REMOVAL & PRUNING	15,462.00
12/21/2022	18478(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SERVICES	89.39
12/21/2022	18479(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,145.00
12/21/2022	18480(A)	AUNALYTICS INC	MONTHLY DISASTER RECOVERY SERVICES	1,126.30
12/21/2022	18481(A)	BEST WAY DISPOSAL, INC.	PORTABLE RESTROOMS RENTAL & SVC	872.20
12/21/2022	18482(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	163,095.56
12/21/2022	18483(A)	C D W GOVERNMENT, INC.	SWITCH CABLING FOR NEW DC/STORAGE PROJ	356.07
12/21/2022	18484(A)	CENTRAL NATIONAL GOTTESMAN INC	PAPER ORDER	2,175.88
12/21/2022	18485(A)	CERTASITE LLC	NOVEC SYSTEM SEMI-ANNUAL INSPECTION	384.55
12/21/2022	18486(A)	CHARTER COMMUNICATIONS	CABLE TV	641.28
12/21/2022	18487(A)	CLEAN EARTH ENVIRONMENTAL SERV	MILLENNIUM PARK RINK CLEANING	5,870.00
12/21/2022	18488(A)	CLEARNETWORK, INC.	UNIFIED SECURITY MONITORING SVCS	1,950.00
12/21/2022	18489(A)	CONTINENTAL LINEN SERVICES	LINENS FOR SPECIAL EVENTS	210.16
12/21/2022	18490(A)	CROWN TROPHY	PLAQUE, NAME TAGS	246.56
12/21/2022	18491(A)	DEER CONTRACTING & LANDSCAPE	RETENTION POND CLEAN-OUT - LIBERTY PK	3,980.00
12/21/2022	18492(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	19,254.66
12/21/2022	18493(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	395.00
12/21/2022	18494(A)	ENGINEERED PROTECTION SYSTEMS, INC.	CITYWIDE SECURITY SVCS, PZSC ACCESS CONTROL	30,537.66
12/21/2022	18495(A)	ENTENMANN-ROVIN CO.	FIRE UNIFORMS	3,688.20
12/21/2022	18496(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	FABRICATION SERVICES	3,022.01
12/21/2022	18497(A)	ETNA SUPPLY, INC.	SLOAN VALVE REBUILD KIT	30.70
12/21/2022	18498(A)	EXTREME POWER EQUIPMENT, INC.	PLOW MOUNT & WIRING	2,483.91
12/21/2022	18499(A)	FOREMOST SALES COMPANY LLC	PARK FACILITIES CLEANING	2,210.00
12/21/2022	18500(A)	GLOBAL EQUIPMENT CO., INC.	MISC BUILDING SUPPLIES	283.90

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Check Date	Check	Vendor Name	Description	Amount
12/21/2022	18501(A)	GORDON WATER SYSTEMS	WATER SERVICES	489.66
12/21/2022	18502(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SVCS	75.00
12/21/2022	18503(A)	HALT FIRE, INC.	NEW AERIAL FIRE TRUCK	1,689,978.00
12/21/2022	18504(A)	HI-TECH ELECTRIC CO.	KAL CO. HRP REWIRE HOME	17,500.00
12/21/2022	18505(A)	HURLEY & STEWART, LLC	WOODHAMS AVENUE STORM WATER REMEDIATION	571.75
12/21/2022	18506(A)	INDUSCO SUPPLY CO., INC.	CLEANING & RESTROOM SUPPLIES	830.35
12/21/2022	18507(A)	INSIGHT PUBLIC SECTOR, INC.	MS O365 CLOUD SVCS, ADOBE ACROBAT PRO LIC	6,428.99
12/21/2022	18508(A)	INTERNATIONAL CODE COUNCIL, INC	ICC MEMBERSHIP	145.00
12/21/2022	18509(A)	IRISH AYRES ENTERPRISES, LLC	MOWING & LANDSCAPING MAINTENANCE	8,135.38
12/21/2022	18510(A)	J + H OIL CO.	BULK FUEL CHARGES	28,431.10
12/21/2022	18511(A)	JB PRINTING	DECEMBER PORTAGER	3,451.06
12/21/2022	18512(A)	JONS TO GO PORTABLE RESTROOM	PORTABLE RESTROOMS-TRADITIONAL HOLIDAY	370.00
12/21/2022	18513(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	154.73
12/21/2022	18514(A)	MEJEUR ELECTRIC LLC	FIRE FACILITY MAINT	1,642.00
12/21/2022	18515(A)	METRONET HOLDINGS LLC	CABLE ACCESS STREAM FIBER,INTERNET FIBER SVC	1,917.90
12/21/2022	18516(A)	METRONET HOLDINGS LLC	TELEPHONE SERVICE	2,507.54
12/21/2022	18517(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE PPE GEAR	430.00
12/21/2022	18518(A)	NYE UNIFORMS	MISC UNIFORMS	3,186.84
12/21/2022	18519(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVCS	8,985.33
12/21/2022	18520(A)	PARIS CLEANERS	LAUNDRY SERVICES	628.31
12/21/2022	18521(A)	PECKELS, CHRISTINE	FITNESS CLASS INSTRUCTION	400.00
12/21/2022	18522(A)	PEOPLEFACTS, LLC	SECURITY MONITORING FEE	16.67
12/21/2022	18523(A)	PERCEPTIVE CONTROLS, INC.	SCADA - CRITICAL AUTOMATION SPARE PARTS	3,999.00
12/21/2022	18524(A)	PHILLIPS, KIMBERLY	REIMBURSEMENT FOR EXPENSES PZSC	111.99
12/21/2022	18525(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	1,135.44
12/21/2022	18526(A)	PREIN & NEWHOF	ENGINEERING SVCS-ROMENCE RD RECONSTRUCTION	1,611.50
12/21/2022	18527(A)	R W LAPINE INC.	BACKFLOW PREVENTER REPAIR/HVAC SVCS	1,784.00
12/21/2022	18528(A)	RIDGE AUTO NAPA	EQUIPMENT REPAIR/MAINT SUPPLIES	697.98
12/21/2022	18529(A)	ROBERT LAMSON, LLC	PRE-COE	150.00
12/21/2022	18530(A)	S B F ENTERPRISES, INC.	PRINTING & PROCESSING 2022 WINTER TAX	3,278.71
12/21/2022	18531(A)	SEVERANCE ELECTRIC COMPANY,INC	TRAFFIC SIGNAL MAINT MULT LOCS	7,456.83
12/21/2022	18532(A)	SHILTS, DAWN	REIMB VOLUNTEER RECOGNITION EXPENSES	183.84
12/21/2022	18533(A)	SIMPLIFILE LLC	DEED RECORDING SERVICE	172.25

ACCOUNTS PAYABLE REGISTER
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Check Date	Check	Vendor Name	Description	Amount
12/21/2022	18534(A)	SMITH DAWSON & ANDREWS, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
12/21/2022	18535(A)	TRUCK & TRAILER SPECIALTIES	REPAIR/MAINTENANCE SUPPLIES	1,315.05
12/21/2022	18536(A)	UNIFIRST CORPORATION	HALLWAY CARPET RENTAL	157.94
12/21/2022	18537(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY OPERATION SYSTEM	204,954.87
12/21/2022	18538(A)	VIRIDIS DESIGN GROUP	ADA PLAYScape CONCEPT DESIGN	1,800.00
12/21/2022	18539(A)	WEST MICHIGAN STAMP & SEAL, INC	NOTARY STAMPS & SEALS	399.00
12/21/2022	18540(A)	WIGHTMAN	BRIDGE LOAD INSPECTIONS, ELIASON A&E SVCS	12,135.44
12/21/2022	18541(A)	WOLFE, MATTHEW	REIMB FBI NATIONAL ACADEMY ASSOC MEMBERSHIP	325.00
12/21/2022	18542(A)	WOLVERINE LAWN SERVICE, INC.	SNOWPLOWING/CROSSWALK SERVICES	6,590.00
12/30/2022	18543(A)	ADP, INC.	ADP PAYROLL & ETIME SERVICES	3,719.30
12/30/2022	18544(A)	AGGRESSIVE INDUSTRIES	BISHOP'S BOG BOARDWALK MATERIALS	498,552.00
12/30/2022	18545(A)	CHARTER COMMUNICATIONS	INTERNET/VOICE	134.46
12/30/2022	18546(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY DONATIONS FOR DECEMBER 2022	237.00
12/30/2022	18547(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	318.14
12/30/2022	18548(A)	PORTAGE FIREFIGHTERS	IAFF UNION DUES FOR DECEMBER 2022	3,000.00
12/30/2022	18549(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF UNION DUES FOR DECEMBER 2022	30.00
12/30/2022	18550(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES FOR DECEMBER 2022	960.52
12/30/2022	18551(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW UNION DUES FOR DECEMBER 2022	823.76
Total ACH				2,818,222.72

Check Type: Paper

12/15/2022	322625	CHICAGO TITLE OF MICHIGAN, INC.	FINAL CLOSING COSTS 8716 OAKLAND DRIVE	826.69
12/16/2022	322626	CONSUMERS ENERGY	ENERGY CHARGES	57.02
12/16/2022	322627	MICHIGAN PAVEMENT MARKINGS LLC	MAJOR STREETS LINE PAINTING/MARKINGS	9,575.57
12/16/2022	322628	NORESCO LLC	RELEASE RETAINAGE ENERGY EFFICIENCY PROJ	30,366.60
12/16/2022	322629	OFF THE BLOCKS, LLC	CDBG FURNACE & HUMIDIFIER REPL	6,000.00
12/16/2022	322630	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	1,377.56
12/21/2022	322631	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	378.00
12/21/2022	322632	AUDIA, JOYCE	TRIP REFUND 221214 FOUR WINDS CASINO	50.00
12/21/2022	322633	BAREITHER, CHAD	STRATEGIC PLANNING	2,905.00
12/21/2022	322634	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	278.00
12/21/2022	322635	BLANCHARD, TERRY	TRIP REFUND FOUR WINDS CASINO 221214	50.00
12/21/2022	322636	BLOOM SLUGGETT, PC	LITIGATION-S WESTNEDGE AVE STORM SEWER PRJ	1,278.50

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Check Date	Check	Vendor Name	Description	Amount
12/21/2022	322637	BOYD, BRUCE	2022 SUMMER TAX REFUND DUE TO DEC BOR	1,951.62
12/21/2022	322638	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	200.00
12/21/2022	322639	BUTLER, JOHN	TRIP REFUND FOUR WINDS CASINO 221214	40.00
12/21/2022	322640	C&C PROFESSIONAL CLEANING SERVICE	JANITORIAL SERVICES	5,204.28
12/21/2022	322641	C-COMM OF KALAMAZOO, INC.	KENWOOD RADIO REPROGRAMMING	2,615.20
12/21/2022	322642	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	94.22
12/21/2022	322643	CAPITOL STRATEGIES, LLC	CONSULTING FOR NOVEMBER 2022	6,000.00
12/21/2022	322644	CARDNO, INC.	INVASIVE SPECIES TREATMENT SERVICES	1,804.25
12/21/2022	322645	CHEATHAM, HOLLY	2022 SUMMER TAX REFUND DUE TO DEC BOR	907.56
12/21/2022	322646	CHICAGO TITLE OF MICHIGAN, INC.	CDBG TITLE SEARCH	150.00
12/21/2022	322647	CHUANDI WANG, DDS	2022 SUMMER TAX REFUND DUE TO DEC BOR	921.46
12/21/2022	322648	CINTAS CORPORATION NO. 2	UNIFORM RENTAL FOR INSPECTORS	4.89
12/21/2022	322649	COCHRAN GLASS AND DOOR, LLC	TRAILHEAD PARK LOCK REPAIR	125.00
12/21/2022	322650	CORELOGIC CENTRALIZED REFUNDS	2022 SUMMER TAX REFUND DUE TO DEC BOR	12,640.86
12/21/2022	322651	CORELOGIC CENTRALIZED REFUNDS	2022 SUMMER TAX REFUND DUE TO PRE ADJUST	1,659.16
12/21/2022	322652	DAVE'S CONCRETE PRODUCTS, INC.	CONCRETE MATERIAL FOR POURED CURB/GUTTER	541.25
12/21/2022	322653	DELOOF BUILDERS LLC	OVERPAYMENT OF WINTER TAX PARCELS	50.00
12/21/2022	322654	DERYDER, LINDA	CASINO TRIP REFUND 221214	50.00
12/21/2022	322655	DEVON TITLE AGENCY	2022 SUMMER TAX REFUND DUE TO DEC BOR	9,088.10
12/21/2022	322656	DEYOUNG, LOMYONG	CASINO TRIP REFUND 221214	50.00
12/21/2022	322657	DRIESEN & ASSOCIATES INC	FIRE FACILITY MAINT-ST 3 PARKING LOT	3,164.80
12/21/2022	322658	EISAMAN, TREVOR	OVERPAID FINAL WATER BILL	98.44
12/21/2022	322659	ELECTIONS OPERATING LLC	I VOTED STICKERS	1,767.89
12/21/2022	322660	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINTENANCE	146.05
12/21/2022	322661	EMMERT, DEBORAH	CASINO TRIP REFUND 221214	40.00
12/21/2022	322662	EVENT PRODUCTION SERVICES OF MI LLC	CARAFES FOR HOT BEVERAGES	160.00
12/21/2022	322663	FBINAA	FBINAA MEMBERSHIP	115.00
12/21/2022	322664	FISH WINDOW CLEANING	WINDOW CLEANING	2,200.00
12/21/2022	322665	FISHER, KERRY	OVERPAID FINAL WATER BILL	69.71
12/21/2022	322666	FLEGEL, SHARON	CASINO TRIP REFUND 221214	50.00
12/21/2022	322667	FORWARD, JULIE	2022 SUMMER TAX REFUND DUE TO DEC BOR	1,591.52
12/21/2022	322668	FRIENDS OF PORTAGE SENIOR CENTER	REIMB FOR DONATIONS RECEIVED W/MEMBERSHIPS	1,800.99
12/21/2022	322669	GORDON FOOD SERVICE	MISC FOOD & SUP-TRAD HOL, COFFEE BAR SUP	695.88

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12/21/2022	322670	HAENICKE INSTITUTE FOR GLOBAL EDU	RENTAL DAMAGE DEPOSIT REFUND	50.00
12/21/2022	322671	HANEY, SUMANEE	CASINO TRIP REFUND 121422	40.00
12/21/2022	322672	HELMUS PLUMBING SERVICE, INC.	EMERGENCY HOT WATER HEATER REPL	1,000.00
12/21/2022	322673	HERZBERG, LINDA	2022 SUMMER TAX REFUND DUE TO DEC BOR	4,674.88
12/21/2022	322674	HISER, TONI	CASINO TRIP REFUND 221214	40.00
12/21/2022	322675	HOME DEPOT	MISC BUILDING SUPPLIES	1,897.06
12/21/2022	322676	VOID		0.00
12/21/2022	322677	HONOR CREDIT UNION	OVERPAYMENT FOR PARCEL 02611-017-O	562.27
12/21/2022	322678	INDIANA UNIVERSITY	PRINCIPLES TECHNIQUES OF FUNDRAISING COURSE	1,695.00
12/21/2022	322679	INT'L INSTITUTE MUNI. CLERKS	CERTIFIED MUNICIPAL CLERK DESIGNATION FEE	75.00
12/21/2022	322680	JAMS MGMT SERVICES LLC	OVERPAYMENT OF WINTER TAX PARCEL	94.45
12/21/2022	322681	JAQUA REALTORS	RENTAL DEPOSIT REFUND	150.00
12/21/2022	322682	JAVOID, SOBIA	RENTAL DEPOSIT REFUND	150.00
12/21/2022	322683	JEANNIE CLEANING	RENTAL DEPOSIT REFUND	200.00
12/21/2022	322684	JOHN BALL ZOO	GROWING UP WILD PROGRAM	225.80
12/21/2022	322685	JOHNSTON, ELAINE	CASINO TRIP REFUND 221214	40.00
12/21/2022	322686	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES NOV 2022 MOBILE HOME TAX	452.50
12/21/2022	322687	KALAMAZOO GAZETTE	KAL GAZETTE SUBSCRIPTION	71.18
12/21/2022	322688	KALAMAZOO IN BLOOM, INC.	FLOWER PLANTING & MAINTENANCE	17,000.00
12/21/2022	322689	KALAMAZOO OIL COMPANY	FUEL PURCHASES	456.59
12/21/2022	322690	KEAN, PEG	CASINO TRIP REFUND 221214	40.00
12/21/2022	322691	KEITH'S CORNER CONDO ASSOCIATION	BD PAYMENT REFUND	1,000.00
12/21/2022	322692	KESZEI VISION CARE, PLC	2022 SUMMER TAX REFUND DUE TO DEC BOR	551.95
12/21/2022	322693	KLOBUCHER, BESS	TRIP REFUND 230930 LAKE PLACID	50.00
12/21/2022	322694	KNAPP, MICHAEL	CASINO TRIP REFUND 221214	40.00
12/21/2022	322695	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER CONTRACT & MAINT AGREEMENT	531.00
12/21/2022	322696	KORN, ELAINE	CASINO TRIP REFUND 221214	40.00
12/21/2022	322697	KSS ENTERPRISES	STARTUP CLEANING MAINT	164.46
12/21/2022	322698	LAGONI, PATSY	CASINO TRIP REFUND 221214	40.00
12/21/2022	322699	LANGUAGE LINE, INC	LANGUAGE SERVICES	35.00
12/21/2022	322700	LEADS ONLINE LLC	TOTAL TRACK INVEST PKG RENEWAL	5,123.00
12/21/2022	322701	LERETA LLC	2022 SUMMER TAX REFUND DUE TO DEC BOR	12,072.42
12/21/2022	322702	MALL CITY MECHANICAL	FIRE FACILITY MAINT	148.50

