

5:45 p.m. Board & Commission Interview Session.

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. National Gun Violence Awareness Day
2. National Public Works Week

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Regular Meeting of May 9, 2023.
2. Approve the Accounts Payable Register of May 23, 2023 as presented.
3. Award a contract to Onstaff USA, Inc. of Portage, Michigan to provide temporary and seasonal employment services for Fiscal Year 2023-2024, for an estimated amount of \$273,405.65, with the option of four (4) one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.
4. Approve the submission of a grant application for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program and authorize the City Manager to execute all documents related to the application on behalf of the city.
5. Minutes of Boards & Commissions:
 - a. Human Services Board of April 6, 2023.
 - b. Zoning Board of Appeals of April 10, 2023.
 - c. Environmental Board of April 12, 2023.
6. Materials Transmitted.
7. Calendar of Meetings:
 - Human Services Board on Thursday, June 1, 2023, at 5:30 p.m. at City Hall Conference Room #1.
 - Planning Commission on Thursday, June 1, 2023, at 7:00 p.m. in the City Council Chambers.

B. Petitions and Statements of Citizens:

C. Communications:

D. Public Hearings:

1. Subsequent to the public hearing, adopt Ordinance Amendment #22/23-9(A) to amend commercial marijuana development standards within Chapter 42, Land Development Regulations, Article 4 (Zoning).

E. Regular Business Agenda:

1. Approve the Fiscal Year 2023-2024 Proposed Budget and adopt the General Appropriations Act and Salary and Wage Resolutions
2. Appoint individuals to the Youth Advisory Committee, the Construction Board of Appeals, the Senior Citizens Advisory Board, the Local Officers Compensation Commission, the Planning Commission, the Environmental Board, and the Zoning Board of Appeals.

F. Unfinished Business:

1. Adopt Amendment #22/23-9(B) to amend Marihuana Businesses, of Chapter 14, Businesses, Article 12.

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 GUN VIOLENCE AWARENESS DAY

- WHEREAS,** every day, more than 120 Americans are killed by gun violence and more than 200 are shot and wounded, with an average of more than 17,000 gun homicides every year; and
- WHEREAS,** Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and
- WHEREAS,** in Michigan, which has 1,382 gun deaths every year, with a rate of 13.7 deaths per 100,000 people, a crisis that costs the state \$16.8 billion each year, of which \$380.5 million is paid by taxpayers; and
- WHEREAS,** Michigan has the twenty-fifth highest rate of gun deaths in the United States; and
- WHEREAS,** protecting public safety in their community is a City Council's highest responsibility; and
- WHEREAS,** support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and
- WHEREAS,** preventing gun violence is more important than ever as we see an increase in firearm homicides, and nonfatal shootings across the country; and
- WHEREAS,** in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 2, 2023, to recognize her 26th birthday, people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to her and other victims of gun violence, and the loved ones of those victims; and
- WHEREAS,** Hadiya's friends chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and
- WHEREAS,** we renew our commitment to reduce gun violence and pledge to do all we can keep firearms out of the hands of people who should not have access to them, and encourage responsible gun ownership to help keep our families and communities safe.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, declare the first Friday in June, June 2, 2023, to be National Gun Violence Awareness Day in the City of Portage. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Signed this 23rd day of May, 2023.

Patricia M. Randall, Mayor



CITY OF PORTAGE PROCLAMATION

National Public Works Week

- WHEREAS,** National Public Works Week for 2023 is May 21 through May 27 with the theme of “Connecting the World Through Public Works”; and,
- WHEREAS,** public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Portage; and,
- WHEREAS,** these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,
- WHEREAS,** it is in the public interest for the citizens, civic leaders and children in the City of Portage to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,
- WHEREAS,** our talented, professional, and dedicated public works staff saw us through flooding, ice storms, windstorms and blizzards in the past year, and we kept our population safe first and then fully restored all damaged public property, and
- WHEREAS,** the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby designate the week of May 21 - 27, 2023 as National Public Works Week, and urge all citizens to pay tribute to our public works professionals, engineers, managers, and employees, as well as to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Signed this 23rd day of May, 2023.

Patricia M. Randall, Mayor



CITY COUNCIL MEETING MINUTES FROM MAY 9, 2023

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, Chris Burns, Lori Knapp, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: City Manager Pat McGinnis, Chief Operating Officer Adam Herringa, Chief Development Officer Peter Dame, City Attorney Catherine Kaufman, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the personal commitment of the personnel in the Portage Public Safety Department. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Mental Health Awareness Month Proclamation: Councilmember Brayton read the proclamation.

Lending Hands Recognition: Senior Citizens Advisory Board member and fellow member of the Lending Hands of Michigan Board, Art Roberts, read the proclamation, accompanied by fellow members of the Lending Hands Board of Directors.

National Police Week: Sergeant Craig Begeman read the proclamation.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Councilmember Urban removed Item A.9. Motion by Ledbetter, seconded by Brayton, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Ledbetter, seconded by Brayton, to approve the City Council Meeting Minutes of the Budget Review Session #1 of April 18, 2023; Regular Meeting of April 18, 2023; and the Budget Review Session #2 of April 25, 2023. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Ledbetter, seconded by Brayton, to approve the Accounts Payable Register of May 9, 2023, as presented. Upon a roll call vote, motion carried 7 to 0.

South Westnedge Avenue Relief Storm Sewer: Motion by Ledbetter, seconded by Brayton, to approve the following for the South Westnedge Avenue Relief Storm Sewer: the Settlement Agreement with Portage Crossings I, Portage Crossings II, and Home Depot in the amount of \$225,000; the Settlement Agreement with Target Corporation in the amount of \$16,500; and the Temporary License Agreement with Target Corporation; and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Austin Lake Aquatic Plant Management - 2023-2027 Plant Harvesting: Motion by Ledbetter, seconded by Brayton, to award a contract to Savin Lake Services Inc., for the 2023-2027 Austin Lake Plant Harvesting Program for aquatic plant management at a cost not to exceed \$137,500 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Forest Drive/Portage Road Traffic Signal and Intersection Improvements: Consumers Energy Undergrounding Overhead Electric Lines: Motion by Ledbetter, seconded by Brayton, to approve an agreement with Consumers Energy for undergrounding overhead utility lines crossing the intersection of Forest Drive and Portage Road in the not-to-exceed amount of \$124,691 and authorize the City Manager to execute all documents related to the Consumers Energy agreement. Upon a roll call vote, motion carried 7 to 0.

Temporary Ambulance Services Agreement – Life EMS: Motion by Ledbetter, seconded by Brayton, to approve a temporary agreement between the City of Portage and Life EMS, Inc. for designated 9-1-1 ambulance services and authorize the City Manager to execute all necessary documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

MDOT Contract No. 23-5152 (South Westnedge Avenue, Melody Avenue to Centre Avenue): Motion by Ledbetter, seconded by Brayton, to approve Contract No. 23-5152 between the Michigan Department of Transportation and the City of Portage for improvements on South Westnedge Avenue from Melody Avenue to Centre Avenue and adopt a Resolution authorizing the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Bond Issuance Authorization and Debt Management Policy: Motion by Ledbetter, seconded by Brayton, to adopt the Resolution to Authorize the Issuance of Capital Improvement Bonds, Series 2023 Bond Resolution, and the proposed Debt Management Policy. Upon a roll call vote, motion carried 7 to 0.

Final Preliminary Plat (engineering plans) of Oakland Farms No. 3, 9840 Oakland Drive: Motion by Ledbetter, seconded by Brayton, to approve the Final Preliminary Plat (engineering plans) of Oakland Farms No. 3, 9840 Oakland Drive. Upon a roll call vote, motion carried 7 to 0.

Nonprofit Organization Recognition - Perry Harley Davidson Community Foundation: Motion by Ledbetter, seconded by Brayton, to adopt the Resolution for Charitable Gaming License recognizing the Perry Harley Davidson Community Foundation as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Ledbetter, seconded by Brayton, to receive the minutes of the Planning Commission of April 6, 2023. Upon a roll call vote, motion carried 7 to 0.

Materials Transmitted: Motion by Ledbetter, seconded by Brayton, to receive the Materials Transmitted of April 25, 2023. Upon a roll call vote, motion carried 7 to 0.

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

PETITIONS AND STATEMENTS OF CITIZENS: Alan Loveridge (23965 88th Avenue, Marcellus) spoke regarding concerns about mental health.

COMMUNICATIONS:

Communication from Greg Fici (9955 Mariner Street, Portage, MI): Mayor Randall introduced the letter from Mr. Fici received by the city on May 3, 2023, and the associated response from the City Administration. Motion by Knapp, seconded by Brayton, to receive the communication from Greg Fici (9955 Mariner Street, Portage, MI) and the City. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

Marijuana Business & Zoning Ordinance Amendments: Mayor Randall opened the public hearing at 7:18 p.m. City Attorney Kaufman made a point of order to clarify the recommended action included adjourning the public hearing due to issues with proper notification. City Clerk Eklov confirmed the Michigan Zoning Law requires 15 days between the publication of a public notice in the local newspaper and completing the public hearing requirements. There were no other comments. Motion by Knapp, seconded by Burns, to adjourn the public hearing on Ordinance Amendment #22/23-9(A) to amend commercial marijuana development standards within Chapter 42, Land Development Regulations, Article 4 (Zoning) to resume May 23, 2023, at which time consider adoption. Upon a voice vote, motion carried 7 to 0.

Proposed FY 2023-2024 City Budget & Utility Rates: Mayor Randall opened the public hearing at 7:22 p.m. Seeing no citizen comments, Mayor Randall noted the development and City Council review process for the proposed budget. She thanked the City Administration for assembling a balanced budget and concise presentations. Motion by Knapp, seconded by Urban, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Urban, seconded by Knapp, to set final adoption of the Fiscal Year 2023-2024 Proposed City Budget and proposed 2023 tax levy for May 23, 2023; and, adopt the Resolutions for the recommended water and sewer rates, base quarterly charges, franchise area fees and other service fees and charges, all effective July 1, 2023; and, approve the revised General Fund Reserve Policy. Upon roll call vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Final Preliminary Plat (engineering plans) of The Oaks Phase 2: Councilmember Urban explained his rationale for removing the item from the Consent Agenda, noting his continued opposition to the plat's location in a high groundwater area. He highlighted prior basement flooding issues with the existing Phase 1 residential development, as well as indications in the proposed plan for Phase 2 for sanitary sewer utilities and special needs for basement excavations with additional waterproofing.