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12/21/2022	322703	MARSHALL COMMUNITY CREDIT UNION	2022 SUMMER TAX REFUND DUE TO DEC BOR	2,791.28
12/21/2022	322704	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	96.00
12/21/2022	322705	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	4,211.91
12/21/2022	322706	MICHIGAN ASSOC OF MUNICIPAL CLERKS	MAMC INSTITUTE FOR DEPUTY CITY CLERK-REG	650.00
12/21/2022	322707	MICHIGAN POLICE EQUIPMENT CO.	GLOCK 45MOS W/TRADE IN & HOLSTERS	3,179.10
12/21/2022	322708	MICHIGAN SECURITY AND LOCK LLC	FIRE FACILITY MAINT	28.50
12/21/2022	322709	MICHIGAN STATE POLICE	HOMICIDE INVESTIGATION TRAINING-REG	1,650.00
12/21/2022	322710	MICRO-LAM	RENTAL DEPOSIT RETURN	150.00
12/21/2022	322711	MIDDLETON, KIMBERLY	REIMBURSE FOR BIRTHDAY PARTY DEC EXPS-PZSC	62.38
12/21/2022	322712	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	2,787.00
12/21/2022	322713	MLIVE MEDIA GROUP	LEGAL NOTICES	997.50
12/21/2022	322714	NOPPEN, THERESA	CASINO TRIP REFUND 221214	40.00
12/21/2022	322715	O'REILLY AUTO PARTS	FIRE APPARATUS MAINT	29.94
12/21/2022	322716	OFFICE DEPOT, INC.	OFFICE SUPPLIES	728.34
12/21/2022	322717	VOID		0.00
12/21/2022	322718	OMEGA RAIL MANAGEMENT, INC.	GRAND ELK RR RENTAL AGREEMENT	1,131.06
12/21/2022	322719	PAW PAW VETERINARY CLINIC, P.C.	K9 EXAM/OFFICE VISIT	315.95
12/21/2022	322720	PETTY CASH-KIM STEWART	REPLENISHMENT CHECK	243.53
12/21/2022	322721	QUADMED, INC.	FIRE EMS SUPPLIES	150.70
12/21/2022	322722	RATHCO SAFETY SUPPLY, INC.	TRAFFIC SIGNS & MAINT	196.50
12/21/2022	322723	RAZO, SAMRONG	CASINO TRIP REFUND 221214	40.00
12/21/2022	322724	RENEWED EARTH, INC.	COMPOST SITE MANAGEMENT	9,083.33
12/21/2022	322725	RIGHT-WAY RENTAL, INC.	2022 SUMMER TAX REFUND DUE TO DEC BOR	359.12
12/21/2022	322726	RIVERSIDE INTEGRATED SYSTEMS, INC.	PANEL INSPECTION DAMPER MALFUNCTION	503.25
12/21/2022	322727	ROAD COMMISSION OF KALAMAZOO COUNTY	WATER MAIN REPLACEMENT-SPRINKLE @ MEREDITH	4,578.73
12/21/2022	322728	ROCKET MORTGAGE	2022 SUMMER TAX REFUND DUE TO DEC BOR	1,283.86
12/21/2022	322729	ROLLFORM OF JAMESTOWN, INC.	PISTOL LOCKER	466.11
12/21/2022	322730	RUGGIERO, JOHN OR NANDA	2022 SUMMER TAX REFUND DUE TO DEC BOR	335.92
12/21/2022	322731	SCOTT, ROD	CDBG INTERIOR/EXTERIOR IMPRV, ELEC REPAIRS	3,170.00
12/21/2022	322732	SKINNER, JEFFREY	CASINO TRIP REFUND 221214	90.00
12/21/2022	322733	SMITH, DONNA	CASINO TRIP REFUND 221214	40.00
12/21/2022	322734	SPARTAN DISTRIBUTORS INC.	MAINTENANCE/REPAIR PARTS	194.12
12/21/2022	322735	STATE OF MICHIGAN	MEDC - BROWNFIELD REDEVELOPMENT FUND	1,961.19

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12/21/2022	322736	STATE SYSTEMS RADIO, INC	TOWER LEASE CONTRACT, RADIO SVCS	2,335.62
12/21/2022	322737	STEENSMA LAWN & POWER EQUIPMENT	BACKPACK BLOWERS REPAIR/MAINT	33.50
12/21/2022	322738	STOUGHTON, GERALD & MARGIE	CASINO TRIP REFUND 221214	80.00
12/21/2022	322739	STRYKER CORPORATION	2022 SUMMER TAX REFUND DUE TO DEC BOR	5,040.60
12/21/2022	322740	SUNBELT RENTALS, INC.	GENERATORS & MAST LIGHT TOWERS	1,136.50
12/21/2022	322741	TEAM SUPPORT SERVICES, LLC	PROJECT MANAGEMENT AND RECORD STORAGE	661.95
12/21/2022	322742	TELGENHOFF, MANDY	REIMB LUNCH EXPS-YOUTH ADVISORY MEETING	111.19
12/21/2022	322743	TELUS COMMUNICATIONS (U.S.) INC	MONTHLY SKYHAWK GPS ACCESS/SERVICE FEES	755.20
12/21/2022	322744	TROTH, JULIUS OR MICHELL	2022 SUMMER TAX REFUND DUE TO DEC BOR	2,275.14
12/21/2022	322745	TRUGREEN AND ACTION PEST CONTROL	LAWN SERVICES	300.00
12/21/2022	322746	ULINE, INC.	FOAMING SOAP AUTO DISP, COAT TREE, MIRRORS	3,207.04
12/21/2022	322747	UNION BAY COMMUNITY CREDIT UNION	2022 SUMMER TAX REFUND DUE TO DEC BOR	289.61
12/21/2022	322748	UNION BAY COMMUNITY CREDIT UNION	2022 SUMMER TAX REFUND DUE TO DEC BOR	472.73
12/21/2022	322749	UNITED PARCEL SERVICE	UPS WEEKLY	28.72
12/21/2022	322750	US DIGITAL DESIGNS, INC.	FIRE STATION ALERTING SVC AGREEMENT	16,567.83
12/21/2022	322751	US HYD LLC	TINK CLAW CYLINDER REPAIR	1,745.00
12/21/2022	322752	VERIZON WIRELESS	CELL PHONE/WIRELESS CARD SVCS	3,441.30
12/21/2022	322753	VISION EYE CARE PLLC	2022 SUMMER TAX REFUND DUE TO DEC BOR	1,928.38
12/21/2022	322754	W MICH CRIMINAL JUSTICE TRAINING CO	FALL DISTRIBUTION FOR TRAINING	1,219.34
12/21/2022	322755	WALKER, JEAN	REIMBURSE FOR VETERANS LUNCH DEC 2022	198.95
12/21/2022	322756	WDGC, LLC	REFUND OVERPAID FINAL WATER BILL	45.66
12/21/2022	322757	WELLS FARGO REAL ESTATE TAX SERVICE	2022 SUMMER TAX REFUND DUE TO DEC BOR	4,280.92
12/21/2022	322758	WENSTRUP, CATHY	CASINO TRIP REFUND 221214	40.00
12/21/2022	322759	WHISPERING MEADOWS NO. 3 HOMEOWNERS	IRRIGATION DAMAGES FROM ROMENCE ROAD REC	409.40
12/21/2022	322760	WILLIAMS & WORKS	ENGINEERING SERVICES-LOVERS LANE	11,160.11
12/21/2022	322761	WMPIF	WEST MICH PLUMBING INSPECTOR'S FORUM-DUES	100.00
12/21/2022	322762	ZEGAR JR., ROBERT	OVERPAID FINAL WATER BILL	154.42
12/21/2022	322763	ZHAO, BIQI	2022 SUMMER TAX REFUND DUE TO DEC BOR	132.00
12/30/2022	322764	ADRIAN J KOOPSEN BUILDER, INC.	CLERKS OFFICE SECURITY GLASS WINDOW	10,355.00
12/30/2022	322765	AT&T	ELECTRONIC COMMUNICATIONS	286.82
12/30/2022	322766	CAMPBELL, KRIS	2022 SUMMER TAX REFUND DUE TO DEC BOR	472.73
12/30/2022	322767	CITY OF PORTAGE	MOVE PAYMENT TO CORRECT ACCOUNT	659.03
12/30/2022	322768	CORELOGIC CENTRALIZED REFUNDS	2022 SUM TAX REFUND 08220-020-O	1,133.83

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12/30/2022	322769	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION OF PPOA UNION DUES FOR DEC 2	4,674.17
12/30/2022	322770	T-MOBILE USA INC	MISC CELL PHONE CHARGES	1,260.54
12/30/2022	322771	THE LO COMPANY, LLC	BD PAYMENT REFUND	1,000.00
Total Paper Checks				277,390.68
Check Type: Auto-Pay Payments				
12/12/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	1,186.79
12/13/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	1,065.72
12/14/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	7,501.73
12/15/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	3,103.31
12/16/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	3,359.49
12/19/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	309.65
12/30/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	318.32
Total Auto-Pay Payments				16,845.01
Check Type: Electronic Payments				
12/14/2022		FIFTH THIRD	INVESTMENT PURCHASE	500,000.00
12/14/2022		EAGLE CLAIMS	WORKERS COMPENSATION	8,820.54
12/15/2022		ATTORNEY	LEGAL & ARBITRATION	19,750.32
12/15/2022		COMERICA	INVESTMENT PURCHASE	500,000.00
12/15/2022		COMERICA	INVESTMENT PURCHASE - INVESTMENT RECEIVABLE	988.58
12/16/2022		MULTIPLE	WEEKLY TAX DISBURSEMENT 12/9/22	782,480.98
12/20/2022		COMERICA	INVESTMENT PURCHASE	192,428.00
12/23/2022		MULTIPLE	WEEKLY TAX DISBURSEMENT 12/16/22	628,532.36
12/27/2022		MULTIPLE	IAFF, PPCOA, PPOA, UAW PENSION PAYMENTS	76,082.15
12/30/2022		HUNTINGTON NATIONAL BANK	DEBT SERVICE PAYMENTS	1,186,429.38
Total Electronic Payments				3,895,512.31
Grand Total				7,007,970.72

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Preliminary Condominium Plan: McConley Cove Planned Development, 1075 Bacon Avenue

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Grant tentative approval of the Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue.

OVERVIEW

The developer (American Village Development II, LLC; known as AVB) has submitted a Preliminary Condominium Plan for the development of McConley Cove Planned Development located at 1075 Bacon Avenue, for review and approval. The proposal consists of 40 new lots for future single family detached homes on 16.25 acres with a density of 2.46 units/acre. The proposal summary is as follows:

- Lot size range: 9,600 square feet - 17,435 square feet; Average lot size: 11,586 square feet.
- Future homes are anticipated to be a mix of single- and two-story single-family detached homes.
- Each house will be designed with a two- or three-car garage and a paved driveway.
- Yard setbacks: Front = 25 feet; Sides = 10 feet; Rear = 10 feet (interior lots only) to 30 feet.
- Perimeter 20-foot tree clearing limit around the exterior property line to provide additional natural aesthetic features and buffering elements.
- All lots and future homes will connect to city water and sewer; stormwater will be privately managed within two on-site retention basins.
- All interior streets will be paved, with street lighting per code, with sidewalks along both sides, and a planned future connection to the west will be provided.
 - All sidewalks and connecting pathways will be maintained by abutting property owners/condominium association.
 - Align with the city [Complete Streets policy](#).
- Landscaping will be provided along McConley Cove Way to create a 'parkway street', and along all other interior streets, and within common open space managed by the future condominium association.

The Rezoning and Tentative Plan for the proposed development was approved by the Planning Commission on March 17, 2022, and by the City Council on May 10, 2022. The proposed Preliminary Condominium Plan is in substantial compliance with the previously approved Tentative Plan with the following variations:

- The design of two new storm water retention basins and smaller lot sizes around those basins. The developer is no longer pursuing the use of the city's storm water basin to the east of the subject site.

- Planned landscaping in the area of the storm water retention basins will no longer be designed in the manner depicted in the Tentative Plan, but will be provided throughout the development. A landscape plan is not required to be provided at the Preliminary Condominium Plan permitting step, but will be submitted for the Final Preliminary Condominium Plan step.

The above variations do not exceed the limits set forth in subsection H, under [Sec. 42-375](#). - Plan review and approval (PD, planned development), or in other important regards.

The development is expected to be constructed in two phases, each consisting of approximately 20+/- homesites with Phase II starting in Spring 2025. At this time, the developer has not indicated if construction will begin in the northern half or southern half of the project.

BACKGROUND

The proposed site was planned as Phase III of the Pines by Anthony & Ing-Britt Argondelis when a preliminary plat for Phase I of the Pines was approved by the Planning Commission on July 29, 1997. However, the developer did not pursue the development of Phase III. Current developer, AVB, acquired the subject site from Wolverine Holding Co, LLC on September 1, 2021, to pursue the proposed project 'McConley Cove'.

The following table summarizes **Existing Conditions** in this general area.

Existing Land Use/ Zoning	• The subject site is vacant and recently rezoned as Planning Development (PD). • <u>North</u>: Sterling Oaks West Condominium - Single family detached condominiums; 1020 Gulfport Trail single family house. Zoned Planned Development (PD). • <u>South</u>: 'The Pines' Single family detached homes subdivision; 9850 Hillberry Dr., 1015 Chaucer Rd., 1037 Chaucer Rd., 1101 Chaucer Rd., 1135 Chaucer Rd., 1167 Chaucer Rd., and 1189 Chaucer Rd. Zoned R-1C Single family residential • <u>West</u>: Single family residential neighborhood; 9689 Corduroy St., 9729 Corduroy St., 9749 Corduroy St., and 835 Bacon Ave.; Zoned R-1C Single family residential • <u>East</u>: City of Portage Water Tower; Zoned R-1C Single family residential.
Public Streets	The surrounding roadway network: Gulfport Trail and Gulf Breeze to the north; Chaucer Avenue to the south; and Corduroy Street to the west are local residential streets where traffic counts are not available.
Public Utilities	Sanitary sewer and municipal water are available from the south (The Pines) and from the north (Sterling Oaks West Condominium).
Environment	The subject site is undeveloped, having a forested area with a mix of trees, bushes, grassy areas. Most of the site has little topographic changes; two small hills exist in the southwest corner.

Unique Conditions	No mapped wetlands or flood hazards exist on the site. No mapped or identified historical structures or buildings exist.
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ANALYSIS

Applicable Zoning Regulations

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

- [Article 6](#) – Condominium Projects
- [Division 2 - Review Process](#)
- [Division 3 - Required Improvements and Design Standards](#)

The applicant has submitted a Preliminary Condominium Plan seeking approval to establish 40 new site condominium lots [per Sec 42-882](#). The condominium subdivision review process involves the following steps per Division 2 – Review Process, [Sec 42-881 - 886](#):

Step 1) Preliminary Subdivision Condominium Plan approval by Planning Commission (Sec 42-883) and Council (Sec 42-884) Submittal of existing and proposed conditions; identify project features; analyze neighborhoods, streets, utilities, and the natural environment; and determine consistency with adopted local plans. *The filed Preliminary Plan was recommended for approval at the Planning Commission's December 15, 2022 meeting and it is at the step of City Council Review and Approval.*

Step 2) Final Preliminary Subdivision Condominium Plan by Council (Sec 42-885)

Submittal of full site plan application; review public utility permit and drawings. *A Final Preliminary Condominium Plan application has not been submitted at this time, awaiting approval of the Preliminary Condominium Plan.*

Step 3) Acceptance of Public Improvements by Council [Post Construction] (Sec 42-886)
Submittal of post-construction plans for review and acceptance by Council.

Per Sec 42-883 above, the applicant has submitted a Preliminary Condominium Plan drawings containing an overall map showing all streets and lot locations, sidewalks, and two storm water retention areas. The plan also provides a narrative indicating that all lots will be connected to city water and sewer, and private stormwater retention areas. Sidewalks and landscaping will be provided along both sides of all proposed streets. Also, the applicant has indicated the proposed McConley Cove Way will be designed at a unique width of a 100-foot wide Parkway (inclusive of the 60' right of way) to accommodate a wider landscape strip and open space. All open space areas such as along McConley Cove Way and storm water retention areas will be maintained by the condominium association. At the subject Preliminary Condominium Plan review step, detailed engineering drawings are not required and will be submitted under the Final Preliminary Condominium Plan review step (Sec 42-885). The applicant has submitted a letter to the Portage Public School Superintendent informing them of the proposal. The school provided a letter confirming receipt of the applicant's notification letter, which is attached.