City Manager McGinnis introduced Peter Dame as the city's Chief Development Officer to provide background regarding the development of The Oaks neighborhood area. Mr. Dame relayed that the proposed Phase 2 meets the city's development standards, which have been improved since the prior approval of Phase 1. Mr. Dame further noted that both the City Administration and the developer have conducted groundwater monitoring and abatement efforts in the past several years. He noted that the city had not received any resident complaints since the developer's prior corrections. Councilmember Urban asked if there were any existing building codes regulating basement waterproofing. Mr. Dame confirmed certain standards existed, especially about floodplain construction. Councilmember Urban acknowledged a prior city development that required the elimination of basement construction due to groundwater issues and expressed concern about the long-term effects of groundwater pressure on subterranean foundation walls.

Applicant Brian Wood of Westview Capital, LLC/Allen Edwin Homes, and Pat Flanagan of Monument Engineering, responded to Councilmember Urban's concerns regarding damp-proofing basements and sanitary sewer levels. Mr. Wood noted that his company was not the original developer of The Oaks plat, having purchased the property from the prior developer despite the groundwater levels. Mr. Wood further spoke about improvements and additions to catch basins in the area. He deferred to Mr. Flanagan to speak regarding the groundwater conditions. Mr. Flanagan compared the older, adjacent plat of Holiday Village, noting the height differences between the homes

in the newer Oaks subdivision as opposed to Jamaica Lane within the older plat. He agreed with Councilmember Urban regarding groundwater pressure dangers to basements but highlighted that all the basement floors, as well as the streets, in The Oaks Phase 2 would be higher than the high groundwater level based on discussions with city staff.

Councilmember Urban asked why the City Administration has not set a minimum basement level in city codes, noting prior issues with other plat developments with water level concerns. Mr. Dame responded that Mr. Flanagan confirmed basement levels would match the prior phase in verbal discussions but staff would ensure to maintain focus on the matter. Councilmember Urban stressed that city staff would continue to monitor the groundwater issue with future development proposals.

Motion by Pearson, seconded by Brayton, to approve the Final Preliminary Plat (engineering plans) of The Oaks Phase 2, 7400 Montego Bay Street. Upon a roll call vote, motion carried 6 to 1.

Future Portage Farmer's Market Location: City Manager McGinnis introduced the background on the Farmer's Market development, including future development and growth of the market as part of the 2023 City Council Priorities. Mr. McGinnis introduced landscape architect Kathy Burczak from Abonmarche as the city's consultant for the evaluation of an optimal market location. Ms. Burczak presented the site assessment study, which included four potential market sites, featuring each location's pros, cons, and costs. The locations included the Portage Zhang Senior Center, the Shoppes at Romence Village, Portage Road and Zylman Road intersection, and the front of the Portage District Library.

Councilmember Urban asked about potential traffic closures on Brown Avenue for the Portage Zhang Senior Center site and about the adjacent Metro Transit route. Ms. Burczak responded that no road closures would occur, only access drives into the Center's parking lot.

Councilmember Knapp asked where the 160 noted parking spaces were located at the Portage District Library. Ms. Burczak responded that the spaces would need to be shared by agreement with the library and also correlates with the library's Sunday operating hours. Councilmember Knapp also asked about the Zylman Avenue location and city property ownership. Ms. Burczak noted that additional property would need to be acquired.

Councilmember Brayton inquired about handicap accessibility with the library site and proposed tiered design. Ms. Burczak responded that all grade changes would be achieved with ramps and conform to ADA standards. Councilmember Brayton then noted negotiations with the existing property owner for the Zylman Avenue site, which could allay Councilmember Knapp's concerns. Mayor Randall asked about the noted conflict with two of the sites that currently contain overhead power lines requiring review by Consumers Energy. Ms. Burczak responded that certain developments were more commonly accepted by Consumers Energy than others, including vertical construction types.

Mayor Pro Tem Pearson asked about the Shoppes at Romence Village site, noting the city would not own the property and expressed concerns with the existing property owner(s). City Manager McGinnis responded, stating that verbal negotiations between the city and property owner(s) had been positive, with the potential for spurring additional development at the site. Councilmember Knapp asked about the Romence Village site and the rationale for its linear vendor stall design in light of the amount of open parking lot space. Ms. Burczak responded.

Councilmember Burns asked regarding the ownership of the Portage District Library site. City Manager McGinnis responded that Chief Operating Officer Adam Herringa had verbally approached Library Director Christy Klein. Councilmember Urban and Mr. Herringa both noted that the land is currently owned by the city. Mr. Herringa further noted that his preliminary discussion with Ms. Klein had a positive response on the library's behalf with the hope that the library could also utilize the market site for other activities. Councilmember Burns encouraged considering multiple uses for any

future site to garner the greatest amount of use. Councilmember Urban purposed utilizing the South Westnedge Park site, highlighting its existing facilities. He also proposed additional property within the City Centre, including the Department of Public Works site.

Councilmember Knapp expressed additional hesitancy with the proposed sites, noting that a desire to improve the Farmers Market is part of a placemaking aspect, but highlighted that the city has an existing market that is functional if not perfect. She urged to further delay any decisions on the proposed sites noting that the Council appears to be approaching the process in the wrong way, stating that, as a matter of fiscal responsibility, the Council needs to first agree on a concept before selecting a suitable site.

Councilmember Knapp made a motion to table the matter until such time that City Council has had an opportunity to come to a consensus on the concept and the City Administration has more thoroughly investigated all potential sites, including those meeting such concept. Councilmember Urban supported.

Councilmember Brayton asked about the funds already spent on Abonmarche to consult on locating potential sites and options. She highlights that site #3 meets the Councilmembers' concerns for several reasons and is not limited like the other sites studied. She also expressed that experts had been approached both amongst staff and professionals and she seeks to be the most cost-effective. She stated acquaintances had relayed disinterest in attending the Portage Market due to its current setup. She relayed preferences from the prior special meeting on the topic. Councilmember Brayton then made a motion to direct the City Administration to pursue a new Portage Farmers Market facility to be located at Portage Road and Zylman Avenue. Councilmember Urban noted a supported motion remained for a vote.

Mayor Randall echoed Councilmember Knapp's concerns, including the quoted costs, expressing a desire for a full City Council consensus on any future site. Mayor Pro Tem Pearson supported Councilmember Brayton's urge for a proper farmers market, but he also expressed concerns about moving forward on a site at this time, noting two of the currently proposed sites were new to him. He expressed support for another Committee of the Whole meeting to discuss the matter further. Councilmember Urban suggested that staff, Council, and community partners collaborate on other potential sites, including his support for the South Westnedge Avenue ballfields before a future COW meeting. Councilmember Burns inquired whether the City Administration had surveyed citizens regarding desired aspects of a future Farmer's Market, recommending that a focused inquiry on the desired amenities be undertaken. Additional discussion regarding prior city surveys followed. At the Mayor's request, City Clerk Eklov restated Councilmember Knapp's earlier motion, after which Councilmember Knapp confirmed it, despite minor wording changes.

Upon a roll call vote, motion carried 7 to 0. Mayor Randall recommended that members of the Council and staff visit other farmer's markets in order to ascertain popular amenities that would benefit the City of Portage.

UNFINISHED BUSINESS:

Marijuana Business & Zoning Ordinance Amendments: City Manager McGinnis summarized the background on the item, noting the companion ordinance previously discussed during the public hearings. Councilmember Urban asked for clarification regarding the City Administration's recommended action. City Attorney Kaufman and City Clerk Eklov responded regarding the proposal to have the licensing aspect of the ordinance adopted by the Council, pending action on the tie-barred zoning portion of Chapter 42 at the subsequent May 23, 2023 Regular Meeting. Councilmember Urban expressed concern about splitting the two companion ordinances between meetings. City Clerk Eklov offered the option to table the item until the May 23, 2023, meeting to maintain continuity.

Motion by Urban, seconded by Burns, to table the matter until the May 23, 2023, Regular Meeting. Upon roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided a Central County Transportation Authority update in conjunction with Mayor Pro Tem Pearson. He noted there were no major updates and reported business was steady.

Councilmember Knapp provided an update regarding the Portage Community Center Board of Directors. She relayed an increase in demand for emergency utility billing assistance, as well as the food pantry in the first part of this year as compared with the prior year, citing inflation as a major cause. Councilmember Knapp closed with a funding update.

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

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER.

Councilmember Brayton spoke regarding National Police Week, highlighting the retirement of Assistant Police Chief John Blue earlier in the day. She then acknowledged the Mental Health Awareness Month proclamation. Councilmember Brayton closed with a recognition of pride for the recent Bike Event at Haverhill Elementary.

Councilmember Burns expressed optimism toward further discussing the Farmers Market topic. He then reaffirmed Councilmember Knapp's earlier comments on Kalamazoo Loaves and Fishes, noting he serves on that board. He relayed changes in food supply and government support over the course of the pandemic. Councilmember Burns encouraged the public to support the Kalamazoo Loaves and Fishes organization as the area's largest food pantry.

Councilmember Ledbetter spoke regarding the May 2, 2023, Portage Department of Public Safety awards event, which he was able to attend, highlighting a successful medical response and citizen commendation. He expressed pride in the department.

Councilmember Knapp had no comment.

Councilmember Urban echoed Councilmember Burns' comments on supporting Kalamazoo Loaves and Fishes, recommending support more with monetary donations as opposed to food donations.

City Manager McGinnis announced the return of the Memorial Day parade to Portage for 2023, following three years off due to the pandemic.

Mayor Pro Tem Pearson had no comment.

Mayor Randall relayed that she had attended a YMCA breakfast that raised \$80,000 for various support programs within the City of Portage. She then spoke regarding recent events she had attended, including a local Korean event, the Portage Public Schools' tree planting ceremony, as well as the Public Safety Awards. She welcomed Peter Dame to the city organization. Mayor Randall closed with an advisement of the City Council agenda publication moving to Thursday evenings.

ADJOURNMENT: Mayor Randall adjourned the meeting at 09:17 PM.