Submission of the preliminary condominium plan is intended to provide the community with the opportunity to survey all existing and proposed conditions pertaining to the development of the subdivision. After approval by the City Council, Preliminary Condominium Plan approval is effective for

12 months and provides the owner with an assurance that the preliminary concepts of the condominium subdivision are acceptable, and that detailed engineering may proceed. Staff analysis has been prepared based on the Comprehensive Plan, Land Development Regulations, and other applicable ordinance requirements.

Comprehensive Plan

The Future Land Use Map of the 2014 Comprehensive Plan classifies the subject property, along with the surrounding properties, as Low-Density Residential land use. Staff find that the development of 40 new lots for future single-family detached homes having a density of 2.46 units per acre is consistent with the classification. Further, the development consists of interior landscaping and a perimeter tree clearing limit to increase overall development aesthetics and buffer adjacent properties.

Zoning

The rezoning from R-1C to Planned Development and a Tentative Plan was approved by the City Council on May 10, 2022. The Tentative Plan was found in consistency with the Comprehensive Plan, the intent of the Zoning Code, and in harmony with the neighborhood. The proposed Preliminary Condominium Plan is in substantial compliance with the approved Tentative Plan, with no change to the total number of lots or future homes, no change to the density, and no increased impact on the neighborhood.

Preliminary Evaluations from Development Review Team (DRT)

The Development Review Team is comprised of representatives from the Department of Transportation and Utilities, Fire Department, Department of Parks and Recreation, Office of the City Assessor, and Department of Community Development. DRT's preliminary review ensures that the proposed development is consistent with the City's infrastructure, engineering, and other requirements including streets, sewers, water mains, storm water, parking, landscaping, and others. As the project continues to move forward, DRT recommends the developer submit detailed utility and storm water information to ensure compliance with applicable codes, which will be required from the developer for the Final Preliminary Condominium Plan.

PUBLIC HEARING

A public hearing for this Preliminary Condominium plan was opened at the December 15, 2022, Planning Commission meeting. During the meeting, the Planning Commission reviewed and discussed the Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue. The applicant and property owner's representative, Jack Gesmundo, was present to explain the proposed project. No public comment was received at the Commission meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

After careful consideration, the Planning Commission voted unanimously (7-0) to recommend to the City Council the approval of the proposed Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue.

RECOMMENDATION

It is therefore recommended that City Council grant tentative approval of the Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue.

FUNDING: Not Applicable

- Attachments:**
1. Preliminary Plan Drawing
 2. Project Narrative
 3. Ownership Affidavit
 4. Portage Public School Information Letter
 5. Notice of Intent to Establish Condominium Project
 6. Staff's Site Pictures
 7. Previously-Approved Tentative Plan
 8. Concept House Image
 9. Planning Commission Transmittal dated 12/20/2022
 10. Planning Commission Draft Minutes 12/ 15 /2022

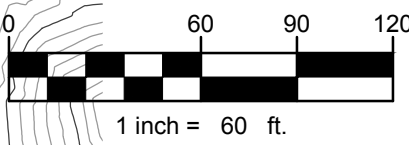
MCCONLEY COVE

A SITE CONDOMINIUM

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27,
TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE,
KALAMAZOO COUNTY, MICHIGAN

PROPRIETOR/OWNER
AMERICAN VILLAGE DEVELOPMENT II
4200 WEST CENTRE AVENUE
PORTAGE, MI 49024
(269) 323-2022

SURVEYOR/ENGINEER
WIGHTMAN & ASSOCIATES, INC.
433 EAST RANSOM STREET
KALAMAZOO, MI 49007
(269) 200-2700



PROPOSED 20' WIDE STORM SEWER EASEMENT
LANDSCAPE ISLANDS TO BE MAINTAINED BY THE ASSOCIATION
UNDER A STREETSCAPE ENHANCEMENT AGREEMENT
LANDSCAPE ISLANDS SHALL PERMIT THE PASSAGE OF THE
CITY'S MOST RESTRICTIVE EMERGENCY SERVICES VEHICLE
PROPOSED 20' WIDE OPEN SPACE FOR PUBLIC UTILITY
ROUTING, PEDESTRIAN CONNECTION TO BE CONSTRUCTED
AT THE OPTION OF THE DEVELOPER
50' R/W CUL-DE-SAC RADIUS, TYP
PROPOSED TREE CLEARING LIMITS (20' BUFFER)
PROPOSED 10' WIDE PRIVATE UTILITY EASEMENT, TYP
PROPOSED SETBACK LINE, TYP
PROPOSED 4' WIDE SIDEWALKS, OPTION BY THE DEVELOPER
TO INCREASE TO 5' WIDE

NOTES:

UNIT COUNTS
40 UNITS

PROPOSED ZONING/SETBACKS
ZONING - PD
SETBACKS:
PROPOSED = 25' FRONT
PROPOSED = 10'-30' REAR
PROPOSED = 10' +/- SIDE (20' BETWEEN FOUNDATIONS)

PROPOSED UNIT WIDTH (SECTION 42-350(42-112))
MINIMUM UNIT WIDTH AT BUILDING SETBACK
PROPOSED = 75'

PROPOSED UNIT AREA (SECTION 42-350)
MINIMUM UNIT AREA
PROPOSED = 9,600 SQUARE FEET

PAVEMENT WIDTH (EXCLUDING CURB) (SECTION 42-803)
PROPOSED = 24' THOROUGHFARE (NO DRIVEWAYS)
PROPOSED = 26' SIDE STREETS (DRIVEWAYS PRESENT, 80' - 99' AVERAGE UNIT
FRONTAGE)

SANITARY SEWER
PROPOSED CONDOMINIUM WILL BE SERVED BY PUBLIC SANITARY SEWER.

WATER
THE PROPOSED CONDOMINIUM WILL BE SERVED BY PUBLIC WATER MAIN, TO BE
CONNECTED TO THE EXISTING WATER MAIN AT THE ENDS OF GULFPORT TRAIL AND
HILBERRY DRIVE. ANY WATER MAIN NOT LOCATED IN PUBLIC RIGHT-OF-WAY SHALL LIE
WITHIN A PERMANENT PUBLIC WATER MAIN EASEMENT. HYDRANTS SHALL BE LOCATED
NOT MORE THAN 500' APART AND SITUATED SUCH THAT ALL PORTIONS OF BUILDINGS
ARE WITHIN 250' OF A HYDRANT.

STORM SEWER
THE STORM SEWER SYSTEM WILL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF
PORTAGE STANDARDS AND DEDICATED TO THE CITY. STORM WATER RETENTION WILL
BE PROVIDED BY SEVERAL PRIVATE PONDS. SHOULD THE DESIGN CAPACITY OF THE
PRIMARY STORM WATER BASIN NETWORK BE EXCEEDED, OVERFLOW WILL BE
DIRECTED TO THE EXISTING DEPRESSION USED FOR THE WATER TOWER. THE
DEPRESSION AT 9700 PINE WILL BE IMPROVED AND EXPANDED TO PROVIDE ADEQUATE
VOLUME. STORM WATER RETENTION VOLUME WILL BE PROVIDED IN ACCORDANCE
WITH THE CITY'S DESIGN CRITERIA MANUAL AND ITS ADDENDUM.

STREETS
ALL STREETS WILL BE PUBLIC WITH CONCRETE CURB AND GUTTER AND ASPHALT
SURFACE. WIDTH TO BE 28' AT BACK OF CURB IN A 100' RIGHT-OF-WAY AND 30' BACK OF
CURB TO BACK OF CURB IN A 60' RIGHT-OF-WAY. CURB RADI AT INTERSECTIONS TO BE
25'. FIRE LANE NO PARKING SIGNS SHALL BE POSTED ON ONE SIDE OF THE ROAD AND
IN CUL-DE-SACS. THE SCOPE OF STUB ROAD CONSTRUCTION TO BE DETERMINED AT
TIME OF APPROVAL.

SIDEWALKS
SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PORTAGE
STANDARDS.

STREET LIGHTING
STREET LIGHTING WILL BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THE
CITY OF PORTAGE STREET LIGHTING POLICY.

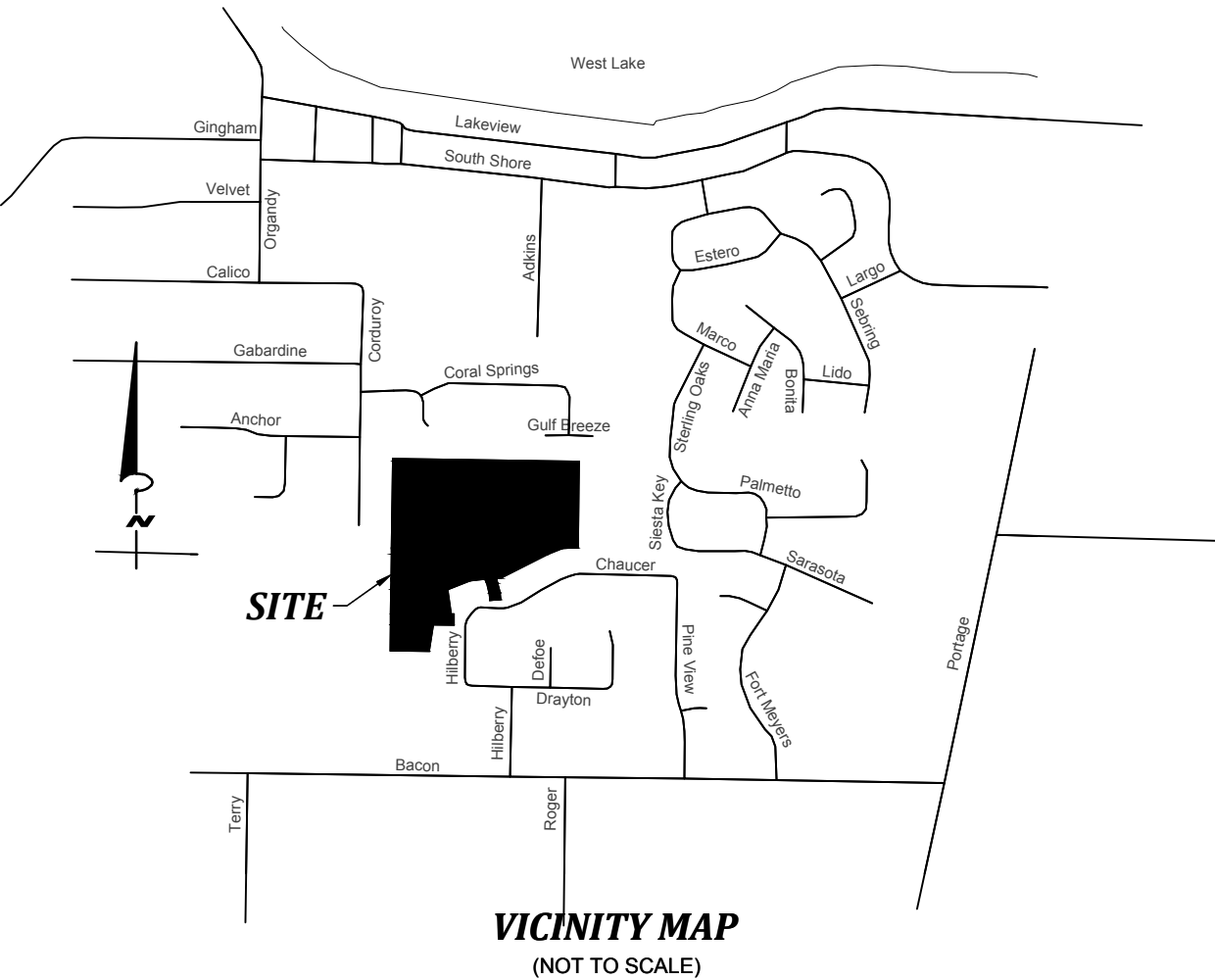
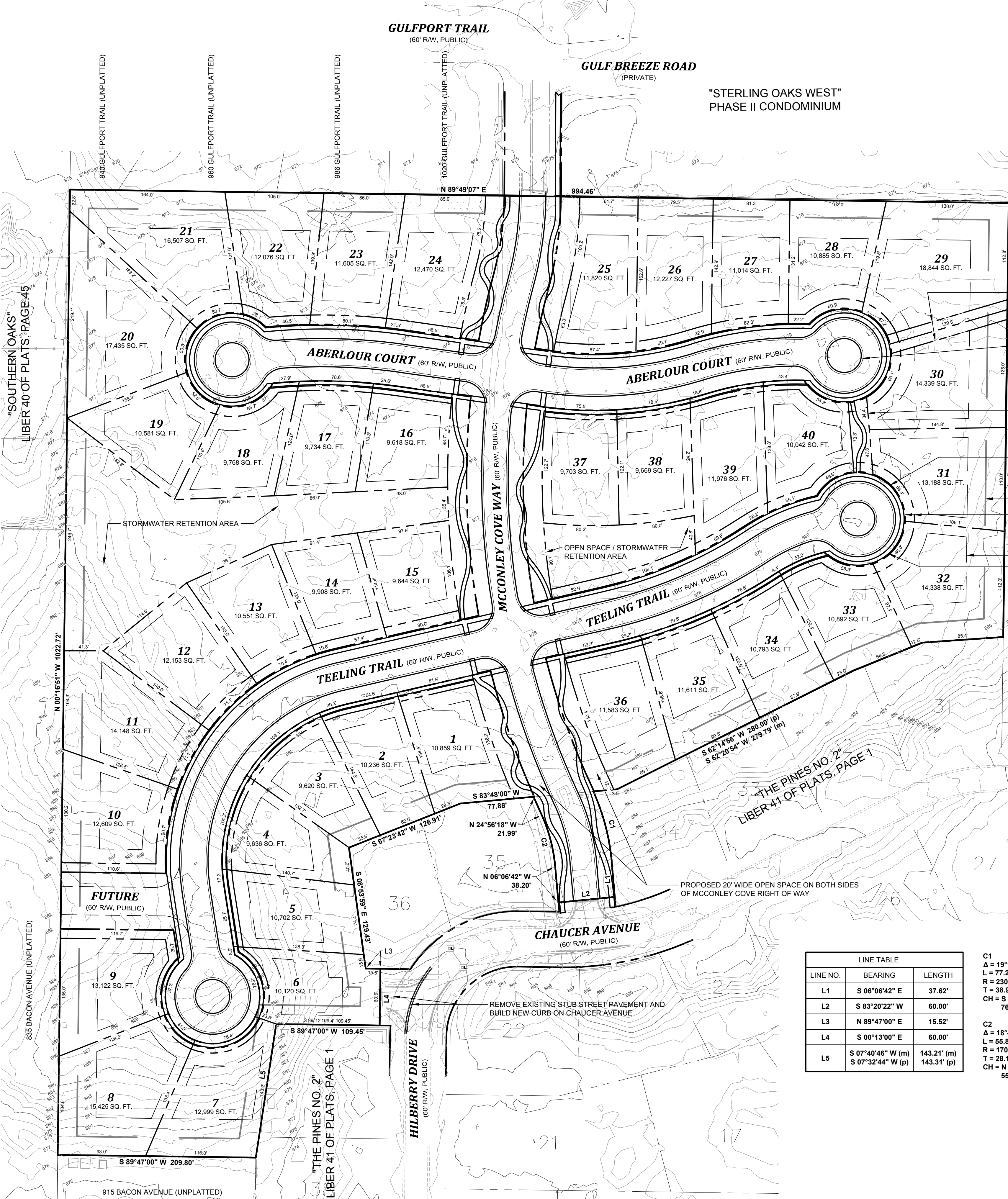
PRIVATE UTILITIES
PRIVATE UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, ETC. SHALL BE LOCATED IN
PRIVATE EASEMENTS. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

CONTIGUOUS PROPERTIES
THE PROPRIETOR HAS OWNERSHIP INTEREST IN THE OVERALL PARCEL IN WHICH THE
DEVELOPMENT IS BEING PROPOSED.
NO OTHER CONTIGUOUS PROPERTIES ARE OWNED BY THE PROPRIETOR/OWNER.