Erica L. Eklov, 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 May 23, 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, electronic payments and credit card payments. The attached Accounts Payable Register covers the period April 23, 2023 through May 13, 2023 and notes \$1,513,112.07 in automated clearing house payments, \$1,192,106.49 in paper checks, \$164,672.69 in auto-pay payments, \$15,883.34 in electronic payments and \$5,710.25 in credit card payments (April) for a grand total of \$2,891,484.84.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of May 23, 2023

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/23/2023 to 5/13/2023

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
04/28/2023	19151(A)	A NEW LEAF	CITY HALL PLANT CARE	108.50
04/28/2023	19152(A)	ABONMARCHE CONSULTANTS, INC	FARMERS MARKET CONCEPT DRAWING	4,500.00
04/28/2023	19153(A)	ADP, INC.	WORKFORCE NOW & TALENT MGMT ACTIVATION	1,100.04
04/28/2023	19154(A)	AIRGAS USA LLC	WELDING SUPPLIES	89.07
04/28/2023	19155(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	2,149.35
04/28/2023	19156(A)	ALL-TRONICS, INC.	FIRE ALARM MAINTENANCE	291.00
04/28/2023	19157(A)	ALRO STEEL CORPORATION	REPAIR AND MAINTENANCE	135.50
04/28/2023	19158(A)	AMAZON.COM SALES, INC.	MODELING CLAY, CURTAINS HAYLOFT, EVENT SUP-PK	2,108.91
04/28/2023	19159(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	709.00
04/28/2023	19160(A)	AUNALYTICS INC	MONTHLY DISASTER RECOVERY SERVICES	1,442.00
04/28/2023	19161(A)	BATTERIES PLUS	MISC BATTERIES	103.25
04/28/2023	19162(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING, DUMPSTER FOR EMULSION	65,070.47
04/28/2023	19163(A)	BLUE CARE NETWORK-GREAT LAKES	BCNA INSURANCE	158,490.21
04/28/2023	19164(A)	BRINK WOOD PRODUCTS, INC.	PLAYGROUND WOODCHIP SUPPLIES	1,591.15
04/28/2023	19165(A)	C D W GOVERNMENT, INC.	COMPUTER REFRESH/UPGRADE	96,388.82
04/28/2023	19166(A)	C M P DISTRIBUTORS, INC.	HOLSON HSEPS-CARRYGR-2, MOA RED DOT SIGNS	1,595.00
04/28/2023	19167(A)	CARDINAL BUS, INC.	TRIP VENDOR PAYMENT 230415 FAIR LADY	1,500.00
04/28/2023	19168(A)	CARLETON EQUIPMENT CO.	SERVICES/EQUIPMENT REPAIRS	5,459.83
04/28/2023	19169(A)	CERTASITE LLC	FIRE EXTINGUISHER INSPECTION	204.37
04/28/2023	19170(A)	CHARTER COMMUNICATIONS	INTERNET/VOICE	144.40
04/28/2023	19171(A)	CLARK, RONALD	REIMB EXP-STAFF & COMMAND SCHOOL WK 3	620.00
04/28/2023	19172(A)	CLEAN EARTH ENVIRONMENTAL SERV	SEPTIC TANK MAINTENANCE	979.00
04/28/2023	19173(A)	CLEARNETWORK, INC.	UNIFIED SECURITY MONITORING	1,950.00
04/28/2023	19174(A)	CROWN TROPHY	SUPPLIES FOR THE BUILDING	57.56
04/28/2023	19175(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	19,095.02
04/28/2023	19176(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	155.46
04/28/2023	19177(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	707.50
04/28/2023	19178(A)	ELECTIONS OPERATING LLC	ELECTION SUPPLIES	12,058.02
04/28/2023	19179(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	WATER TANK FRAME	1,619.39
04/28/2023	19180(A)	ETNA SUPPLY, INC.	REPL DRINKING FOUNTAIN, REPAIR/MAINT SUP	2,530.27
04/28/2023	19181(A)	EXTREME POWER EQUIPMENT, INC.	PLOW MOUNT REPAIRS	1,638.90
04/28/2023	19182(A)	FISHER, LACEY	PER DIEM-REID TECH OF INTERVIEW/INTERROGATION	213.50
04/28/2023	19183(A)	FOREMOST SALES COMPANY LLC	PARK FACILITIES CLEANING SVCS	1,815.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/23/2023 to 5/13/2023

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Check Date	Check	Vendor Name	Description	Amount
04/28/2023	19184(A)	GARRISON, AUSTIN	PER DIEM-REID TECH OF INTERVIEW/INTERROGATION	213.50
04/28/2023	19185(A)	GORDON WATER SYSTEMS	WATER SERVICES	127.58
04/28/2023	19186(A)	GORNO FORD	FLEET VEHICLES	103,128.00
04/28/2023	19187(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY DONATION FOR APRIL 2023	75.78
04/28/2023	19188(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	263.00
04/28/2023	19189(A)	HAMBRIGHT, BRANDON	PER DIEM-EVERY OFFICER A LEADER	160.00
04/28/2023	19190(A)	HARMON, JAMIE	REIMB EXPS-APWA MPSI YEAR 3 TRAINING	1,700.75
04/28/2023	19191(A)	HAVIS INC	COMPUTER DOCK REPAIR	299.00
04/28/2023	19192(A)	HOUSEAL LAVIGNE ASSOCIATES, LLC	PROFESSIONAL SERVICES - MASTER PLAN	10,710.00
04/28/2023	19193(A)	HUNSTAD, BRENT	PER DIEM-EVERY OFFICER A LEADER	160.00
04/28/2023	19194(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	2,011.65
04/28/2023	19195(A)	INSIGHT PUBLIC SECTOR, INC.	CISCO CALL MGR SMARTNET, MS CLOUD SVCS	20,929.72
04/28/2023	19196(A)	IP CONSULTING, INC.	ORECK SUPPORT	571.50
04/28/2023	19197(A)	JB PRINTING	APRIL PORTAGER NEWSLETTER	3,482.68
04/28/2023	19198(A)	KURZAVA, MATTHEW STEPHEN	TAI CHI INSTRUCTION	600.00
04/28/2023	19199(A)	LAWSON PRODUCTS, INC	REPAIR AND MAINTENANCE SUP	1,139.01
04/28/2023	19200(A)	MARTIN, MATTHEW	PER DIEM-EVERY OFFICER A LEADER	160.00
04/28/2023	19201(A)	MATTISON, MEGAN	COOKING CLASS & SUPPLIES	360.00
04/28/2023	19202(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	154.73
04/28/2023	19203(A)	MENARDS	ROOF SNOW GUARDS & INSTALL SUPPLIES	91.47
04/28/2023	19204(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	326.78
04/28/2023	19205(A)	MORAN, KYLE	PER DIEM-REID TECH OF INTERVIEW/INTERROGATION	213.50
04/28/2023	19206(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE UNIFORM & REPAIR SUPPLIES	438.33
04/28/2023	19207(A)	NAPIER, PEGGY	SANTA SUIT PURCHASE	445.15
04/28/2023	19208(A)	NYE UNIFORMS	MISC UNIFORMS	193.98
04/28/2023	19209(A)	ONE WAY PRODUCTS	JANITORIAL SUPPLIES	537.68
04/28/2023	19210(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVCS	13,159.52
04/28/2023	19211(A)	PARIS CLEANERS	LAUNDRY SERVICES	1,094.92
04/28/2023	19212(A)	PEOPLEFACTS, LLC	BACKGROUND CHECKS	165.26
04/28/2023	19213(A)	PERCEPTIVE CONTROLS, INC.	SCADA PROGRAMMING FOR GENERATORS & MAINT	6,280.90
04/28/2023	19214(A)	PHILLIPS, KIMBERLY	REIMBURSE FOR COSTS ASSOCIATED WITH PROG	257.94
04/28/2023	19215(A)	PLASKO, PATRICIA MARIE	FITNESS INSTRUCTION	390.00
04/28/2023	19216(A)	PLAYFORD, LOUIE	REIMB EXP, PER DIEM-STAFF/COMMAND SCHOOL WK 3	1,038.70
04/28/2023	19217(A)	PORTAGE FIREFIGHTERS	IAFF UNION DUES FOR APRIL 2023	1,980.00

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04/28/2023	19218(A)	PORTAGE ON-CALL FIREFIGHTERS	OCFF UNION DUES FOR APRIL 2023	20.00
04/28/2023	19219(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES FOR APRIL 2023	658.00
04/28/2023	19220(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	888.88
04/28/2023	19221(A)	PREIN & NEWHOF	ENGINEERING SVCS-ROMENCE ROAD RECONS	7,734.00
04/28/2023	19222(A)	PREMIER TRUCK SALES & RENTAL, INC.	PACKER RENTALS-2023 SPRING CLEANUP	16,560.00
04/28/2023	19223(A)	PRINTING SERVICES INC	PRINTING SERVICES	398.88
04/28/2023	19224(A)	QUADIENT LEASING USA, INC	MAILROOM EQUIPMENT/FOLDER-INSERTER	8,918.00
04/28/2023	19225(A)	R W LAPINE INC.	SCHRIER PK GAS FIREPLACE, HVAC SVCS	1,879.65
04/28/2023	19226(A)	REIST, GRETCHEN	REIMB - HDMI ADAPTER, LABELS	73.12
04/28/2023	19227(A)	REPUBLIC SERVICES OF WEST MICHIGAN	2023 SPRING CLEANUP	18,092.03
04/28/2023	19228(A)	RIDGE AUTO NAPA	EQUIP REPAIR/MAINT SUPPLIES	1,648.33
04/28/2023	19229(A)	VOID		0.00
04/28/2023	19230(A)	ROE-COMM, INC.	MISC RADIO SERVICES	193.00
04/28/2023	19231(A)	S B F ENTERPRISES, INC.	PRINTING/PROCESSING QUARTERLY WATER BILLS	664.65
04/28/2023	19232(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINTENANCE, FLOCK CAMERAS	6,076.11
04/28/2023	19233(A)	SHINY BRITE WASHING SYSTEMS LLC	CAR WASHES	161.00
04/28/2023	19234(A)	SMITH DAWSON & ANDREWS, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
04/28/2023	19235(A)	SPC SPECIALTY PRODUCTS, LLC	AQUAPHALT DELIVERY	3,520.00
04/28/2023	19236(A)	SUMMIT SOUND TECHNOLOGIES, LLC	VOX SILENCERS CUSTOM	3,625.00
04/28/2023	19237(A)	SWAFFORD, JASON	PER DIEM-REID TECH OF INTERVIEW/INTERROGATION	213.50
04/28/2023	19238(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW UNION DUES FOR APRIL 2023	566.50
04/28/2023	19239(A)	VEOLIA WATER CONTRACT OPERATIONS	WATER METERS, REIMB HYD REPAIR	9,930.14
04/28/2023	19240(A)	VERPLANK TRUCKING CO.	LIMESTONE FOR DURAPATCHER	1,675.63
04/28/2023	19241(A)	VIRIDIS DESIGN GROUP	A&E EAST CENTRAL TRAIL	3,090.00
04/28/2023	19242(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	95.00
04/28/2023	19243(A)	WAYNE COUNTY APPRAISAL LLC	ASSESSING SERVICES	39,349.25
04/28/2023	19244(A)	WIGHTMAN	ENGINEERING SVCS-PORTAGE ROAD	4,697.50
04/28/2023	19245(A)	WOLVERINE LAWN SERVICE, INC.	SNOWPLOWING/CROSSWALK SERVICES	500.00
04/28/2023	19246(A)	WOLVERINE POWER SYSTEMS	REPLACE HQ GEN ALARM ANNUNCIATOR	2,504.29
04/28/2023	19247(A)	XEROX CORPORATION	COPIER FEES	185.59
05/05/2023	19248(A)	CHARTER COMMUNICATIONS	CABLE TV	359.20
05/05/2023	19249(A)	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 230611 LAKES GRAPES	30,581.00
05/05/2023	19250(A)	GARLOW, BARBARA	REIMB-PDPS ANNUAL AWARDS RECEPTION	147.42
05/05/2023	19251(A)	VANPORTFLIET, DEREK	REIMB-LAB SUPPLIES	26.49