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S 06°06'42" E	37.62'
L2	S 83°20'22" W	60.00'
L3	N 89°47'00" E	15.52'
L4	S 00°13'00" E	60.00'
L5	S 07°40'46" W (m) S 07°32'44" W (p)	143.21' (m) 143.31' (p)

C1
Δ = 19°14'04"
L = 77.21'
R = 230.00'
T = 38.97'
CH = S 15°43'43" E
76.85'

C2
Δ = 18°49'37"
L = 55.86'
R = 170.80'
T = 28.18'
CH = N 15°31'30" W
55.61'



LEGAL DESCRIPTION AS SURVEYED:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF
PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE NORTH AND
SOUTH QUARTER LINE OF SAID SECTION 27 THAT IS 660.00 FEET NORTH 00° 16' 51" WEST OF THE SOUTH
QUARTER CORNER OF SAID SECTION 27, THENCE NORTH 00° 16' 51" WEST ON SAID NORTH AND SOUTH
QUARTER LINE 1022.72 FEET TO THE NORTH LINE OF THE SOUTH 1683.00 FEET OF THE SOUTHEAST QUARTER
OF SAID SECTION 27, AS MONUMENTED; THENCE NORTH 89° 49' 07" EAST ON SAID NORTH LINE 994.46 FEET
TO THE WEST LINE OF THE EAST 338 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID
SECTION 27, THENCE SOUTH 00° 14' 38" EAST ON SAID WEST LINE 459.80 FEET TO THE NORTHEAST CORNER
OF LOT 31 OF "THE PINES NO. 2", BEING A SUBDIVISION RECORDED IN LIBER 41 OF PLATS, PAGE 1
KALAMAZOO COUNTY RECORDS; THENCE SOUTH 85° 02' 04" WEST ON THE NORTHERLY LINE OF SAID "THE
PINES NO. 2" A DISTANCE OF 85.44 FEET; THENCE CONTINUING ON SAID NORTHERLY LINE THE FOLLOWING 11
COURSES; THENCE SOUTH 86° 55' 44" WEST 79.35 FEET; THENCE SOUTH 62° 20' 54" WEST (PLATTED SOUTH
62° 14' 56" WEST) 279.79 FEET (PLATTED 280.00 FEET); THENCE SOUTH 83° 48' 00" WEST 25.41 FEET; THENCE
SOUTHEASTERLY 77.21 FEET ON A 230.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH
15° 43' 43" EAST 76.85 FEET; THENCE SOUTH 08° 06' 42" EAST 37.62 FEET; THENCE SOUTH 83° 20' 22" WEST
60.00 FEET; THENCE NORTH 06° 06' 42" WEST 38.20 FEET; THENCE NORTHWESTERLY 55.86 FEET ON A 170.00
FOOT RADIUS CURVE THE LEFT WHOSE CHORD BEARS NORTH 15° 31' 30" WEST 55.61 FEET; THENCE NORTH
24° 58' 18" WEST 21.59 FEET; THENCE SOUTH 83° 48' 00" WEST 77.88 FEET; THENCE SOUTH 67° 23' 42" WEST
126.91 FEET TO THE WESTERLY LINE OF SAID "THE PINES NO. 2"; THENCE SOUTH 08° 53' 59" EAST ON SAID
WESTERLY LINE 129.43 FEET; THENCE CONTINUING ON SAID WESTERLY LINE THE FOLLOWING 4 COURSES;
THENCE NORTH 89° 47' 00" EAST 15.52 FEET; THENCE SOUTH 00° 13' 00" EAST 60.00 FEET; THENCE SOUTH 89°
47' 00" WEST 109.46 FEET; THENCE SOUTH 07° 40' 46" WEST (PLATTED SOUTH 07° 32' 44" WEST) 143.21 FEET
(PLATTED 143.31 FEET) TO THE NORTH LINE OF THE SOUTH 660.00 FEET OF THE SOUTHEAST QUARTER OF
SAID SECTION 27, THENCE SOUTH 89° 47' 00" WEST ON SAID NORTH LINE 209.80 FEET TO THE POINT OF
BEGINNING. CONTAINING 16.25 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

BEARINGS ARE RELATED TO "THE PINES NO. 2" AS RECORDED IN LIBER 41 OF PLATS, PAGE 1, KALAMAZOO
COUNTY RECORDS.

**WIGHTMAN**

433 E. RANSOM ST.
KALAMAZOO, MI. 49007
269.327.3532

www.gowightman.com



PROJECT NAME:
MCCONLEY COVE
1075 BACON AVENUE
PORTAGE, MI 49024

AMERICAN VILLAGE DEVELOPMENT II
4200 WEST CENTRE AVENUE
PORTAGE, MI 49024

06/11/2022	PDS
REVISED AND REISSUED FOR CONDOMINIUM SUBDIVISION PLAN	
05/9/2022	PDS
REVISED AND REISSUED FOR CONDOMINIUM SUBDIVISION PLAN	
04/08/2022	PDS
ISSUED FOR CONDOMINIUM SUBDIVISION PLAN	
03/03/2022	PDS
ISSUED FOR CONDOMINIUM SUBDIVISION PLAN AND PD ZONING	
02/02/2022	PDS
RE-ISSUED FOR CHANGE IN ZONING	
01/02/03/2022	PDS
ISSUED FOR CHANGE IN ZONING	

REVISIONS
DATE: AUGUST 2022
SCALE:

CONDOMINIUM
SUBDIVISION PLAN

JOB No. 214110
214110-01
OF 1

avd II construction | development

November 10, 2022 (Step 1)

Mrs. Kelly Peterson
Director of Development Services
City of Portage
2900 S. Westnedge Ave.
Portage, MI 49002

RE: McConley Cove Step 1, tentative plan review, single-family site condominium located at 1075 Bacon Avenue.

Please accept the following overview for the proposed neighborhood, McConley Cove, located at 1075 Bacon Avenue in south Portage. McConley Cove is nestled between the Sterling Oaks West condominium community and The Pines single-family home neighborhood.

We are passionate about creating places with lasting value for people to live and grow for generations. With a focus on developing first-class communities that are thoughtfully designed to create a sense of arrival, preserve, and embrace natural features along with great landscaping. Examples of this work can be viewed in any of our planned communities including Whisper Rock, The Homestead, Oakland Hills, and Woodbridge Hills to mention a few.

This parcel of land was recently approved for rezoning from R1-C to Planned Development by the City Portage Planning Commission and City Council. The attached plans are consistent with those submitted and approved during the rezoning process. Our proposal is to develop this property under the Planned Development zoning with 40+/- single-family detached site condominiums on 16.25 acres, 2.5 homes to the acre. We plan to develop the community in one or two phases depending on the economic conditions at the time we commence construction.

The information below and on the attached documents are per the requirements found in Section 42-883 of the City of Portage zoning ordinance.

1. **Developer:** American Village Development II, LLC
4200 W Centre Ave.
Portage, MI 49002

Engineer / Surveyor: Joel East
433 E. Ransom Street, Kalamazoo, MI 49007
jeast@gowightman.com, 269.605.4001
License No. 4001065181, Expiration date 01/04/2024
2. **Existing conditions:** The property is currently vacant. We intend to preserve the woodland around the perimeter removing only those trees that are diseased, structurally unsound, and within grading areas. The parcel slopes with 24' of topography variation throughout the site. This parcel is located adjacent to the City's of Portage parcel of land that includes the water tower.

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construction | development

3. **Access:** We plan to develop a 100' wide Parkway (inclusive of the 60' right of way) named McConley Cove Way, connecting to both Chaucer Avenue to the south and Gull Port Trail to the north. We have included a future access point to the west for future development. We are requesting the City allow us to develop the stub road with watermain, gravel road base, topsoil, and seed. This will minimize any City maintenance and other issues associated with fully improved stub streets. This request is consistent on how the Pines No. 2 access points were approved / developed. At the point of future development, the utility connections can be made, and roadway completed.
4. **Master Deed:** McConley Cove is proposed as a site condominium with freestanding unattached homes. A Master Deed will be recorded to create this community and will include the requirements to maintain the common elements including the parkway and cul-de-sac islands. The Master Deed will be like other AVB communities with protective covenants that are key in keeping our communities in first-class condition long after construction of the homes are completed.

The common elements which are inclusive of the storm water retention areas will be owned and managed by McConley Cove Condominium Association. The retention areas will be developed in a creative way so they become an enhancement to the overall community design like we have done in our other communities. Easements will be provided for utilities as required by the utility companies for gas, water, electric, streetlights, sanitary sewer, cable television and phone service.

5. **Wetlands and Flood Elevation:** The property is in Zone X – area of minimal flood hazard, according to the flood insurance rate map no. 2677C0315D Effective February 17, 2010.
6. **Manmade Features:** We will be adding landscaped features along the Parkway and four cul-de-sacs.
7. **Roadways:** It is our intent to develop this community with public streets. We are proposing 24' wide parkway and 26' wide side streets excluding curb and gutter. Additionally, the 26' wide streets will be posted for parking on one side of the street only excluding the cul-de-sacs, the 24' wide streets will be posted with no parking on both sides of the street. Parking will also be provided in the two and three car attached garages and will be allowed in the driveways of each home.

The street names McConley Cove Way, Teeling Trail and Aberlour Court and been submitted and approved by the Kalamazoo County Planning and Development department.

8. Community features:

- a. **Parkway / Entry Statement** - The parkway will create a beautiful sense of arrival to McConley Cove and create a greenbelt and sidewalks linking the adjoining neighborhoods of Sterling Oaks West and The Pines. The Parkway is planned to be a 60' wide right of way with an additional 20' of open space flanking the parkway on both sides. The parkway will be a common element of the community and maintained by the association. Our plan is to develop the parkway with gently rolling topography, curvilinear sidewalks, extensive landscaping including irrigation that would be maintained by the Association. We have designed the community so all individual driveways access will be from the side streets, with no driveways on the parkway.

avd II

construction | development

- b. **Sidewalk** - We are proposing to extend the public sidewalk throughout the community. We plan to construct the Parkway in Phase 1 including the sidewalk connecting to Gulf Breeze Road and Chaucer Ave sidewalks. Additionally, we plan to develop the internal sidewalk system as we construct each home.
 - c. **Common Areas** -The common areas, parkway, retention areas and cul-de-sacs will be owned and maintained by the McConley Cove Condominium Association.
9. **Utilities** - All homes will be served by municipal sanitary sewer and water, underground gas, electric and communication lines.
10. **Building Requirements** – The proposed setbacks, minimum square footage and home style are consistent with other similar neighborhoods with Planned Development zoning:
- a. Font yard – 25’
 - b. Side yard, minimum distance between foundations - 20’
 - c. Parkway / open space - 10’
 - d. Rear yard – 10’ to 30’
 - e. Minimum Square footage 1,300
 - f. Style – one and two-story homes with a variety of basement configurations including patio, garden level and walkout.
11. **Storm Water** - The storm water system within the roadways will be constructed in accordance with City of Portage standards and dedicated to the City. All storm water will be directed to leaching area(s) that will be private and maintained by the association. We have discussed the opportunity with City Staff to provide overflow storm water into the water tower basin.

The advantage to the City to have one versus two leaching basins would be.

- a. We would clean out the current basin, which is overgrowth and remove any sediment.
- b. Increase the basins capacity
- c. Reduce the amount of land dedicated to storm water management.
- d. Basins tend to be unsightly fenced in areas, so consolidating would help keep Portage looking good.
- e. Increase in tax revenue. If two sites were used to create the overflow volume, the loss in annual tax revenue generated for the City, schools, and library would be \$11,000+/- annually. Compounded over just 20 years = \$220,000+/-.

If we are unable to come to a mutually beneficial agreement to combine the use, we would adjust our design to accommodate storm water within McConley Cove. The preliminary plan illustrates several areas in the development for storm water.

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construction | development

12. Tentative time schedule:

- a. Fall 2022
 - a. Step #1 site condominium submittal / approval
- b. Winter 22/23
 - a. Step #2 site condominium submittal / approval
- c. Spring 2023
 - a. Construction of infrastructure
 - b. Start construction of homes
- d. Fall 2023
 - a. Step #3 site condominium submittal / approval
- e. Spring 2026 - Phase II development and construction (if phased)

13. Portage Public School Notification – we have notified the Portage Public Schools of this project and they have acknowledged receipt of the notification per the attached.

It is our intention, as in all our communities, to provide the best possible combination of colors, materials, architecture, and landscaping. Our homes will take advantage of our in-house design and interior selection teams and their ability to assist our clients with the selection of floor plan, colors, and materials to make every home feel great. We are anticipating investments will start in the mid to upper \$400,000's to over \$600,000.

We look forward to the opportunity to discuss this plan with City Staff, Planning Commission and City Council. We feel this can be another first-class development for both the City of Portage and AVB.

Sincerely,

Jack Gesmundo - Principal

Cc: Joe Gesmundo, Daryl Rynd & Greg Dobson

avd ll
construction | development

Elevations from our Designer Series plans
Renderings of one and two-story homes



AFFIDAVIT of OWNERSHIP

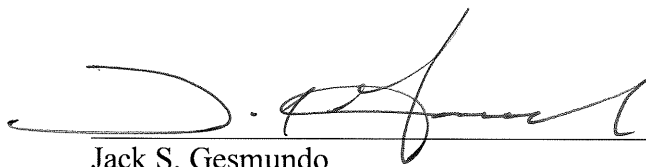
STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

Jacqueline Swan, being first duly sworn, does depose and say that:

1. American Village Development II, L.L.C. acquired 1075 Bacon Ave, Portage MI 49002 on September 1st, 2021 as evident by the attached property tax information.
2. Jack S. Gesmundo is a Principal of American Village Development II, L.L.C., a Michigan limited liability company and is charged with the primary responsibility for the development of 1075 Bacon Avenue.
3. Joseph L. Gesmundo, Daryl C. Rynd, Gregory A. Dobson and Jack S. Gesmundo are the Principals of American Village Development II, L.L.C.

Further deponent saith not.

Dated: September 16, 2022



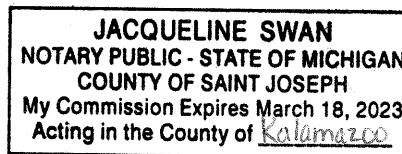
Jack S. Gesmundo

Subscribed and sworn to before me this 22nd day of September, 2022.



Jacqueline Swan, Notary Public
State of Michigan, County of St. Joseph
Acting in County of Kalamazoo,
My commission expires: March 18, 2023

DRAFTED BY AND IF RECORDED RETURN TO:
Jack S. Gesmundo
4200 West Centre Ave,
Portage, MI 49024





Treasury Office

7900 S. Westnedge Ave., Portage, MI 49002-5117
269-329-4455 treasury@portagemi.gov



TEMP - RETURN SERVICE REQUESTED

19 - 6742



AMERICAN VILLAGE DEVELOPMENT II, LL
4200 W CENTRE AVE
PORTAGE MI 49024-4640

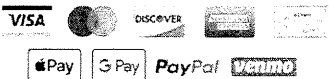
Taxable Value:	142,700
State Equalized Value (SEV):	142,700
% Declared as Principal Residence/MBT Exempt:	0
School District:	PORTAGE PUBLIC SCHOOLS
School District Code:	39140

LEGAL DESCRIPTION

SEC 27 T3S R11W PART SE1/4 COM 660 FT N OF SW COR THEREOF
N 1023 FT E 993.67 FT S 643 FT E 338 FT S 120 FT S89DEG 47'00"W
356.14 FT S62DEG 14'56"W 312.26 FT S74DEG 38'51"W 84.99 FT
S15DEG 21'09"E 127.89 FT S89DEG 47'00"W 120 FT S00DEG 16'50"E
120 FT S89DEG 47'00"W 41 FT S00DEG 16'50"E 180 FT S89DEG
47'00"W 279 FT M/L TO PT 209.67 FT E OF N & S 1/4 LINE N 330 FT W
209.67 FT TO BEG EXC THAT...

City Hall is open Monday through Friday, 8:00am to 5:00pm except legal holidays. CITY HALL WILL BE CLOSED 9/2/22 AND 9/5/22.

To pay by credit/debit card/E-check via phone call 1-844-943-3997
or via internet www.portagemi.gov and click on



Online Payments
Go paperless and pay your city bills online.

INVOICE CLOUD PROCESSING FEES

3% via online or in person - credit/debit cards (min. fee of \$1.95)
(maximum payment per transaction amount \$125,000)
3% fee + \$.75 via phone - credit/debit cards (min. fee of \$1.95)
\$2.50 via online - E-check / \$3.25 via phone - E-check

DO NOT USE WWW.DOXXO.COM TO MAKE PAYMENTS

City of Portage

Treasury Office
7900 S. Westnedge Ave.
Portage, MI 49002-5117
269-329-4455
treasury@portagemi.gov



OWNER'S NAME & ADDRESS:

AMERICAN VILLAGE DEVELOPMENT II, LL
4200 W CENTRE AVE
PORTAGE, MI 49024-4640

CORRECTED

2022 SUMMER PROPERTY TAX STATEMENT

Acct Type: **REAL ESTATE**

Parcel Number: **00027-150-B**

Property Address: **1075 BACON AVE**

TAXING AUTHORITY	RATE	AMOUNT
CITY OF PORTAGE	10.64000	1,518.32
KVCC	2.78020	396.73
K/RESA - ISD	6.98530	996.80
STATE ED TAX	6.00000	856.20
SCHOOL OPERATING	17.56950	2,507.16
SCHOOL BLDG/DEBT	6.85000	977.49
SCHOOL SITE SF	.49880	71.17
COUNTY OPERATING	4.63180	660.95
CCTA TRANSPORT	.89780	128.11
KCTA TRANSPORT	.31100	44.37
SUMMER ADMIN FEE		81.57

To avoid late charges, payment must be received in the Treasury Office by the close of business on 09/14/2022.