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05/05/2023	19252(A)	WOLFE, MATTHEW	REIMB EXPS-FBI ACADEMY TR	181.18
05/12/2023	19253(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SVCS-PORTAGE RD & MULT LOCS	53,551.25
05/12/2023	19254(A)	ADP, INC.	WORKFORCE NOW & TALENT MANAGEMENT	1,094.84
05/12/2023	19255(A)	AIRGAS USA LLC	WELDING SUPPLIES	139.87
05/12/2023	19256(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	4,347.00
05/12/2023	19257(A)	AMAZON.COM SALES, INC.	FITNESS & OPER SUP-SC; ARTS COMM SUP-PKS	2,243.75
05/12/2023	19258(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	500.00
05/12/2023	19259(A)	B S & A SOFTWARE	BS&A TRAINING/REPORTING	1,340.00
05/12/2023	19260(A)	BAKER, JEFF	KAL CO. - REPL WINDOWS & ALUM WRAP EXT	14,035.00
05/12/2023	19261(A)	BARKER, DAVID	PER DIEM-COLT ARMORER TRAINING	182.00
05/12/2023	19262(A)	BAUCKHAM, SPARKS, THALL, SEEBER AND	ATTORNEY FEES MAY 2023	19,750.20
05/12/2023	19263(A)	BENNETT, THOMAS L	SNAP REIMBURSEMENT	8.00
05/12/2023	19264(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING, PORTABLE RESTROOM	64,480.47
05/12/2023	19265(A)	BURLESON, KEVIN	PER DIEM-TEAM SCHOOL	168.00
05/12/2023	19266(A)	C D W GOVERNMENT, INC.	COMPUTER REFRESH/UPGRADE	20,167.45
05/12/2023	19267(A)	CARDINAL BUS, INC.	TRIP VENDOR PAYMENT 230515 BLUE GATE	2,375.00
05/12/2023	19268(A)	CARLETON EQUIPMENT CO.	WHEEL LOADER, BOB CAT REPAIRS	11,878.39
05/12/2023	19269(A)	CLARK, RONALD	PER DIEM-POLICE STAFF & COMMAND WK 4	379.50
05/12/2023	19270(A)	CONSOLIDATED ELECTRICAL DIST INC	REPAIR/MAINT SUPPLIES	256.38
05/12/2023	19271(A)	CONTINENTAL LINEN SERVICES	SPECIAL EVENT SUPPLIES	41.34
05/12/2023	19272(A)	CPS HR CONSULTING	LAW ENFORCEMENT LIEUTENANT TEST & ANSWER	357.50
05/12/2023	19273(A)	CROWN TROPHY	SUPPLIES FOR THE BUILDING	275.00
05/12/2023	19274(A)	DATA CONSTRUCTS LLC	MONTHLY WEBSITE HOSTING SERVICES	178.45
05/12/2023	19275(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	174.60
05/12/2023	19276(A)	DMOCH, ADAM	PER DIEM-COLT ARMORER TRAINING	182.00
05/12/2023	19277(A)	DURIAN, TAMMY	REIMB-YOUTH ADVISORY COMM EVENT	77.00
05/12/2023	19278(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	950.00
05/12/2023	19279(A)	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 230515 BRANSON	2,908.00
05/12/2023	19280(A)	EKLOV, ERICA	REIMB STAFF LUNCHES-ELECTION	383.53
05/12/2023	19281(A)	ELECTION SYSTEMS & SOFTWARE, INC.	ELECTION SUPPLY	83.84
05/12/2023	19282(A)	ENGINEERED PROTECTION SYSTEMS, INC.	PD LOBBY DOOR POWER SUPPLY UPGRADES	2,437.68
05/12/2023	19283(A)	ETNA SUPPLY, INC.	REPAIR/MAINT SUPPLIES	73.80
05/12/2023	19284(A)	EXTREME POWER EQUIPMENT, INC.	REPAIR VEH WIRING	932.46
05/12/2023	19285(A)	FERRELLGAS, LP	PROPANE TANK RENTAL	120.00

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05/12/2023	19286(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,156.50
05/12/2023	19287(A)	GERTH, BENJAMIN	PER DIEM-COLT ARMORER TRAINING	182.00
05/12/2023	19288(A)	GLOBAL EQUIPMENT CO., INC.	MISC BUILDING SUPPLIES	190.94
05/12/2023	19289(A)	GORDON WATER SYSTEMS	WATER SERVICES	757.77
05/12/2023	19290(A)	GREAT LAKES CHLORIDE, INC.	LIQUID BOOST DELIVERY	7,409.71
05/12/2023	19291(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICE	436.00
05/12/2023	19292(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	10,411.14
05/12/2023	19293(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL/PAPER SUPPLIES	451.88
05/12/2023	19294(A)	INSIGHT PUBLIC SECTOR, INC.	MERAKI SWITCH FOR CITY HALL	2,860.81
05/12/2023	19295(A)	IP CONSULTING, INC.	ORECK PHONE SYSTEM UPGRADE	6,000.00
05/12/2023	19296(A)	IRISH AYRES ENTERPRISES, LLC	MOWING MAINTENANCE	14,769.06
05/12/2023	19297(A)	J + H OIL CO.	BULK FUEL DELIVERY	34,251.46
05/12/2023	19298(A)	JB PRINTING	NEWSLTR PUB, SPRING SUMMER BROCH RESTOCK	5,977.66
05/12/2023	19299(A)	KITE, HENRY	REIMB-NATL ASSOC OF SCHOOL RESOURCE MBRSHP	40.00
05/12/2023	19300(A)	MACQUEEN EQUIPMENT LLC	REPAIRS & RENTAL FOR SWEEPER	6,339.50
05/12/2023	19301(A)	MCGINNIS, PATRICK	REIMB-MAR/APR EXPS, NLC & MML CAPCON CONF	790.26
05/12/2023	19302(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRES & MAINTENANCE	3,111.76
05/12/2023	19303(A)	MEJEUR ELECTRIC LLC	MISC ELECTRICAL REPAIRS	1,451.00
05/12/2023	19304(A)	METRONET HOLDINGS LLC	MONTHLY CABLE ACCESS STREAM FIBER SVC	999.00
05/12/2023	19305(A)	METRONET HOLDINGS LLC	TELEPHONE SERVICE	2,380.11
05/12/2023	19306(A)	NOTT, SARAH	CLASS INSTRUCTION AND SUPPLIES	125.00
05/12/2023	19307(A)	OFF THE CUFF CATERING	PZSC SPRING BRUNCH, VOL REC & SPECIAL EVENT	3,902.00
05/12/2023	19308(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SVCS	7,265.26
05/12/2023	19309(A)	PETERS CONSTRUCTION CO.	EMERGENCY WATER SVC RPR-E MILHAM	20,625.94
05/12/2023	19310(A)	PHILLIPS, KIMBERLY	REIMB EXPS-FUNDRAISING SCHOOL	213.90
05/12/2023	19311(A)	PLASKO, PATRICIA MARIE	FITNESS INSTRUCTION	330.00
05/12/2023	19312(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MANAGEMENT	402.03
05/12/2023	19313(A)	PORTAGE COMMUNITY CENTER	FY 22-23 CDBG FUNDING	12,636.50
05/12/2023	19314(A)	PRECISION PRINTER SERVICES INC	PRINTER SERVICES	185.29
05/12/2023	19315(A)	PREMIER TRUCK SALES & RENTAL, INC.	RENTAL TRUCKS FOR ICE STORM DMG	16,560.00
05/12/2023	19316(A)	PRINTING SERVICES INC	PRINTING SERVICES	841.15
05/12/2023	19317(A)	QUADRANT II MARKETING, LLC	NEWSLETTER PROCESSING	2,546.00
05/12/2023	19318(A)	QUANTUM COMPANIES, INC.	CDBG - ELECTRICAL UPDATES	1,700.00
05/12/2023	19319(A)	R W LAPINE INC.	HVAC PREVENTATIVE & ON-CALL SERVICES	1,392.29

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05/12/2023	19320(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE DISPOSAL SERVICES	2,516.68
05/12/2023	19321(A)	REYNHOUT, BRENT	PER DIEM-LESS LETHAL INSTRUCTOR & MTOA CONF	398.50
05/12/2023	19322(A)	RIDGE AUTO NAPA	EQUIP REPAIR/MAINT SUPPLIES	1,916.36
05/12/2023	19323(A)	VOID		0.00
05/12/2023	19324(A)	ROAD EQUIPMENT PARTS CENTER	MAINTENANCE SUPPLIES	262.08
05/12/2023	19325(A)	ROBERT LAMSON, LLC	PRE-COE SCREENING	765.00
05/12/2023	19326(A)	SEVERANCE ELECTRIC COMPANY, INC	INSTALL AUDIBLE PEDESTRIAN PUSHBUTTONS	3,960.00
05/12/2023	19327(A)	SNELL, DEBRA	FITNESS CLASSES	480.00
05/12/2023	19328(A)	TECHNOLOGY SOLUTIONS	WEBSITE PROGRAMMING	555.00
05/12/2023	19329(A)	UNITED PETROLEUM	DIESEL NOZZLE, GAS SWIVEL AND DIESEL SWI	522.48
05/12/2023	19330(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY OPERATION SYSTEM-MAR/APRIL	377,884.70
05/12/2023	19331(A)	WADE TRIM ASSOCIATES, INC.	PLANNING SUPPORT HUD, ANNUAL ACTION PLAN	10,454.72
05/12/2023	19332(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	8,854.00
05/12/2023	19333(A)	WEST MICHIGAN INT'L LLC	TRUCK REPAIR & SUPPLIES	83.47
Total ACH				1,513,112.07

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04/28/2023	323661	A BETTER WAY TREE CARE LLC	ICE STORM TREE/BRANCH REMOVAL	3,900.00
04/28/2023	323662	ALERT-ALL CORP.	FIRE PUB ED SUPPLIES	3,899.47
04/28/2023	323663	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	27.00
04/28/2023	323664	ALTA EQUIPMENT CO.	REPAIR/MAINTENANCE SUPPLIES	1,914.00
04/28/2023	323665	AR ENGINEERING LLC	ENGINEERING SVCS-DESIGN & CONSTRUCTION	2,000.00
04/28/2023	323666	ASCENSION BORGESS HOSPITAL	POST-OFFER PHYSICAL TESTS	575.00
04/28/2023	323667	AT&T	ELECTRONIC COMMUNICATIONS	393.88
04/28/2023	323668	BAREITHER, CHAD	STRATEGIC PLANNING	2,905.00
04/28/2023	323669	BERRY, RONALD	OVERPAYMENT FOR FINAL UTILITY BILL	53.99
04/28/2023	323670	BONENFANT-JUWONG, KIMBERLY	LITTLE LUNKERS FISH CAMP REFUND	75.00
04/28/2023	323671	BRIGGS, KATHLEEN	OVERPAYMENT OF FINAL UTILITY BILL	108.69
04/28/2023	323672	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAW 2	200.00
04/28/2023	323673	BURNS, AUBRIE	STUART MANOR DEPOSIT REFUND	150.00
04/28/2023	323674	CAPITOL STRATEGIES, LLC	CONSULTING FOR MARCH 2023	6,000.00
04/28/2023	323675	CASE, IRIS	KIDS TRY IT PLAYGROUND GAMES REFUND	20.00
04/28/2023	323676	CINTAS CORPORATION NO. 2	UNIFORM RENTAL FOR INSPECTORS	9.78
04/28/2023	323677	CITY OF KALAMAZOO TREASURER	REIMBURSEMENT FOR LOVERS LANE WATER MAIN	3,612.02

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04/28/2023	323678	DENOOYER OPERATING, LLC	POLICE VEHICLE REPAIR/MAINTENANCE	322.50
04/28/2023	323679	EMERGENCY VEHICLE PRODUCTS	CHANGEOVER/POLICE & FIRE VEH	34,991.75
04/28/2023	323680	ENG., INC.	CONSOLIDATED DRAIN REHABILITATION	318.75
04/28/2023	323681	ENVIRONMENTAL RESOURCES GROUP, LLC	STORM WATER MONITORING PROGRAM	10,059.16
04/28/2023	323682	EVERHARDUS, JOANNE	REFUND SELF DEFENSE CLASS	40.00
04/28/2023	323683	FACE, GEORGE	PER DIEM-FDTN ENGINE OPS I	258.75
04/28/2023	323684	FARR, TYLER	PER DIEM-FDTN ENGINE OPS I	258.75
04/28/2023	323685	FARRELL, JOYCE	230611 TRIP REFUND	50.00
04/28/2023	323686	FAWLEY OVERHEAD DOOR, INC.	OVERHEAD DOOR REPAIRS	4,116.54
04/28/2023	323687	FLETCHER ENTERPRISES	GRAFFITI PAINTING AND PARKS PAVILION	3,775.00
04/28/2023	323688	FREIGHTLINER OF GRAND RAPIDS, INC.	REPAIR AND MAINTENANCE	25.96
04/28/2023	323689	FRIENDS OF PORTAGE SENIOR CENTER	REIMBURSE FOR DEPOSITS MADE WITH MEMBERS	710.00
04/28/2023	323690	GRANGER III, GEORGE A	SECOND REVIEW - PPS HAVERHILL	1,080.00
04/28/2023	323691	GREAT LAKES WEST, LLC	HOT BEVERAGE DISPENSER MPIR	1,946.00
04/28/2023	323692	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION OF PPOA UNION DUES FOR APRIL	3,185.36
04/28/2023	323693	GREEN EARTH ELECTRONICS RECYCLING	HARD DRIVE DESTRUCTION	10.00
04/28/2023	323694	H & H PROPERTY MAINTENANCE, LLC	SCHRIER PK-PATIO FOOTINGS, WALLS & SIDEWALKS	17,925.00
04/28/2023	323695	HEALTHSOURCE SOLUTIONS, LLC	PEEP PLATFORM	1,845.34
04/28/2023	323696	HITS, INC	CRIMINAL PATROL/DRUG INTERDICTION TRAINING	350.00
04/28/2023	323697	HOEKSTRA ROOFING CO.	ROOF REPAIRS/SERVICE-CITY BLDGS	1,600.65
04/28/2023	323698	HOLCOMB, JOSHUA	ACTIVITY INSTRUCTOR, UKULELE	360.00
04/28/2023	323699	HOLCOMB, STEPHEN	TRIP REFUND 230930 LAKE PLACID	50.00
04/28/2023	323700	HOME DEPOT	REPAIR/MAINTENANCE SUPPLIES	2,556.18
04/28/2023	323701	VOID		0.00
04/28/2023	323702	HOWE PATIO & WINDOWS, INC.	KAL CO. REPLACE WINDOWS	6,387.00
04/28/2023	323703	INT'L ASSOC CHIEFS OF POLICE	IACP SUMMER CONFERENCE REG	500.00
04/28/2023	323704	J & J LOCKSMITHS	SARGENT LOCK REPAIRS	117.00
04/28/2023	323705	JEWETT, DENNIS A	FARMERS MARKET MUSICIAN	100.00
04/28/2023	323706	JOHN E REID & ASSOCIATES INC.	REID TECH OF INTERVIEW & INTERROGATION REG	1,260.00
04/28/2023	323707	JOHNSON, CLAIRE	TRIP REFUND GRAND HOTEL 231016	400.00
04/28/2023	323708	KALAMAZOO COUNTY TREASURER	OAKBROOK MARCH & APRIL 2023 MOBILE HOME	1,052.50
04/28/2023	323709	KALAMAZOO COUNTY TREASURER	2022 DEC BOARD OF REVIEW-PRIOR YR CHANGES	921.13
04/28/2023	323710	KALAMAZOO FLAG COMPANY, LLC	FLAGS	440.00
04/28/2023	323711	KALAMAZOO LANDSCAPE SUPPLIES	RESTORATION SUPPLIES FOR CEMETERIES	1,779.00

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04/28/2023	323712	KALAMAZOO PICKLEBALL	PICKLEBALL CLINICS/OUTREACH	570.00
04/28/2023	323713	KLOK, BRIAN	REIMB EXP-MFIS WINTER CONFERENCE	475.38
04/28/2023	323714	KNOX CO.	FIRE VEHICLE MAINT	1,005.00
04/28/2023	323715	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER MAINTENANCE AGREEMENT	364.00
04/28/2023	323716	LEATHERMAN, ROB	PER DIEM-FDTN ENG OPS 1 TRAINING	258.75
04/28/2023	323717	LYNCH, JORDAN MICHAEL	ARBORIST SERVICES	800.00
04/28/2023	323718	MARKUS, MIKE	STUART MANOR FEES & DEPOSIT REFUND	240.00
04/28/2023	323719	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING SERVICES	45.00
04/28/2023	323720	MCKOY, SASHA	KIDS TRY-IT PLAYGROUND GAMES REFUND	20.00
04/28/2023	323721	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	2,164.63
04/28/2023	323722	MILLER, MIKE	REIMB - FIRE SCBA REPAIR SUP	5.29
04/28/2023	323723	MORGAN COMPOSTING INC	KIB FLOWER BED SOIL AMENDMENTS	386.85
04/28/2023	323724	OFFICE DEPOT, INC.	OFFICE SUPPLIES	770.77
04/28/2023	323725	ON DUTY GEAR, LLC	BALLISTIC VESTS AND CARRIERS	1,720.00
04/28/2023	323726	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	452.45
04/28/2023	323727	PRESCOTT, SUSAN	STUART MANOR DEPOSIT REFUND	150.00
04/28/2023	323728	PROGRESSIVE AE	CONSULTING SERVICES FOR AQUATIC NUISANCE	4,375.00
04/28/2023	323729	RENEWED EARTH, INC.	COMPOST SITE MANAGEMENT	9,083.33
04/28/2023	323730	RESCUEGEAR, INC.	FIRE TECH RESCUE SUPPLIES	3,443.71
04/28/2023	323731	RHOMAR INDUSTRIES INC.	LUBRA-SEAL	2,825.21
04/28/2023	323732	RIVERSIDE INTEGRATED SYSTEMS, INC.	FIRE ALARM ANNUAL INSPECTION	355.00
04/28/2023	323733	ROTARY MULTIFORMS, INC.	MDNR GRANT REPLACEMENT PLAQUES	714.50
04/28/2023	323734	SAHR BUILDING SUPPLY CO.	SCHRIER PARK BLDG DOOR REPLACEMENTS	13,193.89
04/28/2023	323735	SHAMBAUGH & SON, LP	FIRE SUPPRESSION ANNUAL INSPEC	330.00
04/28/2023	323736	SHI INTERNATIONAL CORP.	LENOVO LAPTOPS	3,854.58
04/28/2023	323737	STEENSMA LAWN & POWER EQUIPMENT	OPERATION SUPPLIES	799.66
04/28/2023	323738	STRYKER SALES CORPORATION	RAMONA/MPIR AED	1,616.88
04/28/2023	323739	TALBOT, MICHAEL J.	MUSICIAN FOR FARMERS MARKET	100.00
04/28/2023	323740	TEAM SUPPORT SERVICES, LLC	RECORD MANAGEMENT	970.05
04/28/2023	323741	THE POSTMAN AND CONCRETE DESIGNS	FENCE REPAIR	494.00
04/28/2023	323742	THOMPSON, LISA	RENTAL DEPOSIT RETURN	150.00
04/28/2023	323743	TISLAND, DOROTHY	TRIP REFUND 230611 LAKES GRAPES	50.00
04/28/2023	323744	TRIPLETT, NICOLE	REFUND RENTAL & DAMAGE DEPOSIT	150.00
04/28/2023	323745	ULINE, INC.	CORRUGATED TRASH CANS & LIDS	745.21