Postmarks not accepted for mail received after 09/21/2022.

Pay by 09/14/2022

8,238.87

***The print/mail service that processed the City of Portage Tax Bills used the incorrect data. This is a corrected tax statement. Please destroy the yellow 2022 tax bill you received about a week ago.**



Scan me to make
payment online

2022 SUMMER TAX REMITTANCE

Please return this voucher with payment.
Please bring entire bill when paying at City Hall.
Please do not staple or paper clip your check to this stub.

Make checks payable to: City of Portage

CREDIT/DEBIT CARDS ACCEPTED AT CITY HALL

To pay by credit/debit card/E-check via phone call
1-844-943-3997
or via internet www.portagemi.gov and click on



Online Payments
Go paperless and pay your city bills online.

3% via online or in person - credit/debit cards (min. fee of \$1.95)
(maximum payment per transaction amount \$125,000)
3% fee + \$.75 via phone - credit/debit cards (min. fee of \$1.95)
\$2.50 via online - E-check / \$3.25 via phone - E-check

Parcel Number: **00027-150-B**

2022 SUMMER TAX
PAY BY 09-14-2022

\$8,238.87

To avoid late charges, payment must be received in the Treasury Office by the close of business on 09/14/2022.
Postmarks not accepted for mail received after 09/21/2022.



Mark T. Bielang
Superintendent
Phone: 269.323.5147
Fax: 269.323.5149
mbielang@portageps.org

January 5, 2022

Ms. Jaclyn H. Hutchison
AVB
4200 W. Centre
Portage, MI 49024

Re: Proposed Westfield North Condominiums

Dear Ms. Hutchison:

This letter will confirm receipt of your December 30, 2021 letter regarding the proposed new residential community at 1075 Bacon Avenue in South Portage, which adjoins to the residential developments of Steeple Chase, Sterling Oaks, and The Pines. We understand you anticipate this new community will consist of approximately 40 new single family homes.

Thank you for sharing this information with us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark T. Bielang".

Mark T. Bielang
Superintendent

Cc Board of Education
Johnny Edwards, Assistant Superintendent of Operations
Paula Johnson, Director of Finance
Kelly Peterson, Director of Development Services, City of Portage

**MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
CORPORATION, SECURITIES AND LAND DEVELOPMENT BUREAU
MANUFACTURED HOUSING DIVISION**

NOTICE OF INTENT TO ESTABLISH CONDOMINIUM PROJECT

Under P.A. 59, of 1978, as amended, Section 71

"Sec. 71. Not less than 10 days before taking reservations under a preliminary reservation agreement for a unit in a condominium project, recording a master deed for a project, or beginning construction of a project which is intended to be a condominium project at the time construction is begun, whichever is earliest, a written notice of proposed action shall be provided to each of the following:

- (a) The appropriate city, village, township, or county.
- (b) The appropriate county road commission and county drain commission.
- (c) The department of public health (now the department of environmental quality).
- (d) The state transportation department."

1. Project Name: **The Refuge**

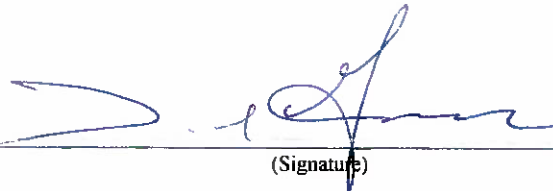
2. Name and Address of Developer
American Village Developers II, L.L.C.
4200 West Centre Avenue
Portage, Michigan, 49024

3. Legal Description of property:

See attached Exhibit "A".

Date: January 3, 2022

By:



(Signature)

Jack S. Gesmundo, Authorized Agent

(Printed Name and Title)

Return to:

Michigan Department of Consumer and Industry Services
Corporation, Securities and Land Development Bureau
Manufactured Housing Division
P.O. Box 30703
6546 Mercantile Way
Lansing, MI 48909-8203

EXHIBIT "A"

The land on which the Condominium Project is situated is in The City of Portage, Kalamazoo County, Michigan, and is described as follows:

SEC 27 T3S R11W PART SE1/4 COM 660 FT N OF SW COR THEREOF N 1023 FT E 993.67 FT S 643 FT E 338 FT S 120 FT S89DEG 47'00"W 356.14 FT S62DEG 14'56"W 312.26 FT S74DEG 38'51"W 84.99 FT S15DEG 21'09"E 127.89 FT S89DEG 47'00"W 120 FT S00DEG 16'50"E 120 FT S89DEG 47'00"W 41 FT S00DEG 16'50"E 180 FT S89DEG 47'00"W 279 FT M/L TO PT 209.67 FT E OF N & S 1/4 LINE N 330 FT W 209.67 FT TO BEG EXC THAT PART PLATTED TO THE PINES NO. 2

AFFIDAVIT OF MAILING

PROOF OF SERVICE

Jack S. Gesmundo, Authorized Agent of American Village Developers II, LLC, deposes and says that on this 3rd day of January 2022, at Kalamazoo, Michigan, he served a true copy of a proposed Notice of Intent to Establish Condominium Project by United States mail Certified and Return Receipt Requested with postage fully prepaid to:

City of Portage
ATTN: John Lovely
7900 S Westnedge Avenue
Portage, MI. 49002

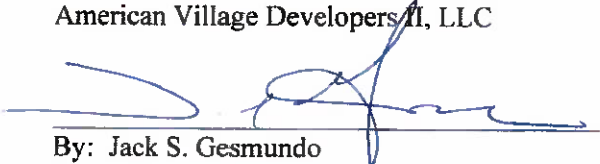
Kalamazoo County Drain Commission
Kalamazoo County Administration Building
201 West Kalamazoo Avenue
Kalamazoo, Michigan 49007

Plat/Condominium Coordinator/Mark Sanchez
MDOT – Innovative Contracting Unit
Design Division, 2nd Floor
425 W. Ottawa St.
P.O. Box 30050
Lansing, MI. 48909

Environmental Health Section/Water Division
Michigan Department of Environmental Quality
P.O. Box 30473
Lansing, Michigan 48909-7973

Kalamazoo County Road Commission
3801 East Kilgore Road
Kalamazoo, Michigan 49002

American Village Developers II, LLC


By: Jack S. Gesmundo
Its: Authorized Agent

Before me personally appeared Jack S. Gesmundo, Member of American Village Developers II, LLC, a Michigan Limited Liability Company this th day of January 2022.


State of Michigan, County of Kalamazoo
Acting in the County of Kalamazoo
My commission expires 06/06/2022

KRISTINA M HOUSER
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF KALAMAZOO
My Commission Expires May 6, 2022
Acting in the County of Kalamazoo

Staff's Pictures – Taken March 3, 2022



Figure 1. Temporary street stub of Gulfport Trail (Sterling Oaks West Condos). Looking south toward subject site (wooded area). Proposed extension into McConley Cove PD.



Figure 2. Temporary street stub along Chaucer Ave. (The Pines). Proposed extension into McConley Cove PD.

[Type here]



Figure 3. Temporary street stub along Hillberry Drive between 1015 Chaucer Ave. and 9850 Hillberry Dr. This stub will be converted to lawn space and no longer planned for street connection.

avd II
construction | development



TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

DATE: December 20, 2022

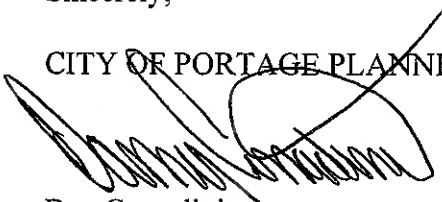
SUBJECT: Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue

At the December 15, 2022 meeting, the Planning Commission reviewed and discussed Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue. The applicant and property owner's representative, Jack Gesmundo, was present to explain the proposed project. No public comment was received at the Commission meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

The Planning Commission voted unanimously (7-0) to recommend to City Council the approval of the proposed Preliminary Condominium Plan for McConley Cove Planned Development, 1075 Bacon Avenue.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION



Dan Corradini
Chairman

Attachments: December 15, 2022 Planning Commission meeting minutes.

CITY OF PORTAGE PLANNING COMMISSION

Thursday, December 15, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of December 15, 2022, was called to order by Vice Chair Joshi at 7:00 p.m.

IN ATTENDANCE

- Biqi Zhao, Deputy Director of Planning and Zoning
- Kathleen Hoyle, Director of Parks & Recreation
- Catherine Kaufman, City Attorney

ROLL CALL

Ms. Zhao called the roll: Chairman Corradini (excused); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); Youngs (yes); Kasper (excused); and Freiman (yes).

Commissioner Baldwin motioned to excuse Chairman Corradini and Commissioner Kasper; Commissioner Pezzoli supported the motion. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Commissioner Youngs, seconded by Commissioner Baldwin to approve the Planning Commission Meeting Minutes of December 1, 2022, with correction of a typo. Motion carried 7-0.

PUBLIC HEARINGS

1. Draft 2023 Recreation and Open Space Plan

Ms. Hoyle explained the details of the changes incorporated into the new revision outlined in staff's memo. Commissioner Freiman mentioned a typo for correction in the 2023 Recreation and Open Space Plan.

Vice Chair Joshi opened public hearing. There being no public comment, Commissioner Pezzoli motioned to close public hearing and the motion was supported by Commissioner Baldwin. Motion to close public hearing carried 7-0 upon a voice vote.

Commissioner Baldwin made a motion to recommend to the City Council the approval of the 2023 Recreation and Open Space Plan. The motion was seconded by Commissioner Baldwin. Motion carried 7-0 upon a voice vote.

2. Preliminary Condominium Plan: McConley Cove Planned Development, 1075 Bacon Avenue

Ms. Zhao provided a presentation of the project, stating that the proposal consists of new 40 lots for 40 future single family detached homes, comprised of a mix of single- and two-story detached home units with internal and external connecting pedestrian pathways and connections to existing city water and sewer, and two proposed private storm water basins. She showed the applicant's site drawing and rendering, pictures of the site, highlighted the changes from the approved Tentative Plan, and explained

pertinent code sections. The proposed Preliminary Condominium Plan was found by staff to meet applicable zoning regulations and be in substantial compliance with the previously approved Tentative Plan. It was recommended that the Planning Commission recommend project approval to the City Council if no additional information received during the public hearing.

The applicant and property owner representative, Jack Gesmundo, spoke in support of the project, consistent with the previously approved rezoning application, stating the feature of the McConley Parkway will provide the sense of arrival to the residents.

Vice Chair Joshi opened public hearing. There being no public comment, Commissioner Pezzoli motioned to close public hearing; motion was supported by Commissioner Baldwin. Motion carried 7-0 upon a voice vote.

Commissioner Fries motioned to recommend to the City Council the approval of the Preliminary Condominium Plan for McConley Cove Planned Development at 1075 Bacon Avenue. The motion was seconded by Commission Pezzoli.

Upon roll call vote: Chairman Corradini (excused); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); Youngs (yes); Kasper (excused); and Freiman (yes). Motion carried 7-0.

SITE/FINAL PLANS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Commissioner Youngs complimented Planning Commission's efforts and accomplishments of 2022 and delivered holiday greetings. He inquired to staff if there will be a meeting on January 5, 2023; staff answered 'no', and that a cancellation notice will be sent out shortly. He indicated that he will be absent for the January 19th and February 2nd, 2023, meetings, and asked if the Planning Commission meet during those dates. Staff answered that we haven't received any cases for these two future meetings now, since the application deadlines have not approached yet.

Commissioner Pezzoli praised Planning Commission's accomplishments of 2022 and delivered holiday greetings. He mentioned that he will be absent from January 5, 2023, Planning Commission meeting.

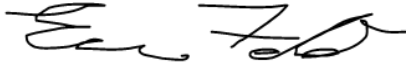
STATEMENT OF STAFF

None.

ADJOURNMENT:

There being no further business to come before the Commission, Vice Chair Joshi adjourned the meeting at 7:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Feldt". The signature is fluid and cursive, with the first name "Eric" and last name "Feldt" clearly distinguishable.

Eric Feldt, AICP, CFM
City Planner/Project Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Consolidation and Contamination Risk Reduction Grant

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Approve a Consolidation and Contamination Risk Reduction grant agreement in the amount of \$525,969 between the Michigan Department of Environment, Great Lakes and Energy and the city and authorize the City Manager to sign all documents related to the project on behalf of the city.

The Safe Drinking Water Act (SDWA) protects public drinking water supplies across the United States. As part of the SDWA, under the Unregulated Contaminant Monitoring Rule (UCMR) the Environmental Protection Agency (EPA) requires municipalities to collect data on chemicals that are suspected contaminants in drinking water but do not have health-based standards set under the SDWA. As part of the UCMR3 water sampling in 2014, Poly-and Perfluoroalkyl substances (PFAS) in groundwater were detected and linked to industrial sites, wastewater treatment plants, fire training areas, and airports. Since airports were found to be a source of PFAS contaminants, the Michigan Department of Environment, Great Lakes and Energy (EGLE) initiated testing of private water wells in the area of the Kalamazoo-Battle Creek airport during the summer of 2020. These areas included Portage Road and Willoughby Drive, which were downstream of the airport groundwater flow. Several properties in this area showed the detection of various PFAS compounds in water samples from private water wells.

The Fiscal Year 2018-2019 Capital Improvement Program included a project for the installation of water mains on Portage Road and Willoughby Drive north of East Milham Avenue. The project was initiated in response to the EPA's ongoing groundwater monitoring of the superfund site located at 3700 East Milham Avenue. The EPA found volatile organic compounds above the maximum allowable level in water samples from one private well in the Portage Road and Willoughby Drive area. Construction of the water main and water service leads was completed in the summer of 2022.

In 2019, EGLE initiated a Consolidation and Contamination Risk Reduction (C2R2) grant program for drinking water systems projects that remove PFAS and other contaminants in the drinking water system or consolidation efforts to connect private residences with contaminated water wells to a local municipal system. The city applied for a C2R2 grant to cover the construction of water main and water service, the connection of properties, and the abandonment of the private wells on Portage Road and Willoughby Drive. EGLE has awarded the city a C2R2 grant in the amount of \$525,969. A portion of the funds will be used to connect properties on Portage Road and Willoughby Drive to the municipal water system and to abandon private wells, with the majority of funds being returned to the Capital Improvement Program.

It is recommended that City Council approve the Consolidation and Contamination Risk Reduction grant agreement in the amount of \$525,969 between the Michigan Department of Environment, Great Lakes

and Energy and the city and authorize the Acting City Manager to sign all documents related to the project on behalf of the city.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Bond Counsel and Financial Advisor Services Provider Contracts

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve a ten-year contract (one base year and nine option years) with Dickinson Wright for Bond Counsel services, as well as a ten-year contract (one base year and nine option years) with MFCL, LLC for Financial Advisor services, and authorize the City Manager to execute all documents related to these actions on behalf of the city.

A request for proposal (RFP) was issued to qualified law firms specializing in municipal bonds to serve as Bond Counsel for the City of Portage. The previous contract for the city's incumbent Bond Counsel, Clark Hill, is expired. Three law firms, including the incumbent provider, submitted a proposal.

The City of Portage recommends awarding a 10-year contract to Dickinson Wright for Bond Counsel services. Dickinson Wright has designated a diverse team of five extraordinarily educated, experienced and recognized attorneys as “top lawyers” and “rising stars” for renowned legal and financial journals. Dickinson Wright’s bond counsel services include tax expertise by a nationally known expert in complex tax issues involving tax-exempt bonds, which means the City of Portage will not need to employ outside special tax counsel for these financings with Dickinson Wright as bond counsel.

Dickinson Wright's fee schedule is as follows:

<u>Principal Amount of Bonds</u>	<u>Fee</u>
\$1,000,000 or less	1% principal amount; minimum of \$8,000
\$1,000,001 to \$3,000,000	\$10,000 plus 0.30% of bond proceeds in excess of \$1,000,000
\$3,000,001 to \$10,000,000	\$16,000 plus 0.25% of bond proceeds in excess of \$3,000,000
Over \$10,000,000	\$33,500 plus 0.10% of bond proceeds in excess of \$10,000,000

Because of the highly recognized and experienced staff assigned to serve the City of Portage, the over half a century of experience of this firm, and bond issuance experience with cities such as Grand Rapids, Troy, Holland, and Grand Haven, it is recommended that City Council approve a ten-year contract (one base year and nine option years) with Dickinson Wright for Bond Counsel services and authorize the City Manager to execute all documents related to this action on behalf of the city.

A request for proposal (RFP) was also issued to qualified financial advisors specializing in municipal bonds to serve as Financial Advisor for the City of Portage. Four financial providers, including the incumbent provider, submitted a proposal. The incumbent financial advisor, MFCL, LLC (MFCL), does not have a contract with the city. However, since an RFP was issued for bond counsel and financial

advisor services are so closely related to bond issuance, an RFP was also issued for Finance Advisor.

The City of Portage recommends awarding a 10-year contract to MFCI, LLC for Financial Advisor services due to the diverse team of five highly experienced advisors assigned to the City of Portage engagement, the firm's over 40 years of experience, and the lowest cost proposal.