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04/28/2023	323746	UNITED PARCEL SERVICE	UPS WEEKLY	17.72
04/28/2023	323747	US HYD LLC	TINK CLAW HYDRAULIC CYLINDER REPAIRS	787.56
04/28/2023	323748	USPS	POSTAGE FOR PERMIT #58	665.87
04/28/2023	323749	VALLEJO, GINGER	STUART MANOR DEPOSIT REFUND	325.00
04/28/2023	323750	W MICH CRIMINAL JUSTICE TRAINING CO	SPRING DISTRIBUTION FOR TRAINING	3,346.54
04/28/2023	323751	WAGNER, KAREN	TRIP REFUND MURDER MYSTERY	95.00
04/28/2023	323752	WALKER, JEAN	REIMBURSE FOR VETERANS LUNCH	421.50
04/28/2023	323753	WALKER, JEAN	TRIP REFUND 230930 LAKE PLACID	50.00
04/28/2023	323754	WHENTOWORK, INC.	STAFF SCHEDULING SOFTWARE	360.00
04/28/2023	323755	WILD, JED	PER DIEM-CRRL LEADERSHIP CONF	152.25
05/05/2023	323756	T-MOBILE USA INC	MISC CELL PHONE CHARGES	922.92
05/12/2023	323757	57TH DISTRICT COURT	OUT OF COUNTY BOND	1,831.00
05/12/2023	323758	7TH DISTRICT COURT	OUT OF COUNTY BOND	400.00
05/12/2023	323759	A BETTER WAY TREE CARE LLC	EMERG REMOVAL OF ROW TREE LIMB	7,000.00
05/12/2023	323760	A BETTER WAY TREE CARE LLC	TREE REMOVAL AND PRUNING	3,950.00
05/12/2023	323761	ALKHAMIS FINANCIAL	RENTAL & DAMAGE DEPOSIT REFUND	300.00
05/12/2023	323762	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	740.00
05/12/2023	323763	AMBITEC, INC	MEDIUM MED MINI SHIELDS	8,099.86
05/12/2023	323764	APEX SOFTWARE	SOFTWARE MAINTENANCE RENEWAL	1,530.00
05/12/2023	323765	ARKANSAS FLAG & BANNER INC	FIRE DEPT SUPPLIES/FLAGS	1,417.77
05/12/2023	323766	ARROWHEAD SCIENTIFIC, INC.	MISC EVIDENCE SUPPLIES	393.54
05/12/2023	323767	ARTWEAR APPAREL GRAPHICS, INC.	UNIFORM/POLO SHIRTS	2,554.00
05/12/2023	323768	AVB CONSTRUCTION LLC	COMMUNITY SR CENTER CONSTRUCTION MGMT	9,932.00
05/12/2023	323769	BAREITHER, CHAD	STRATEGIC PLANNING	2,905.00
05/12/2023	323770	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	216.00
05/12/2023	323771	BEHRE, CHRISTOPHER	MUSICIAN-LANTERNS ON THE LAKE	400.00
05/12/2023	323772	BELL, DAVID L	HAVERHILL TENNIS NETS & SUPPLIES	1,208.90
05/12/2023	323773	BLOOM SLUGGETT, PC	LITIGATION-S WESTNEDGE AVE STORM SEWER PRJ	12,206.50
05/12/2023	323774	BUSINESS SPEAKERS BUREAU LLC	MOTOWN SUMMER CONCERT	3,250.00
05/12/2023	323775	CHAMBERLIN, JOSEPH J.	MUSIC/FLYLITE GEMINI FRIDAY AT THE FLATS	200.00
05/12/2023	323776	CIMCO REFRIGERATION	MILLENNIUM PARK CHILLER REPLACEMENT	28,434.45
05/12/2023	323777	CINTAS CORPORATION NO. 2	UNIFORM CHARGES	1,467.67
05/12/2023	323778	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES, BIO DIESEL FUEL	512,759.51
05/12/2023	323779	CITY OF PORTAGE	IRRIGATION 1000 MARTIN LUTHER KING DR	21.08

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05/12/2023	323780	CLANCY, JOANNE	231016 TRIP REFUND GRAND HOTEL	400.00
05/12/2023	323781	COBB, MATTHEW	DJ SERVICES-PZSC	150.00
05/12/2023	323782	COCHRAN GLASS AND DOOR, LLC	DOOR INSTALL AT SCHRIER PARK	6,800.00
05/12/2023	323783	CONSUMERS ENERGY - CEM	LIFT STATION IMPROVEMENTS - W. OSTERHOUT	4,424.69
05/12/2023	323784	CONSUMERS ENERGY - CEM	ELECTRIC UNDERGROUNDING - PORTAGE ROAD	65,844.00
05/12/2023	323785	CT ELECTRICAL SERVICES, INC.	KAL CO. - ELECTRIC WIRING UPGRADE	3,500.00
05/12/2023	323786	CUNNINGHAM, DANIEL R	COOKING CLASS	224.97
05/12/2023	323787	CUNNINGHAM, DANIEL R	PRESENTATION FEES	252.62
05/12/2023	323788	D C PLUMBING	PLUMBING REPAIRS	254.30
05/12/2023	323789	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGES	131.83
05/12/2023	323790	DAVIS, JENNIFER	WESTFIELD PARK RENTAL REFUND	100.00
05/12/2023	323791	DEWAAL, BECKY	LAKEVIEW VOLLEYBALL COURTS REFUND	450.00
05/12/2023	323792	DOLAN, DANIEL L	ARCHERY INSTRUCTOR CERTIFICATION CLASS	150.00
05/12/2023	323793	DORRANCE FORD INC	MAINTENANCE REPAIR SUPPLIES	940.46
05/12/2023	323794	DTN, LLC	WEATHER SERVICES	1,116.00
05/12/2023	323795	DURIAN, TAMMY	REIMB-YAC RECYCLED ART & GREEN-A-THON SUP	134.01
05/12/2023	323796	ECO-COMPTEUR INC.	ECO-COUNTER 4G UPGRADE	542.50
05/12/2023	323797	ELLIS, STEVEN RICHARD	PRESENTATION - BLAST FROM THE PAST	100.00
05/12/2023	323798	EMERGENCY VEHICLE PRODUCTS	APPARATUS, EQUIPMENT REPAIR/MAINT	10,568.49
05/12/2023	323799	EVENT PRODUCTION SERVICES OF MI LLC	EVENT PROD SERVICES - FRI AT THE FLATS	200.00
05/12/2023	323800	ERENCE, BETTY	STUART MANOR DEPOSIT REFUND	150.00
05/12/2023	323801	FIRST REFORMED CHURCH	PARKING LOT USE	400.00
05/12/2023	323802	FISCHER, KERRY	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/12/2023	323803	FISH WINDOW CLEANING	WINDOW CLEANING	2,230.00
05/12/2023	323804	FLETCHER ENTERPRISES	VARIOUS PARKS PAINTING	7,930.00
05/12/2023	323805	FRANK, KAREN	TRIP REFUND 230608 JUNE MYSTERY	120.00
05/12/2023	323806	FREIGHTLINER OF GRAND RAPIDS, INC.	REPAIR AND MAINTENANCE SUPPLIES	194.25
05/12/2023	323807	GALE, ELSIE	TRIP REFUND 230608 MYSTERY	120.00
05/12/2023	323808	GALL'S, LLC	RANGER UNIFORMS	311.40
05/12/2023	323809	GOODMAN, TERI	PICKLEBALL LEAGUE SESSION 1 REFUND	25.00
05/12/2023	323810	GORDON FOOD SERVICE	SPECIAL EVENT SUPPLIES	81.92
05/12/2023	323811	GREAT LAKES PLUMBING	KAL CO. - PLUMBING, WATER HEATER, CHIMNEY LINER	2,972.00
05/12/2023	323812	GREAT LAKES SPORT & SOCIAL CLUB	SWP SOFTBALL DEPOSIT REFUND	100.00
05/12/2023	323813	HARRIS, BRENT	DR. MARTIN LUTHER KING JR. PARK SCULPTURE	3,000.00

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05/12/2023	323814	HIKADE, JASEN	MAGICIAN PERFORMANCE	1,000.00
05/12/2023	323815	HOCKEY SERVICES	WINNELL HOCKEY NETS FOR INLINE SKATE COURTS	1,139.94
05/12/2023	323816	HOME DEPOT	REPAIR/MAINTENANCE SUPPLIES	4,532.70
05/12/2023	323817	VOID		0.00
05/12/2023	323818	VOID		0.00
05/12/2023	323819	VOID		0.00
05/12/2023	323820	HOUSING RESOURCES, INC.	FY22-23 CDBG HOUSING, GRANT CV3	90,153.00
05/12/2023	323821	HOWARD, ERICA	RAMONA PARK PAVILION RENTAL REFUND	110.00
05/12/2023	323822	HOWE PATIO & WINDOWS, INC.	KAL CO. - REPLACE WINDOWS & DOORS	20,419.00
05/12/2023	323823	INDIA ASSOCIATION OF KALAMAZOO	DAMAGE DEPOSIT REFUND	150.00
05/12/2023	323824	J + H OIL CO.	FUEL PURCHASES	12.48
05/12/2023	323825	JAGIELSKI, BARBARA	MEMBERSHIP - ACCOUNT REFUND	32.00
05/12/2023	323826	JAMS MGMT SERVICES LLC	OVERPAYMENT OF WINTER TAX	94.45
05/12/2023	323827	JEWETT, DENNIS A	FARMERS MARKET MUSICIAN	100.00
05/12/2023	323828	KALAMAZOO BASEBALL LLC	EMPLOYEE APPRECIATION GAME	3,675.00
05/12/2023	323829	KALAMAZOO CONSERVATION SERVICE	TREE SEEDLING ORDER FOR THE YAC	500.00
05/12/2023	323830	KALAMAZOO COUNTY TREASURER	OAKBROOK MAY 2023 MOBILE HOME TAXES	300.00
05/12/2023	323831	KALAMAZOO COUNTY TREASURER	1ST QTR 2023 BILLING-SUBPOENA BY MAIL	809.75
05/12/2023	323832	KALAMAZOO FIRST ASSEMBLY OF GOD	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323833	KALAMAZOO LANDSCAPE SUPPLIES	RESTORATION SUPPLIES FOR CEMETERIES	280.00
05/12/2023	323834	KALIATI, ROBERT	RENTAL DAMAGE DEPOSIT REFUND	250.00
05/12/2023	323835	KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE AGREEMENT	167.00
05/12/2023	323836	KSS ENTERPRISES	JANITORIAL CART FOR CLEANING TECHS	243.00
05/12/2023	323837	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	329.90
05/12/2023	323838	LAWLER, FAY	TRIP REFUND 231016 GRAND HOTEL	200.00
05/12/2023	323839	LAWS ELECTRIC	BD PAYMENT REFUND	116.00
05/12/2023	323840	LEXISNEXIS RISK DATA MANAGEMENT INC	DORS MONTHLY REPORTING FEB-APR	3,255.00
05/12/2023	323841	LORD OF LIFE LUTHERAN CHURCH	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323842	LUXYCLAD LTD	SCHRIER PARK - SIDING MATERIALS	42,288.60
05/12/2023	323843	MARTIN, HANNAH	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/12/2023	323844	MATTHEWS, ASHLEY	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/12/2023	323845	MCKENNA ASSOCIATES	PROFESSIONAL SERVICES FOR PLANNING JAN-MAR	4,325.00
05/12/2023	323846	MENARDS	REPAIR/MAINTENANCE SUPPLIES	101.46
05/12/2023	323847	METRO CONSULTING ASSOCIATES, LLC	ROW/LAND ACQUISITION SVCS-PORTAGE/FOREST DR	172.50