MFCI, LLC fee schedule is as follows:

<u>Principal Amount of Bonds</u>	<u>Fee</u>
Less than \$1,000,000	\$6,500 plus 0.80% of the total proceeds above \$750,000
\$1,000,000 or more but less than \$3,000,000	\$8,500 plus 0.25% for the amount in excess of \$1,000,000
\$3,000,000 or more but less than \$10,000,000	\$13,600 plus 0.20% for the amount in excess of \$3,000,000
\$10,000,000 or more	\$27,625 plus 0.085% for the amount in excess of \$10,000,000

Because of continued satisfaction with the firm's current services and institutional knowledge, the recent addition of two multi-decade veterans of Michigan municipal finance to the firm along with the over 15 years of experience of MFCI's president who has led the city's engagement since 2017, and bond issuance experience with cities such as Grand Rapids, Warren, Kalamazoo, and Wyoming, it is recommended that City Council approve a ten-year contract (one base year and nine option years) with MFCI, LLC for Financial Advisor services and authorize the City Manager to execute all documents related to this action on behalf of the city.

Firm resources and experience with similar municipalities to the City of Portage, experience, and qualifications of key team members, references, and favorable pricing were considered in selecting both Bond Counsel and Financial Advisor.

FUNDING: Funding for bond counsel and financial advisor services is included in the Capital Improvement Program Fund as part of bond issuance costs.

Attachments:

1. Proposal Tabulation 2022 RFP Bond Counsel
2. Proposal Tabulation 2022 RFP Financial Advisor

**2022 RFP BOND COUNSEL
LEGAL AND FINANCIAL SERVICES
PROPOSAL TABULATION**
PROPOSALS DUE ON OCTOBER 14, 2022 AT 5 PM

Clark Hill	Fee	Additional Fee
<\$500,000	\$1,500.00	1% in excess of \$250,000
\$500,000-\$1,000,000	\$4,000.00	.5% in excess of \$500,000
\$1,000,000 - \$3,000,000	\$6,500.00	.25% in excess of \$1,000,000
\$3,000,000 +	\$11,500.00	.2% in excess of \$3,000,000

Miller Canfield	Fee	Additional Fee
Up to \$6,000,000	\$7,500.00	.4% in principal up to \$6,000,000
\$6,000,000 - \$10,000,000	\$7,500.00	.4% in principal up to \$6,000,000, plus .2% in excess of \$6,000,000
\$10,000,000 +	\$7,500.00	.4% in principal up to \$6,000,000, plus .2% in excess of \$6,000,000, plus 1% in excess of \$10,000,000

Dickinson Wright	Fee	Additional Fee
\$1,000,000 or less		1% principal amount; minimum \$8,000
\$1,000,000 - \$3,000,000	\$10,000.00	.30% in excess of \$1,000,000
\$3,000,000 - \$ 10,000,000	\$16,000.00	.25% in excess of \$3,000,000
\$10,000,000 +	\$33,500.00	.1% in excess of \$10,000,000

Opened by: _____



Victoria Barboza, Purchasing Manager

**2022 RFP FINANCIAL ADVISOR
FINANCIAL SERVICES
PROPOSAL TABULATION**
PROPOSALS DUE ON OCTOBER 14, 2022 AT 5 PM

PFM Financial Advisors LLC		
	General Obligation (GO) Bonds	
	Base Fee	Additional Fee
\$5,000,000 or less	\$8,000	0.25% per \$1,000 of bonds up to \$5,000,000
\$5,000,000 - \$25,000,000	\$8,000	0.25% per \$1,000 of bonds up to \$5,000,000, plus 0.10% per \$1,000 of bonds over \$5,000,000 up to \$25,000,000
\$25,000,000 +	\$8,000	0.25% per \$1,000 of bonds up to \$5,000,000, plus 0.10% per \$1,000 of bonds over \$5,000,000 up to \$25,000,000, plus 0.075% per \$1,000 of bonds over \$25,000,000
Max Fee	\$80,000	
Discount applies to State Revolving Funds issuances	25%	

	Revenue (REV) Bonds	
	Base Fee	Additional Fee
\$5,000,000 or less	\$12,500	0.25% per \$1,000 of bonds up to \$5,000,000
\$5,000,000 - \$25,000,000	\$12,500	0.25% per \$1,000 of bonds up to \$5,000,000, plus .10% per \$1,000 of bonds over \$5,000,000 up to \$25,000,000
\$25,000,000 +	\$12,500	0.25% per \$1,000 of bonds up to \$5,000,000, plus .10% per \$1,000 of bonds over \$5,000,000, plus .08% per \$1,000 of bonds over \$25,000,000
Max Fee	\$100,000	
Discount applies to State Revolving Funds issuances	25%	

MFCI, LLC

	Fee	Additional Fee
\$1,000,000 or less	\$6,500	0.80% of total proceeds above \$750,000
\$1,000,000 - \$3,000,000	\$8,500	0.25% per \$1,000 of bonds over \$1,000,000
\$3,000,000 - \$10,000,000	\$13,600	0.20% per \$1,000 of bonds over \$3,000,000
\$10,000,000 +	\$27,625	0.085% per \$1,000 of bonds over \$10,000,000

Robert W. Baird & Co. Incorporated**Loan Through the State Revolving Fund | Direct Placement with the Michigan Finance Authority**

Gross Loan Amount	Fee	Fee Range
Less than \$5,000,000	\$12,500 minimum	\$12,500
\$5,000,000 - \$10,000,000	\$12,500, plus 0.25% declining to 0.20%	\$12,500 - \$20,000
\$10,000,000 +	0.20% with capped fee	\$20,000 - \$35,000

Publicly Offered Bond Issue Per Project

Gross Loan Amount	Fee	Additional Fee
Less than \$5,000,000	\$25,000 minimum	\$25,000
\$5,000,000 - \$10,000,000	\$25,000, plus 0.50% declining to 0.30%	\$25,000 - \$30,000
\$10,000,000 +	0.30% with capped fee	\$30,000 - \$70,000

Bendzinski & Co.

	Fee	Additional Fee
\$500,000 or less	\$7,500	
Over \$500,000	\$7,500	0.5% per \$1,000 of bonds over \$500,000
Over \$2,000,000	\$15,000	0.4% per \$1,000 of bonds over \$2,000,000
Over \$3,000,000	\$19,000	0.3% per \$1,000 of bonds over \$3,000,000
Over \$4,000,000	\$22,000	0.2% per \$1,000 of bonds over \$4,000,000
Over \$5,000,000	\$24,000	0.1% per \$1,000 of bonds over \$5,000,000
Over \$6,000,000	\$25,000	0.05% per \$1,000 of bonds over \$6,000,000
Over \$10,000,000	0.27% per \$1,000 of bonds up to \$50,000 max fee	

3 year contract + a 10% discount is applied

Opened by:  _____
Victoria Barboza, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Austin Lake Invasive Weed Management - 2023 to 2027 Special Assessment

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Adopt Resolution No. 1, accept the City Manager Report and request preparation of Resolution No. 2 for the Austin Lake Invasive Weed Management Program Special Assessment District No. 023-A.

On May 25, 2021, City Council adopted a resolution for the dissolution of the Austin Lake Governmental Lake Board. Subsequently, on November 12, 2021, the Austin Lake Riparian Board requested that City Council initiate a lake improvement project to investigate, treat and/or eradicate the invasive weeds throughout Austin Lake. On March 22, 2022, City Council awarded a consulting services contract to Progressive AE to study the lake ecology as it relates to recurring aquatic nuisance conditions, prepare recommendations, and prescribe treatment(s) for controlling aquatic nuisances during the years 2023 through 2027.

On October 17, 2022, Progressive AE submitted their report and recommendation to the Austin Lake Riparian Board. It is the desire of the Austin Lake residents, as indicated in the attached letter from the Austin Lake Riparian Board, to initiate lake management efforts as recommended by Progressive AE and requests the city's assistance in creating a five-year assessment district for the management of invasive aquatic plants in Austin Lake.

The Austin Lake Riparian Board has requested chemical treatment and mechanical harvesting with a budget of approximately \$450,000. The city portion is 5% of the anticipated cost of the five-year program, or \$22,500, with the riparian owners funding 95% of the program, or approximately \$427,500 (\$197.92 per parcel per year). The amount would be assessed against the lake riparians on a per parcel basis. Per parcel assessment is recommended as all riparian owners have the right to use the lake equally, regardless of lot size.

In 1988, the City Attorney and Bond Counsel determined that control of aquatic plants as part of an overall lake management program represented a public improvement and that a special assessment district could be established as permitted by City Charter and Ordinances. Protecting city resources is appropriate as lakes provide an overall benefit to the quality of life in the city. The city share cost would be budgeted in the General Fund.

It is recommended that City Council initiate the project by adopting Resolution No. 1, accepting the City Manager Report and requesting preparation of Resolution No. 2 for the Austin Lake Invasive Weed Management Program Special Assessment District No. 023-A.

FUNDING: Funding by Special Assessment Collection - Austin Lake Weed Management Budget in the General Fund.

- Attachments:**
1. City Manager Report
 2. Austin Lake Weed Special Assessment Resolution #1
 3. Austin Lake Riparian Board Letter

CITY MANAGER REPORT

CITY OF PORTAGE

TO: Mayor and City Council

FROM: Patrick McGinnis, City Manager

DATE: January 3, 2023

SUBJECT: AUSTIN LAKE INVASIVE WEED MANAGEMENT PROGRAM
SPECIAL ASSESSMENT DISTRICT #023-A

I, the undersigned, being the City Manager for the City of Portage, Michigan, in pursuance of a resolution adopted by the City Council, relative to the above entitled special assessment project, hereby report the probable cost, extent, necessity of the proposed improvement, the boundaries, the estimated useful life and suggested method of apportioning of the cost of the project, the proportion, if any, to be paid by the City-at-large, and other necessary and pertinent information as follows:

Probable Cost: \$450,000

Extent of Project: Establish funding to provide for the management of Austin Lake including herbicide treatment and mechanical harvesting of aquatic plants.

Necessity: To maintain the quality and usefulness of Austin Lake for the riparian lake owners and general public.

Boundaries: Unplatted Land:
Land located in Section 23 and 26, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Southwest corner of Lot 58 of the recorded plat of Highland View on the West shoreline of Austin Lake; thence Southernly along said West shore line of Austin Lake to the Northeast corner of Lot 88 of the recorded plat of Dixie-Mac Park and place of ending;

Land located in Section 26, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Southeast corner of Lot 28 of the recorded plat of Dixie-Mac Park on the West shoreline of Austin Lake; thence Southeasterly along said West shoreline of Austin Lake to the Northwest corner of Lot 11 of the recorded plat of Mc Camley Manor and place of ending;

Land located in Section 26, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Commencing at the Northwest

corner of Lot 24 of the recorded plat of McCamley's Beach on the West shoreline of Austin Lake; thence east 250 feet to the point of beginning on the West shoreline of Austin Lake; thence Northerly along said West shore line of Austin Lake approximately 300 feet and place of ending;

Land located in Section 35, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Southeast corner of Lot 87 of the recorded plat of Wiona Acres No. 1 on the West shoreline of Austin Lake; thence Southernly along said West shoreline of Austin Lake to the Northeast corner of Lot 76 of the recorded plat of Austin Grove and place of ending;

Land located in Section 36, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Northeast corner of Lot 1 of the recorded plat of Sunny Heights on the East shoreline of Austin Lake; thence Northerly along the said East shore of Austin Lake to the Southwest corner of Lot 21 of recorded plat of Oakland Beach and place of ending;

Land located in Section 36, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Northwest corner of Lot 1 of the recorded plat of Oakland Beach on the East shoreline of Austin Lake; thence Northerly along the said East shore of Austin Lake to the Southwest corner of Lot 30 of the recorded plat of East Side Park and place of ending;

Land located in Section 24 and 25, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Northwest corner of Lot 10 of the recorded plat of Sunset View on the East shoreline of Austin Lake; thence Northerly along the said East shore of Austin Lake to the Southwest corner of Lot 1 of the recorded plat of Twilight View No. 1 and place of ending;

Land located in Section 24, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan, described as: Beginning at the Northwest corner of Lot 4 of the recorded plat of Twilight View No. 1 on the East shoreline of Austin Lake; thence Northerly along the said East shore of Austin Lake to the Southeast corner of Lot 93 of the recorded plat of Highland View No. 1 and place of ending.

Platted Land:

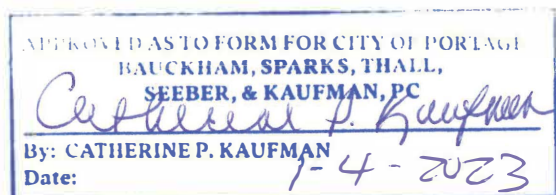
Lots 47 through 63 and Lots 67 through 76 inclusive of Austin Grove;
Lots 64A and 66A of Amended Plat of Lots 64, 65 and 66 of Austin Grove;
Lots 1 through 29 inclusive of Supervisor's Plat of Bacon's Beach;
Lots 26 through 32, Lots 51 through 54, and Lots 73 through 79 inclusive,

and Lot 88 of Assessor's Plat of Dixie-Mac Park;
 Lots 1 through 30 inclusive of Assessor's Plat of East Side Park;
 Lots 1 through 30 inclusive of Supervisor's Plat of Gilbert And Matteson
 Subdivision;
 Lots 1 through 24 and Lots 26 through 58 inclusive of Supervisor's Plat of
 Highland View;
 Lots 64 through 77 and Lots 84 through 93 inclusive of Highland View No.
 1;
 Lots 94, 95, and 96 of Amended Plat of Lots 78 through 83 and Vacated
 Portion of Lake Drive of Supervisor's Plat of Highland View No. 1;
 Lots 1 through 24 inclusive of Supervisor's Plat of McCamley's Beach;
 Lots 1 through 11 inclusive of Mc Camley Manor;
 Lots 1 through 21 inclusive of Supervisor's Plat of Oakland Beach;
 Lots 1 through 30 inclusive of Plat of Pleasant Oaks;
 Lots 12 through 53 inclusive of Sherm-N-Dale Shores;
 Lots 1 through 9, Lots 15 through 22, Lots 26 through 31, and Lots 35
 through 52 inclusive of Sunny Heights;
 Amended Plat of Lots 10 thru 14 and the Relocated Walk of Sunny Heights;
 Amended Plat of Lots 12, 13 & 14 of Sunny Heights;
 Amended Plat of Lots 23, 24, and 25 of Sunny Heights;
 Amended Plat of Lots 32, 33, and 34 of Sunny Heights;
 Lots 1 through 10 inclusive of Sunset View;
 Lots 1 through 4 inclusive of Twilight View No. 1;
 Lots 1 through 50 inclusive of Plat of Wiona Acres;
 Lots 74 through 87 inclusive of Wiona Acres No. 1;
 Lots 1 through 8 inclusive of Woodruff Plat;
 Lots 1 through 25 inclusive of Woody Noll No. 1;

Useful Life: 5 Years

Method of	Special Assessments	\$427,500
Apportioning	City Share	\$ 22,500
	TOTAL	\$450,000

 Patrick McGinnis
 City Manager



CITY OF PORTAGE
SPECIAL ASSESSMENT RESOLUTION NO. 1
AUSTIN LAKE INVASIVE WEED MANAGEMENT PROGRAM
SPECIAL ASSESSMENT DISTRICT #023-A

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 2023, at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____ and seconded by:

Councilmember _____.

WHEREAS, the City Council of the City of Portage is of the opinion that it is desirable and necessary for the public health, safety and welfare that the following described public improvement be constructed:

Establish funding to provide for the management of Austin Lake including herbicide treatment and mechanical harvesting of aquatic plants.

AND WHEREAS, the Special Assessment Ordinance of the City provides that before determining to make any improvement by means of special assessment procedures, the City Council shall secure certain information from the City Manager.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council, at the request of the Austin Lake Riparian Board, hereby commences special assessment proceedings for the above-described public improvement.

2. The matter of making such public improvement shall be referred to the City Manager who is hereby directed to prepare a report which shall include all necessary and pertinent information which will enable the Council to ascertain the probable cost, extent and necessity of the proposed improvement, the boundaries, the estimated useful life, a suggested

method of apportioning the cost of the project and what proportion, if any, should be paid by the City-at-large.

3. The City Manager is hereby directed to file said report and recommendation with the City Clerk as soon as the same has been prepared.

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

ADOPTED: YEAS: Councilmember: _____
NAYS: Councilmember: _____
ABSENT: Councilmember: _____

Erica Eklov, City Clerk

STATE OF MICHIGAN)
) ss
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a _____ meeting of the City Council of said City, held on the _____ day of _____, 2023, the original of which resolution is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature this _____ day of _____, 2023.

Erica Eklov, City Clerk

APPROVED AS TO FORM FOR CITY OF PORTAGE
BAUCKHAM, SPARKS, THALL,
SEEGER, & KAUFMAN PC
Catherine P. Kaufman
By: CATHERINE P. KAUFMAN
Date: 1-4-2023

November 16, 2022



Patricia M. Randall
Mayor
patricia.randall@portagemi.gov

Jim Pearson
Mayor Pro Tem
councilmemberjp@portagemi.gov

Lisa Brayton
Portage City Council Member
lisa.brayton@portagemi.gov

Chris Burns
Portage City Council Member
chris.burns@portagemi.gov

Lori Knapp
Portage City Council Member
lori.knapp@portagemi.gov

Vic Ledbetter
Portage City Council Member
vic.ledbetter@portagemi.gov

Terry R. Urban
Portage City Council Member
terry.urban@portagemi.gov

Patrick McGinnis
City Manager
mcginnip@portagemi.gov

Dear City of Portage Council Members, Mayor, Mayor Pro Tem, and City Manager:

The Austin Lake Riparian Board (ALRB) asked this council in November of 2021 on behalf of the residents of Austin Lake, Portage, Mi, to consider a lake improvement project to investigate, treat, and/or eradicate invasive and nuisance weeds throughout the entire 1,050 acres of Austin Lake. In response, the city contracted Progressive AE to study the lake in the spring and summer of 2022.

Progressive AE conducted two studies of Austin Lake. The first on Thursday, June 16th, 2022, and the second on Thursday, August 4th, 2022. Lake Riparians were able to participate in both of those studies. A final report was then shared with the ALRB and a Board meeting was held with Paul Hausler of Progressive AE on October 17th, 2022 at which six (6) of the nine (9) board members and five (5) guests including Paul attended. Several questions were raised at that time and follow-up to the detailed chemical weed treatment and budget proposal was required.

At this time, Progressive AE has satisfied the Boards questions and we are ready to proceed with the public aspect of the process.

Therefore, the Austin Lake Riparian Board would like to formally request the City of Portage to:

1. Adopt a formal Chemical (Page 3) and Mechanical Weed (Page 4) Control program to treat both invasive weeds and the Sago Pondweed out-break issue identified in the attached two maps.
2. Perform the 5 necessary resolutions and **make the ALRB aware of in advance** of the public hearings for purposes of publishing notice to all Austin Lake Riparians:
 - a. Resolution to commence special assessment proceedings
 - b. Resolution to set public hearing of necessity
 - c. Public hearing of necessity**
 - d. Resolution to set public hearing of special assessment roll
 - e. Public hearing of special assessment roll**

3. Set clear and measurable metrics to determine if the project is successful.
4. Add additional scope for future physical water monitoring and testing.
5. Request that an annual report be provided to both the City and the Riparians on progress / success / test results / etc.

AJ Spicer
ALRB President

Jeff Sedlak
ALRB Vice President

Thorsten Willmann
ALRB Secretary

Dave Savoy
ALRB Treasurer

Marc Chappell
ALRB Member

John Fisher
ALRB Member

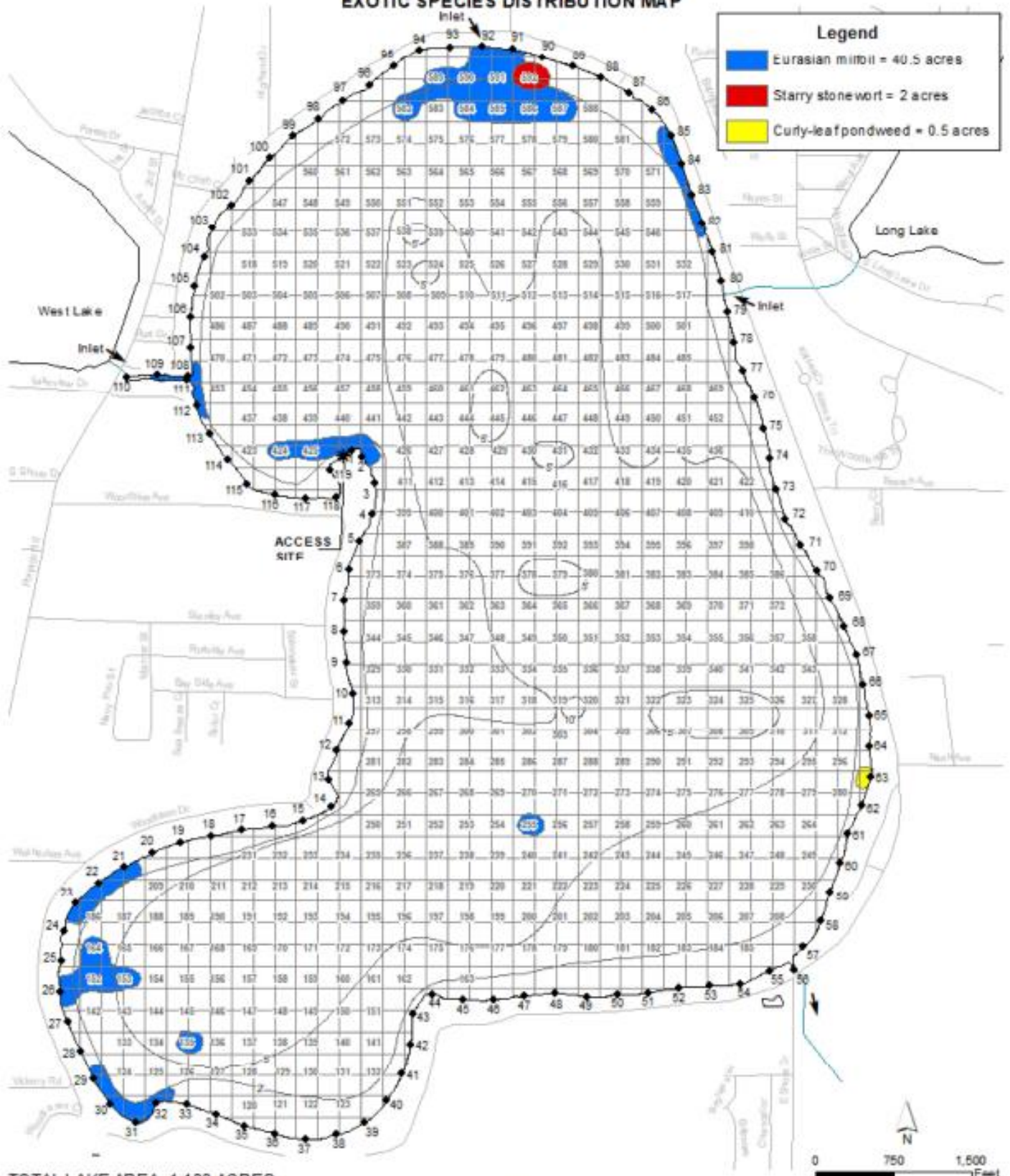
Gary Hahn
ALRB Member

Ron Sayen
ALRB Member

Mark Tiller
ALRB Member

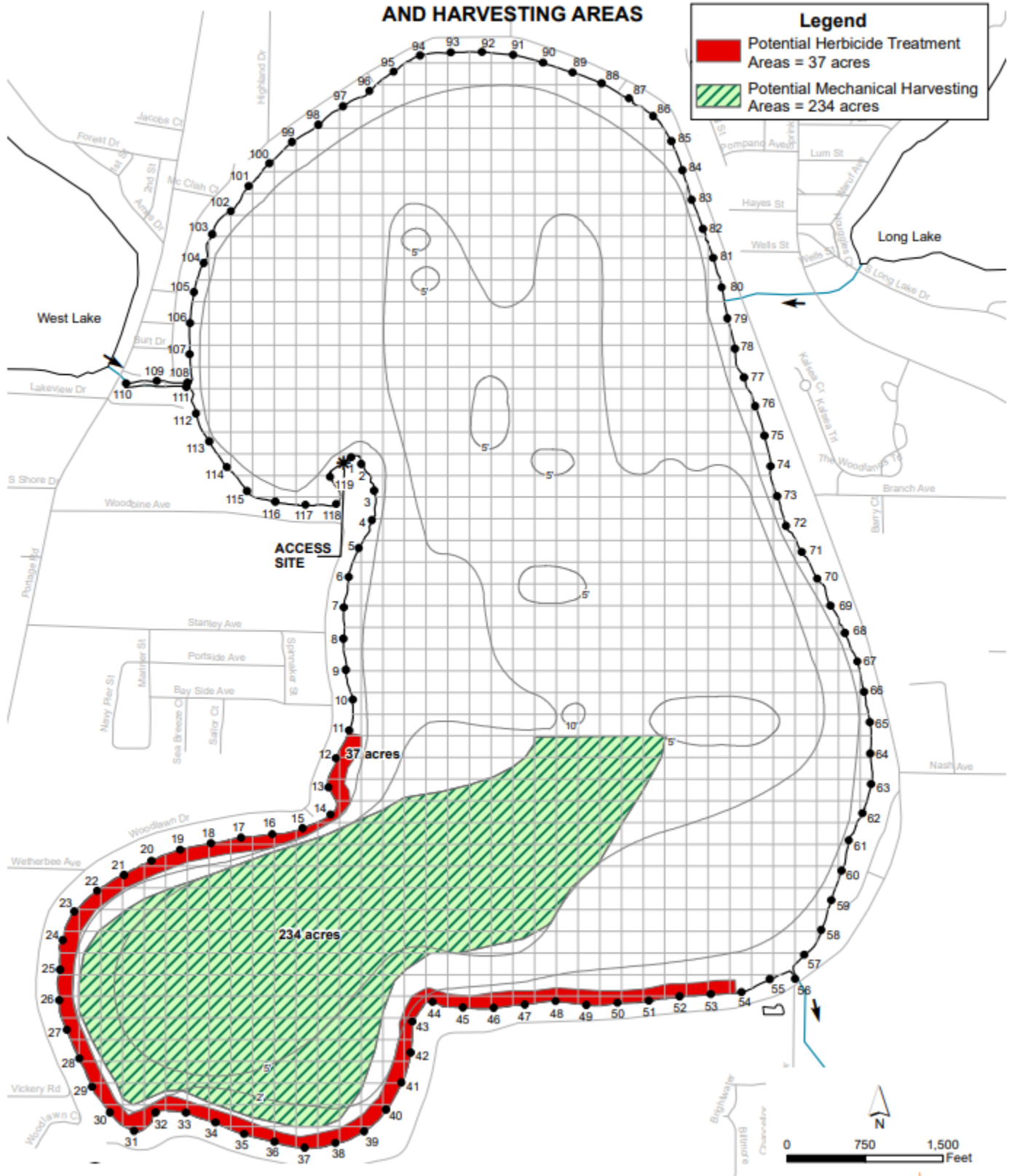
**AUSTIN LAKE
KALAMAZOO COUNTY, MICHIGAN
AUGUST 4, 2022
EXOTIC SPECIES DISTRIBUTION MAP**

□ = 1 ACRE



AUSTIN LAKE KALAMAZOO COUNTY, MICHIGAN POTENTIAL NATIVE PLANT TREATMENT AND HARVESTING AREAS

□ = 1 ACRE



TOTAL LAKE AREA: 1,133 ACRES

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: 2023 Recreation and Open Space Plan

SUPPORTING PERSONNEL: Kathleen Hoyle, Director of Parks & Recreation

ACTION RECOMMENDED: Adopt the 2023 Recreation and Open Space Plan Update for submittal to the MDNR in accordance with their grant requirement guidelines.

City Council has a community development goal to “*promote quality of life in Portage*” and an objective to “*maintain a coordinated and innovative approach toward development of park land and providing recreational opportunities*”. In alignment with the stated goal and objective, the City has a Recreation and Open Space Plan. This is a component of the Comprehensive Plan and serves as a valuable planning tool as well as meeting the Michigan Department of Natural Resources (MDNR) stipulations for park acquisition and development grants. The plan must be updated every five years, at minimum, and City Council must adopt the update prior to submittal to the MDNR by February 1. The Recreation and Open Space Plan was last updated in 2018. The following summarizes the substantive changes since the 2018 update:

1. Added Dr. Martin Luther King Jr. Park to the inventory of Park Facilities, as well as the bike rental and IdeaWorx Business Incubator.
2. Collaboration with the MDNR on operation and infrastructure changes for the Gourdneck State Game Area.
3. City purchase of 9112 S. Westnedge for future Archery Park.
4. New mapping of proposed neighborhood districts.
5. Information on the Public Arts program.
6. New sections added to the plan on “Non-Motorized Trail and Bikeway Transportation Plan”, and “Parks Environmental Management”.
7. Updated information for Long Lake submitted by Pavilion Township.
8. Updated grants received.
9. Updated Invasive Species Management to include current efforts for eradication.
10. Updated the Action Plan with additional items in Action B including future potential improvements to existing facilities at West Lake Overlook, Celery Flats, Schrier Park, Ramona Park and Lakeview Park.
11. Updated the Action Plan with additional items in Action E including planning for future park and recreation needs such as South Westnedge Park expansion, Cross Country Skiing/Running course, Bocce Court, Ice Skating Loop, Mountain/BMX Biking; Splashpad, Archery Facility, Community Gardens, and additional dog park.
12. Added recommendations for development projects located next to park property.
13. Added missing content in the community survey located in the appendix.
14. The plan fulfills MDNR grant requirements.

15. The plan reflects changes in the city's organization, including the Bike and Arts Committees, and Action Plans for the Parks and Recreation Department.
16. Goals, Objectives, Action Plan Priority List and Financial Program reflect the current Capital Improvement Plan (CIP) and City Strategic Plan.

In order to fulfill the MDNR plan development requirements and the Michigan Planning Enabling Act (Public Act 33 of 2008) for public review and comment, the 2023 Recreation and Open Space Plan was reviewed during several public meetings involving the City's Park Board and Planning Commission. The appropriate public review, comment and public hearings were held. In accordance with the MDNR requirements, the 30-day public comment period closed on December 3 with a hearing held on December 7 by the Portage Park Board. Five public communications were received in writing and three citizens attended the hearing, providing a variety of suggestions. Subsequent to the public hearing, slight modifications were made to the final plan. The plan is currently available on the city's website under the [Parks & Recreation Department](#) page.

The Michigan Planning Enabling Act 42-day municipal agency comment period closed on December 5 with a hearing held on December 15. On October 18, in accordance with the Michigan Planning Enabling Act, City Council authorized the distribution of the plan to adjacent communities and Kalamazoo County for review and comment. One comment was received from the municipalities pertaining to updated information on Long Lake, and no citizens were present to speak in support or opposition to the proposed plan update. At the conclusion of the public hearing, the Planning Commission unanimously voted to adopt the plan and submit the approved plan to City Council for final review.

It is therefore recommended that the City Council adopt the 2023 Recreation and Open Space Plan Update for submittal to the MDNR in accordance with their grant requirement guidelines.

FUNDING: Not Applicable

Attachments:

1. Planning Commission Transmittal 122022
2. PCMin12152022 DRAFT
3. Council Resolution 2023 Parks Recreation & Open Space Plan



Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: December 20, 2022
SUBJECT: 2023 Recreation and Open Space Plan

At the December 15, 2022 meeting, the Planning Commission reviewed and discussed the latest version of the proposed 2023 Recreation and Open Space Plan. Kathleen Hoyle, Director of Parks & Recreation, provided an overview of the major changes from public comments period, which have been incorporated to the latest plan update. No public comment was received at the Commission meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

The Planning Commission voted unanimously (7-0) to recommend to City Council the approval of the 2023 Recreation and Open Space Plan Update.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION

A handwritten signature in black ink, appearing to read "Dan Corradini", is written over the printed name and title.

Dan Corradini
Chairman

Attachments: December 15, 2022 Planning Commission meeting minutes.

CITY OF PORTAGE PLANNING COMMISSION

Thursday, December 15, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of December 15, 2022, was called to order by Vice Chair Joshi at 7:00 p.m.

IN ATTENDANCE

- Biqi Zhao, Deputy Director of Planning and Zoning
- Kathleen Hoyle, Director of Parks & Recreation
- Catherine Kaufman, City Attorney

ROLL CALL

Ms. Zhao called the roll: Chairman Corradini (excused); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); Youngs (yes); Kasper (excused); and Freiman (yes).

Commissioner Baldwin motioned to excuse Chairman Corradini and Commissioner Kasper; Commissioner Pezzoli supported the motion. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Commissioner Youngs, seconded by Commissioner Baldwin to approve the Planning Commission Meeting Minutes of December 1, 2022, with correction of a typo. Motion carried 7-0.

PUBLIC HEARINGS

1. Draft 2023 Recreation and Open Space Plan

Ms. Hoyle explained the details of the changes incorporated into the new revision outlined in staff's memo. Commissioner Freiman mentioned a typo for correction in the 2023 Recreation and Open Space Plan.

Vice Chair Joshi opened public hearing. There being no public comment, Commissioner Pezzoli motioned to close public hearing and the motion was supported by Commissioner Baldwin. Motion to close public hearing carried 7-0 upon a voice vote.

Commissioner Baldwin made a motion to recommend to the City Council the approval of the 2023 Recreation and Open Space Plan. The motion was seconded by Commissioner Baldwin. Motion carried 7-0 upon a voice vote.