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05/12/2023	323848	MI ASSOC. OF CHIEFS OF POLICE	SUMMER PROFESSIONAL DEV CONF REGISTRATION	260.00
05/12/2023	323849	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR/MAINTENANCE	13,929.89
05/12/2023	323850	MICHIGAN ASSOC OF MUNICIPAL CLERKS	SUMMER CONFERENCE REGISTRATION	400.00
05/12/2023	323851	MICHIGAN SECURITY AND LOCK LLC	MISC LOCK AND KEY SERVICES	150.00
05/12/2023	323852	MILLER ROAD TRANSFER STATION	DISPOSAL OF REFUSE FROM SCHRIER PARK	299.86
05/12/2023	323853	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	1,913.50
05/12/2023	323854	MORRIS ROSE AUTO PARTS, INC.	REPAIR PARTS	75.00
05/12/2023	323855	MUXLOW, TIMOTHY	REPTILE TRAILER SCALIN UP PRESENTATION	1,000.00
05/12/2023	323856	NATIONAL HOSE TESTING SPECIALTIES	FIRE LADDER TESTING	2,877.00
05/12/2023	323857	NELSON'S APPLIANCE SERVICE	APPLIANCE DIAGNOSTIC/REPAIRS	321.99
05/12/2023	323858	NICHOLS, TAMARA	MYSTERY TRIP REFUND	120.00
05/12/2023	323859	OFFICE DEPOT, INC.	OFFICE SUPPLIES	852.76
05/12/2023	323860	OMG NATIONAL	PROMOTIONAL ITEMS FOR CRIME PREVENTION	796.00
05/12/2023	323861	OMG NATIONAL	PROMOTIONAL ITEMS FOR CRIME PREVENTION	990.77
05/12/2023	323862	ON DUTY GEAR, LLC	BALLISTIC VESTS AND CARRIERS	999.00
05/12/2023	323863	ORR, ROXANNE	TRIP REFUND 230515 BRANSON	250.00
05/12/2023	323864	PAPER CENTRAL	COPY/PRINTER PAPER	1,303.00
05/12/2023	323865	PATHFINDER CHURCH	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323866	PEDAL BICYCLES	RANGER BIKE ANNUAL MAINTENANCE	375.99
05/12/2023	323867	PETTY CASH-AMANDA JANSSEN	REPLENISHMENT CHECK	363.82
05/12/2023	323868	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	479.33
05/12/2023	323869	PHILLIPS, ROMEO	RENTAL DAMAGE DEPOSIT REFUND	150.00
05/12/2023	323870	PIVOT POINT PARTNERS LLC	FIELD APP SOLUTION ANNUAL LICENSE	6,218.65
05/12/2023	323871	PORTAGE CHAPEL HILL UMC	PRECINCT RENTAL 05/02/2023 ELEC	100.00
05/12/2023	323872	PORTAGE GLASS & MIRROR	WINDSHIELD REPLACEMENTS	650.00
05/12/2023	323873	PORTAGE ROTARY	ROTARY CLUB DUES/MEMBERSHIP	162.12
05/12/2023	323874	PRINCE OF PEACE LUTHERAN CHURCH	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323875	PURITY CYLINDER GASES, INC	WELDING SUPPLIES	592.58
05/12/2023	323876	RANDALL, PATRICIA	REIMB FOR NLC CONFERENCE & OTHER EXPENSES	748.43
05/12/2023	323877	RENEWED EARTH, INC.	COMPOST SITE MANAGEMENT	9,083.33
05/12/2023	323878	RUSSELL, TAMMY	ADVANCED ANGLERS FISH CAMP REFUND	75.00
05/12/2023	323879	SAHR BUILDING SUPPLY CO.	SCHRIER PARK DOORS REPLACEMENT	4,585.43
05/12/2023	323880	SCHIPPER, NATALIE	PLAYGROUND TRY-IT GAMES REFUND	50.00
05/12/2023	323881	SHAMBAUGH & SON, LP	FIRE SUPPRESSION ANNUAL INSPEC, REPAIR SVCS	1,200.00

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05/12/2023	323882	SIGN SHOP OF WESTERN MICHIGAN	PDPS STAFFING BOARD MAGNETS	20.00
05/12/2023	323883	SINGLETON, LISA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/12/2023	323884	SKILLQUEST INTERNATIONAL LLC	RANDOM TESTING PROGRAM	2,575.00
05/12/2023	323885	SOUTHWEST CHILDCARE RESOURCES	STUART MANOR DEPOSIT REFUND	150.00
05/12/2023	323886	SPARTAN DISTRIBUTORS INC.	ANNUAL INSPECTION AND REPAIRS	8,555.99
05/12/2023	323887	SPIRIT SHOPPE, INC.	FIRE UNIFORMS	331.25
05/12/2023	323888	STALKER RADAR	STALKER MOBILE RADAR UNITS	6,609.20
05/12/2023	323889	STATE OF MICHIGAN	DRY GAS CANISTER	110.00
05/12/2023	323890	STATE OF MICHIGAN	SOR REGISTRATIONS	150.00
05/12/2023	323891	STATE SYSTEMS RADIO, INC	MTHLY RADIO SERVICES FEES	561.00
05/12/2023	323892	STEENSMA LAWN & POWER EQUIPMENT	SMALL EQUIPMENT REPAIR/MAINTENANCE	3,125.60
05/12/2023	323893	STONEGATE MANAGEMENT, INC.	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323894	T-MOBILE USA INC	MISC SERVICES	125.00
05/12/2023	323895	TALBOT, MICHAEL J.	FARMERS MARKET MUSICIAN	100.00
05/12/2023	323896	THE BRIDGE	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323897	THE POSTMAN AND CONCRETE DESIGNS	GATE REPLACEMENT CELERY FLATS HISTORICAL ENT	1,400.00
05/12/2023	323898	TINK INC.	SHORT AND LONG PINS TINK CLAWS	4,136.80
05/12/2023	323899	TYLER HOME IMPROVEMENTS	KAL CO. - BATHROOM & KITCHEN UPDATES	17,600.00
05/12/2023	323900	U S SIGNAL COMPANY, LLC	MONTHLY INTERNET FIBER SERVICES	900.00
05/12/2023	323901	ULINE, INC.	MISC EVIDENCE SUPPLIES	338.83
05/12/2023	323902	UNITED KENNEL CLUB	REIMB OVERPAYMENT	592.21
05/12/2023	323903	UNITED PARCEL SERVICE	UPS WEEKLY	18.22
05/12/2023	323904	VANDERNOOT, JULIE	REIMB FOR VOLUNTEER RECOGNITION EVENT EXPS	529.74
05/12/2023	323905	VITARO, JAMES T	HAWG TROUGH SCALIN UP EVENT	2,500.00
05/12/2023	323906	WASHCO, LLC	PRESSURE WASH RAMONA PLAYGROUND & BEACH HS	1,575.00
05/12/2023	323907	WELLER AUTO PARTS INC.	REPAIR AND MAINTENANCE	195.00
05/12/2023	323908	WEST HILLS ATHLETIC CLUB	FIRE FITNESS PROGRAM	4,800.00
05/12/2023	323909	WESTERN MICHIGAN UNIVERSITY	RESPECTING DIFFERENCES	3,812.05
05/12/2023	323910	WESTMINSTER PRESBYTERIAN CHURCH	PRECINCT RENTAL FOR 05/02/2023 ELEC	100.00
05/12/2023	323911	WOOD, TRINA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/12/2023	323912	WOODBIDGE COMM PTNRSP LTD	BD BOND REFUND	2,124.00
05/12/2023	323913	WSB, INC.	FIRE FACILITY MAINT	1,136.00
05/12/2023	323914	XAVUS SOLUTIONS	MEMBERSHIP KEYTAGS	860.00
Total Paper Checks				1,192,106.49

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Check Type: Auto-Pay Payments				
04/28/2023		BLUE CROSS/BLUE SHIELD OF MICH	HEALTH INSURANCE	10,870.61
05/01/2023		MISSIONSQUARE	EMPLOYER RETIREMENT CONTRIBUTIONS	16,217.43
05/01/2023		CITY OF PORTAGE	WATER/SEWER BILLING	265.76
05/02/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	210.85
05/03/2023		CARD CONNECT	PROCESSING FEES	1,298.06
05/04/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	45,644.30
05/05/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	11,429.66
05/05/2023		BLUE CROSS/BLUE SHIELD OF MICH	HEALTH INSURANCE	455.76
05/05/2023		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	41,675.24
05/08/2023		INVOICE CLOUD	PROCESSING FEES	543.45
05/09/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	1,264.88
05/10/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	6,454.81
05/11/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	25,952.91
05/12/2023		CONSUMERS AUTOPAY	GAS-ELECTRIC	2,388.97
Total Auto-Pay Payments				164,672.69
Check Type: Electronic Payments				
04/28/2023		MULTIPLE	IAFF, PPCOA, PPOA, UAW PENSION PAYMENTS	1,434.08
04/28/2023		SBF	POSTAGE - WATER/SEWER BILLS	1,812.56
05/08/2023		ASU GROUP	WORKERS COMP FUNDING	12,636.70
Total Electronic Payments				15,883.34
Check Type: Credit Card				
03/31/2023		ADOBE STOCK	STOCK PHOTO/VIDEO/MUSIC LIBRARY	19.99
04/01/2023		THE WEBSTAUANT STORE INC	SENIOR CENTER KITCHEN SUPPLIES	2,221.45
04/05/2023		USA ARCHERY	ANNUAL MEMBERSHIP DUES & BACKGROUND CK	210.00
04/05/2023		MI LAKES & STREAMS	ANNUAL MEMBERSHIP DUES	45.00
04/04/2023		HAMPTON INN AND SUITES DE	POLICE CONFERENCE HOTEL STAY	198.72
04/06/2023		ACORN NATURALISTS	PARKS EVENT SUPPLIES	425.43
04/06/2023		VITALSOURCE	COM DEV PUBLICATION	14.95
04/06/2023		JANNS NETCRAFT LLC	PARKS EVENT SUPPLIES	424.87
04/10/2023		WALMART.COM	PARKS SPONSORSHIPS/SIGNAGE	263.88

ACCOUNTS PAYABLE REGISTER
Check Dates From: 4/23/2023 to 5/13/2023

Page 15 of 15

Check Date	Check	Vendor Name	Description	Amount
04/13/2023		LIBRARY OF CONGRESS	PARKS EVENT SUPPLIES	73.00
04/14/2023		TEMU.COM	SENIOR CENTER EVENT	198.01
04/14/2023		POSITIVE PROMOTIONS	PARKS ITEMS FOR JUNETEENTH	62.89
04/18/2023		STICKER MULE	CITY OF PORTAGE CUSTOM STICKERS	223.00
04/18/2023		STICKER MULE	PARKS EVENT SUPPLIES	38.16
04/20/2023		CAMPUS WOK	DUPLICATE CREDIT REMOVED	75.74
04/19/2023		ACCUFORM.COM	FARMERS MARKET OPERATING ITEMS	112.32
04/19/2023		OTC BRANDS INC	ITEMS FOR SENIOR CENTER ACTIVITY	723.59
04/20/2023		DRI GALLUP	HUMAN RESOURCES EMPLOYEE ASSESSMENTS	299.85
04/20/2023		FREE CONFERENCE CALL GLOB	IT CONFERENCE CALL CHARGES	29.40
04/24/2023		USA ARCHERY	PARKS TRAINING REGISTRATION	50.00
			Total Credit Card Payments	5,710.25
			Grand Total	2,891,484.84

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: OnStaff contract for temporary and seasonal employees

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Award a contract to Onstaff USA, Inc. of Portage, Michigan to provide temporary and seasonal employment services for Fiscal Year 2023-2024, for an estimated amount of \$273,405.65, with the option of four (4) one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The City of Portage currently contracts with Onstaff USA, Inc., to provide temporary, seasonal laborers and CDL drivers for the Public Works Department. The Human Resources Department strives to find all the candidates needed for the roles; however, it is sometimes necessary for the temporary agency to recruit candidates for the city. The current contract for these services with Onstaff USA, Inc. will expire on June 30, 2023.