2. Preliminary Condominium Plan: McConley Cove Planned Development, 1075 Bacon Avenue

Ms. Zhao provided a presentation of the project, stating that the proposal consists of new 40 lots for 40 future single family detached homes, comprised of a mix of single- and two-story detached home units with internal and external connecting pedestrian pathways and connections to existing city water and sewer, and two proposed private storm water basins. She showed the applicant's site drawing and rendering, pictures of the site, highlighted the changes from the approved Tentative Plan, and explained

pertinent code sections. The proposed Preliminary Condominium Plan was found by staff to meet applicable zoning regulations and be in substantial compliance with the previously approved Tentative Plan. It was recommended that the Planning Commission recommend project approval to the City Council if no additional information received during the public hearing.

The applicant and property owner representative, Jack Gesmundo, spoke in support of the project, consistent with the previously approved rezoning application, stating the feature of the McConley Parkway will provide the sense of arrival to the residents.

Vice Chair Joshi opened public hearing. There being no public comment, Commissioner Pezzoli motioned to close public hearing; motion was supported by Commissioner Baldwin. Motion carried 7-0 upon a voice vote.

Commissioner Fries motioned to recommend to the City Council the approval of the Preliminary Condominium Plan for McConley Cove Planned Development at 1075 Bacon Avenue. The motion was seconded by Commission Pezzoli.

Upon roll call vote: Chairman Corradini (excused); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (yes); Youngs (yes); Kasper (excused); and Freiman (yes). Motion carried 7-0.

SITE/FINAL PLANS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Commissioner Youngs complimented Planning Commission's efforts and accomplishments of 2022 and delivered holiday greetings. He inquired to staff if there will be a meeting on January 5, 2023; staff answered 'no', and that a cancellation notice will be sent out shortly. He indicated that he will be absent for the January 19th and February 2nd, 2023, meetings, and asked if the Planning Commission meet during those dates. Staff answered that we haven't received any cases for these two future meetings now, since the application deadlines have not approached yet.

Commissioner Pezzoli praised Planning Commission's accomplishments of 2022 and delivered holiday greetings. He mentioned that he will be absent from January 5, 2023, Planning Commission meeting.

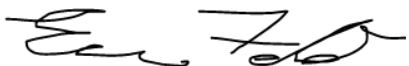
STATEMENT OF STAFF

None.

ADJOURNMENT:

There being no further business to come before the Commission, Vice Chair Joshi adjourned the meeting at 7:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Feldt". The signature is stylized with a large "E" and a long horizontal stroke.

Eric Feldt, AICP, CFM
City Planner/Project Manager

**RESOLUTION ADOPTING THE 2023 RECREATION AND OPEN SPACE PLAN BY
THE PORTAGE CITY COUNCIL**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on January 10, 2023 at 7:00 p.m. at the City Hall in the City of Portage, Michigan.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS, the City of Portage has undertaken a 5-Year Recreation and Open Space Plan that describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period of 2023-2027; and

WHEREAS, residents of the City of Portage were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public comment session was held December 7, 2022 at the Parks and Recreation Building to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan; and

WHEREAS, the City of Portage developed the plan for the benefit of the entire community and to adopt the plan as a document assists the city in meeting the recreation needs of the community; and

WHEREAS, after the public hearing held on December 15, the City of Portage Planning Commission voted to adopt the Recreation and Open Space plan;

NOW, THEREFORE, BE IT RESOLVED that the City of Portage City Council hereby adopts the City of Portage 2023 Recreation and Open Space Plan as a guideline for improving recreation for the residents of the City of Portage.

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

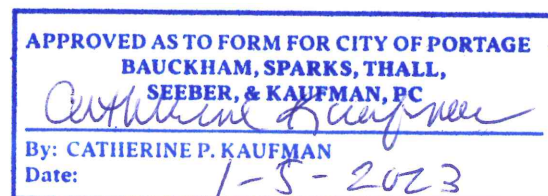
AYES:

NAYS:

ABSENT:

EFFECTIVE DATE:

CERTIFICATION:



TO: Honorable Mayor and City Council

FROM: Adam Herringa, Deputy City Manager

SUBJECT: City Manager Employment Agreement - Relocation Expenses

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Amend the City Manager Employment Agreement to increase the allocation for relocation expenses from \$20,000 to \$40,754.61.

City Manager Pat McGinnis was retained to serve as the City Manager for the City of Portage as of July 2022. An agreement was executed between the Employer (City of Portage) and Employee (Mr. McGinnis) on May 24, 2022, which set forth the mutual understanding of the parties. Section 15 of that agreement was drafted to reimburse the employee for costs associated with "Moving, Relocation, *Home Sale and Purchase Expenses* (emphasis added)." These expenses were capped at \$20,000 in the agreement. While this amount was sufficient for relocation and moving expenses, it was insufficient for covering costs associated with home sale and purchase expenses.

Mr. McGinnis purchased a home at 7070 Sandpiper Street in Portage and has sold his previous residence at 1335 Oakes Avenue, Grand Haven. He has submitted documentation of all moving, relocation, home sale, and purchase expenses, totaling \$40,754.61. In order to process the requested reimbursement, Section 15 of the aforementioned Employment Agreement should be amended to allow for reimbursement up to a total of \$40,754.61. The amendment is attached to this report. It is recommended that City Council amend the City Manager Employment Agreement to increase the allocation for relocation expenses from \$20,000 to \$40,754.61.

FUNDING: Funding is available in the City Manager's Office personnel budget.

Attachments: 1. City Manager Employment Agreement Amendment No. 1

**Employment Agreement
City of Portage and Patrick McGinnis
Amendment #1 Dated January 10, 2023**

City of Portage entered into an employment agreement with Patrick McGinnis dated May 24, 2022. That agreement is hereby amended to adjust Section 15 as follows:

Section 15: Moving, Relocation, Home Sale and Purchase Expenses.

B. Employer will reimburse the Employee up to forty thousand, seven hundred and fifty-four dollars and sixty one cents (\$40,754.61) for reasonable and necessary relocation costs.

CITY OF PORTAGE

Dated: _____

By: Patricia Randall

Its: Mayor

EMPLOYEE

Dated: _____

By: Pat McGinnis

Its: City Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: City Council Priorities for FY23-24

SUPPORTING PERSONNEL: Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Approve the City Council priorities for Fiscal Year 2023-2024.

City Council met on Friday, November 18, 2022, to discuss a shared vision and set goals for the coming fiscal year. After a presentation from City staff, Council set forth a number of suggested projects and improvements for the coming months. They were:

- Housing Strategies
- Lake Center District Acceleration
- Mall Strategies
- Single Source Waste Hauling
- Zoning Ordinance Rewrite
- Form-Based Zoning
- Austin Lake Trail Decision
- Farmers Market
- Expanded Hours at Portage Zhang Senior Center
- Hampton Bog
- Housing Equity Ordinance
- City Hall Refresh
- Rental Registry
- Business Registry

Following further discussion among city staff and in consultation with individual elected officials, the following list of priorities is presented for consideration of a Statement of City of Portage Goals for the 2023-2024 fiscal year:

1. Housing Strategies – faithfully follow strategies laid out in the Portage Attainable Housing Plan adopted by City Council on December 20, 2022.
2. Lake Center District Acceleration – routinely revisit the Lake Center District strategic plan and advance projects.
3. Mall Strategies – develop a strategic plan for the transition of overbuilt commercial neighborhoods in the mall area.
4. Optimize Waste Hauling – create a more efficient, reliable, responsible and accountable approach to solid waste removal services.

5. Improve Zoning Ordinance – prepare and present amendments to the zoning ordinance that introduce a form-based zoning approach, remove obstacles to housing affordability, and provide specific relief to land use challenges in lake neighborhoods.
6. Trail Improvements and Connections – Connect and expand the non-motorized trail system with minimal reliance on city taxpayers.
7. Farmers Market – create a permanent site for regional agribusiness to bring products directly to Portage customers.

Once the City Council has approved priorities for the fiscal year, the City Administration will build a budget and provide the needed expertise to support these intentions. It is recommended that City Council approve the City Council priorities for Fiscal Year 2023-2024.

FUNDING: N/A

Attachments: None

Minutes of Boards & Commissions

CITY OF PORTAGE PLANNING COMMISSION

Thursday, December 1, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of December 1, 2022, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, City Planner/Project Manager
- Seth Koches, Assistant Attorney
- Biqi Zhao, Deputy Director of Planning and Zoning
- Pat McGinnis, City Manager

ROLL CALL

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

Commissioner Baldwin motioned to excuse Commissioners Adams and Kasper; Commissioner Freiman supported the motion. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Commissioner Youngs, seconded by Commissioner Pezzoli to approve the Planning Commission Meeting Minutes of November 17, 2022, as submitted. Motion carried 7-0.

PUBLIC HEARINGS

1. A Tentative Plan and Rezoning Application #22/23-6, from RM-1 Multifamily Residential District to PD Planned Development for a proposed multifamily residential project 'Kings Landing' at 6601 Constitution Boulevard.

Mr. Feldt provided a presentation of the project, stating that the proposal consists of three buildings with varying heights, 95 new apartment units comprised of townhouses and regular apartment-style units with internal and external connecting pedestrian pathways and connections to existing city water and sewer, and a proposed private storm water basin. He showed the applicant's site drawings and illustrations, recent pictures of the site, and explained pertinent code sections. The proposed Tentative Plan and Rezoning was found by staff to meet applicable zoning regulations it was recommended that the Planning Commission recommend project approval to the City Council with a condition that a traffic study be conducted prior to Final PD Plan approval.

Applicant and property owner representative, Joshua Weiner, 700 Mall Drive, Portage, MI spoke in support of the project, stating M.C. Weiner's investments in the community over the years. He shared various factors in support of the project including: the project fulfilling housing needs in the community; providing a different housing design supported by a market study; and assigned parking within the project. Mr. Weiner indicated that his company is seeking multiple development incentives, and the project is conceptual at this point and may change. He expressed his opinion that for various reasons he believed a traffic study is not needed for the project.

The applicant's architect, Mike Corby, Integrated Architecture, explained the distances between the proposed southern apartment building and southern lot line to the existing Consumer's Energy power lines located to the further south.

Chair Corradini opened public hearing. Public testimonies are as follows:

- 1) Zack Baker, 994 Rainbow Court, Portage, MI, expressed concerns about parking and perceived impacts to the adjacent bike path, perceived impacts on Portage's small-town identity, perceived issues with the project's density, and supported future housing.
- 2) Pat McGinnis, 77 Sandpiper, Portage, MI, attending the meeting in his capacity as City Manager of the City of Portage, expressed support for future housing in the community and high-density housing for the betterment of the Crossroads Mall and immediate area. City Manager McGinnis expressed the Administration's support of the proposed project.
- 3) Jamie Thake, 1062 Rainbow Court, Portage, MI, expressed concerns about perceived impacts to traffic safety, supported a traffic study for the project, expressed concerns about pedestrian safety along nearby sidewalks and street crossings, concerns about the project's parking and perceived high rents pushing tenants to rely on cars to access jobs, and concerns about perceived loss of vegetation and wildlife in the area.
- 4) Andrew Thake, 1062 Rainbow Court, Portage, MI, voiced concerns about perceived traffic, parking, and the Metro bus service cannot accommodate residents' needs due to its infrequency and limited schedule.
- 5) Borath Goyle, 6940 Crest Point Court, Portage, MI, indicated his employment with Consumer's Energy and expressed perceived concerns about the adjacent power lines affecting the project, concerns about perceived traffic and parking especially during winter months, and expressed support for a traffic study related to the project.

There being no further public comments. Commissioner Baldwin Motion motioned to close public hearing and the motion was supported by Vice Chair Joshi. Motion carried 7-0 upon a voice vote.

Mr. Feldt clarified that a traffic study is recommended by staff as a condition under the Tentative Plan and Rezoning and would be submitted with the future Final Planned Development Plan.

Commissioners deliberated on the project.

Vice Chair Joshi voiced concerns about perceived impacts of the adjacent power lines and was in support of the interior parking lot accommodating snow storage.

Chair Corradini voiced support of the project and development of the vacant site, stated traffic trip counts of adjacent streets, stated that the applicant would provide more detailed drawings in the future for the Final Plan submittal.

Commissioner Pezzoli presented research data that the World Health Organization (WHO) reported no present-time negative human health impacts from low-level electromagnetic fields, supported further research on this item.

Commissioners Fries voiced support of Commissioner's Pezzoli's statement, indicated disagreement of requiring a traffic study due to added costs and low traffic demand from the nearby mall, and would support the project without staff's condition since the project may change in the future.

Commissioner Fries made a motion to recommend to the City Council the approval of the Tentative Plan and Rezoning Application #22/23-6, from RM-1 Multifamily Residential District to PD Planned Development for a proposed multifamily residential project 'Kings Landing' at 6601 Constitution Boulevard. The motion was seconded by Commission Pezzoli.

Upon roll call vote: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (yes); Adams (excused); Youngs (yes); Kasper (excused); and Freiman (yes). Motion carried 7-0.

SITE/FINAL PLANS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Chairman Corradini acknowledged the city workers for leaf pick up and snow removal, announced the Christmas tree lighting on December 3, 2022, and reminded that the Master Plan update website "ForwardTogether.portage.mi.gov" was now live.

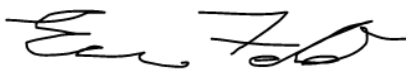
STATEMENT OF STAFF

Mr. Feldt provided updates on past private development projects.

ADJOURNMENT:

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:48 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager



MATERIALS TRANSMITTED

Tuesday, December 20, 2022

1. Comment Submission from Ellen Leithold regarding Agenda Item A.4, Adoption of Fees.
This evening Ms. Leithold submitted a comment via the Civic Clerk Platform with regard to the proposed changes to the 2023 special assessment rates.

Pat McGinnis, City Manager

cc Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

Adam Herringa

From: Erica Eklov
Sent: Tuesday, December 20, 2022 6:21 PM
To: Adam Herringa; Pat McGinnis; Michael Carroll
Cc: Mary Beth Block
Subject: Fwd: Public Comment Submission

Please see below submitted through the CivicClerk contact platform for tonight's meeting.

Erica Eklov

City Clerk

City of Portage | Office of the City Clerk

7900 South Westnedge Avenue | Portage, MI 49002

office (269) 329-4513 | fax (269) 324-8070

www.portagemi.gov

Begin forwarded message:

From: noreply@civicclerk.com
Date: December 20, 2022 at 6:18:53 PM EST
To: City Clerk <CityClerk@portagemi.gov>
Cc: lnhome@live.com
Subject: Public Comment Submission

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER
Do not click on links or open attachments unless this is from a sender you know and trust.

Submitted by: Ellen Leithold
Email Address: lnhome@live.com

Commented on event: <https://portagemi.civicclerk.com/web/player.aspx?id=1826>
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: Regarding the Special Assessment rates for 2023: As of October 2022, the rate of inflation in the U.S. was 7.75%. The schedule of increased fees ranges from 20-135%. 1. What is each council member's justification for rate increases of this magnitude? 2. Obviously, inflation is not causing these increases. 3. The city of Portage has the ability to pay for a greater portion of the costs than it is proposing. Why is it passing increases out of proportion and burdening citizens? 4. Portage has a problem with attainable/affordable housing availability. It is even on your agenda tonight. This egregious increase is hypocritical in the face a stated concern about making Portage an affordable place

to live. 5. This rate increase is a financial burden for residents, especially in this difficult economic environment that is just getting worse. 6. A lower interest rate payment plan over 20 years does not justify an amount that is unfair to begin with. 7. City Council members are expected to protect the interest of citizens, not cause undue burden. The citizens impacted by this rate increase will work diligently to see that the Council is accountable for shifting the cost burden to a small segment of citizens, rather than using city funds, to which these citizens have contributed their share, via state, local and federal taxes. Signed, Ellen Leithold 4207 Lum St., Portage, MI 49002

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Appointments to Boards & Commissions

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Appoint individuals to the Historic District Commission, Human Services Board, Local Officers Compensation Commission, Board of Review, and Zoning Board of Appeals.

This evening (January 10), the Portage City Council interviewed applicants for the Historic District Commission, Human Services Board, Local Officers Compensation Commission, Board of Review, and Zoning Board of Appeals. Based on the results of the interview session, it is recommended that City Council make appointments to fill vacancies on the identified Boards and Commissions as follows:

Reappoint Patrick Buckley, Carol Eddy, Keith Hearit, Leonard Lamberson, and Orville Smith, as well as appoint _____, as members of the **Board of Review** with terms ending January 31, 2024, with designation of the panels to be determined by the City Assessor.

Appoint _____ to a partial term ending December 31, 2023, and _____ to a term ending December 31, 2025, to the **Historic District Commission**.

Appoint _____ to a partial term ending October 1, 2023, and appoint _____ to a partial term ending October 1, 2024, to the **Human Services Board**.

Reappoint Paul Sommers to a term ending October 1, 2029, as well as appoint _____ to a term ending October 1, 2029 and appoint _____ to a partial term ending October 1, 2024, to the **Local Officers Compensation Commission**.

Reappoint _____, _____, and _____ to terms ending February 28, 2026, and appoint _____ to a partial term ending February 28, 2024, to the **Zoning Board of Appeals**.

FUNDING: N/A

Attachments: None