A Request for Proposal (RFP) based on the anticipated number of temporary and seasonal employees and the number of estimated work hours during the fiscal year 2023-2024 was sent to seven local employment agencies. The RFP was also advertised in the Kalamazoo Gazette; on the City of Portage's LinkedIn, Twitter, Instagram, and Facebook pages, and on the city's website; as well as on BidNet where 278 suppliers were matched and notified of this project.

Two bids were received, with the lowest bid coming from Onstaff USA, Inc. The firm has a local office and has experience with hiring and placing laborers and drivers. The firm's mark-up rate was 35% for regular hours worked and 31.5% markup for overtime hours worked.

The only other bidder was Octagon Consulting, LLC. based out of Houston, Texas with no local presence. Octagon's markup rate was 40% for regular hours worked and 50% markup for overtime hours worked. The firm would also charge a recruiting fee of \$5.00 per hour for each laborer candidate recruited by the firm and an \$8.00 per hour fee for each CDL driver recruited.

It is recommended that Council award a contract to Onstaff USA, Inc. of Portage, Michigan to provide temporary and seasonal employment services for Fiscal Year 2023-2024, for an estimated amount of \$273,405.65, with the option of four (4) one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funding has been programmed in the fiscal year 2023-2024 budget for temporary employment services within the Parks, Streets, Leaf Pick-up/Spring Clean-up, and Fleet & Facilities budgets.

Attachments: 1. Proposal Tabulation - 2023 RFB Temporary Employment Services

**2023 RFP TEMPORARY EMPLOYMENT SERVICES
PROPOSAL TABULATION**
PROPOSAL OPENING ON APRIL 14, 2023 AT 3 PM

	<u>Markup %</u>		<u>Laborer Recruit Fees</u>	
	Regular	Overtime	Regular	Class B
Onstaff USA 5207 Portage Rd Portage, MI, 49002	39.5%	35%	\$0.00	\$0.00
Octagon Consulting, LLC 6341 Stewart Rd. Ste 342 Galveston, TX, 77551	40%	50%	\$5.00	\$8.00

Opened by: _____


Victoria Barboza, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Charging and Fueling Infrastructure (CFI) Discretionary Grant Program

SUPPORTING PERSONNEL: Kylar Chandler, Assistant to the City Manager

ACTION RECOMMENDED: Approve the submission of a grant application for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program and authorize the City Manager to execute all documents related to the application on behalf of the city.

On March 14, 2023, the U.S. Department of Transportation and the Department of Energy opened applications for a new multi-billion-dollar program to fund electric vehicle (EV) charging and alternative-fueling infrastructure in communities across the country and along designated highways, interstates, and major roadways. The federal government has a goal of building a national network of 500,000 public EV charging stations and reducing national greenhouse gas emissions by 50%–52% by 2030.

According to a news release, "The U.S. Department of Transportation's new Charging and Fueling Infrastructure (CFI) Discretionary Grant Program, established by the Bipartisan Infrastructure Law, will provide \$2.5 billion over five years to a wide range of applicants, including cities, counties, local governments, and tribes. This round of funding makes up to \$700 million from Fiscal Years (FY) 2022 and 2023 funding available to strategically deploy EV charging and other alternative vehicle-fueling infrastructure projects in publicly accessible locations in urban and rural communities, as well as along designated Alternative Fuel Corridors (AFCs)."

The Bipartisan Infrastructure Law divides the CFI Program into two distinct grant funding categories - the Community Program and the Corridor Program:

- The Community Program will provide \$1.25 billion to strategically deploy publicly accessible EV charging infrastructure, and hydrogen, propane, or natural gas fueling infrastructure in communities. Infrastructure may be located on any public road or in other publicly accessible locations such as parking facilities at public buildings, public schools, and public parks, or in publicly accessible parking facilities owned or managed by a private entity.
- The Corridor Program will provide \$1.25 billion to strategically deploy publicly accessible EV charging infrastructure and hydrogen, propane, and natural gas fueling infrastructure along designated alternative fuel corridors (AFCs).

The City Administration is drafting a grant application with the intention of applying for funds via the Community Program. The application deadline is May 31, 2023. The minimum grant request is in the amount of \$500,000 and there is a mandatory 20% match. The application being drafted by city staff requests approximately \$1,030,091 and would, if received, require a \$206,018 local match.

This matter is being brought to City Council prior to submitting the application because of feedback received in the Budget Review Session of April 25, 2023. According to the meeting minutes, "Councilmember Urban asked whether additional electric vehicle charging stations are planned. Director Russell confirmed. Councilmember Urban stated that the charging station aspect needs additional City Council discussion, noting the existing chargers are not super-chargers and require long-duration visits." The application anticipates 23 charging stations, of which 4 are Direct Current Fast Chargers (DCFC) and 19 are Level II chargers. Each charging station includes at least 2 charging ports for a total of 46 charging ports. In determining the type of charging stations (DCFC v. Level II), city staff reviewed grant requirements, and installation costs and reviewed other community charging programs. City staff reviewed a variety of locations and identified the following as the most conducive:

Parks	Municipal Buildings
Celery Flats (add six Level II ports)	City Hall (add four DCFC ports)
Central Park (add four Level II ports)	Parks & Recreation (add four Level II ports)
Eliason Nature Reserve: Southern Entrance (add four Level II ports)	Portage Zhang Senior Center (add four DCFC ports)
Lexington Green Park (add four Level II ports)	
Martin Luther King Jr. Park (add four Level II ports)	
Schrier Park (add four Level II ports)	
South Westnedge Park (add four Level II ports)	
Trailhead at Kilgore & Lovers Lane (add four Level II ports)	

The grant language stipulates that a community cannot apply for all DCFC charging stations. Research into the Community Program suggests that the use of DCFC chargers is discouraged, whereas the Corridor Program indicates the opposite. Additionally, DCFC charging stations require significant electric infrastructure to be installed. With the possible exception of the Charles & Lynn Zhang Portage Community Senior Center and City Hall, city buildings and locations do not have the existing physical space needed for the infrastructure. Electrical infrastructure for Level II charging stations will also be necessary but the physical space in various public buildings should be able to accommodate the increased paneling.

Cost is also a critical factor when determining whether to install a DCFC or Level II charging station. Research indicates that a base DCFC charging station is upwards of 8 to 9x the cost of a base Level II station. Additionally, when researching types of charging stations, staff learned that most EV drivers

reportedly prefer to keep charging levels between 20% and 80% unless heading out for a long trip.

Another factor in determining whether to pursue DCFC or Level II chargers is related to the question of the level of involvement local governments should have in providing charging stations versus the private sector. In participating in virtual National League of Cities sessions regarding the grant, staff did not learn of communities engaging in large rollouts of DCFC chargers. Rather, communities seem to be focusing almost exclusively on Level II charging infrastructure.

This grant provides the City of Portage an opportunity to use federal dollars to grow and expand its electric vehicle charging infrastructure. It also provides convenience for park users and patrons by affording them an opportunity to explore natural spaces or conduct city business while charging their vehicles. Finally, it provides an opportunity for the city to subsidize the cost of upgrades to our electrical infrastructure for public buildings. Therefore, it is recommended that City Council approve the submission of a grant application for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program and authorize the City Manager to execute all documents related to the application on behalf of the city.

FUNDING: Not Applicable at this time.

Attachments: 1. CFI Grant Working Draft



Charging and Fueling Infrastructure Discretionary Grant Program

City of Portage: Grant Application

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1. **Project Narrative**

Our goal is for the City of Portage to become an electrical vehicle charging hub, not at one location, but within our city limits. In other words, we want our jurisdiction to be known as a charging hub destination for our residents and our region. As the only certified gold level municipality in the region, as determined by the Michigan Green Communities challenge, we believe we are well positioned to make this goal a reality with the help of a Charging and Fueling Infrastructure Community Grant Award.

To achieve this, the City of Portage will establish forty-six publicly accessible electric vehicle charging ports, or twenty-three charging stations, at eleven strategically selected city-owned properties within our jurisdiction. Four of those charging stations would be Direct Current Fast Chargers (or DCFCs) and the remaining nineteen will be AC level two (or level 2). Each charging station will be located within two and a half miles of the nearest interstate exit or highway intersection, ensuring convenient access for residents, visitors, and commuters alike. Furthermore, all charging stations will operate 24/7, providing round-the-clock availability for EV owners.

By strategically dispersing the charging ports across our jurisdiction, rather than constructing a singular charging corridor, we aim to address the existing gap in charging infrastructure and meet the diverse needs of our community. The selected locations primarily include public park parking lots and municipal building parking lots, ensuring accessibility, and promoting the utilization of existing public assets.

The DCFCs will be located at our most prominent public access points, the Portage Zhang Senior Center & City Hall. By implementing EV charging capability at four public buildings, we will provide residents, visitors, and employees the ability to charge their vehicles safely and affordably.

The selection of public parks as a second primary vehicle for this project provides many strategic advantages. First, the utilization of parks for EV charging stations coincides with the disbursement of parkland throughout our community, and by extension equitably disperses access to EV charging. Second, the location of public parks is ideal as they provide attractions for users whilst charging their vehicles. These attractions include playgrounds, trails, bikeways, fishing areas, and courts. Third, the selection of public parks as the location for EV charging stations can help to address anxiety amongst EV drivers who do not have access to charging infrastructure at home or work. Through the disbursement of EV charging stations through our most accessible features, drivers can be confident that they will be able to find a charging station when needed, without the need to significantly alter their travel plans.

1.1 Project Locations

Overall, the proposed eleven locations throughout Portage will equitably distribute access to EV charging through two of our most valuable public assets, our parks and municipal buildings. These locations will offer accessibility, will be strategically placed to provide users access to valuable amenities while charging, and will be reconstructed on the basis of need to meet safety considerations. The following section details each location, traffic safety considerations, and proposed connections to existing transportation infrastructure.

Parks	
1.1.1	Celery Flats (add 6 – level 2 ports)
1.1.2	Central Park (add 4 – level 2 ports)
1.1.3	Eliason Nature Reserve: Southern Entrance (add 4 – level 2 ports)
1.1.4	Lexington Green Park (add 4 – level 2 ports)
1.1.5	Martin Luther King Jr. Park (add 4 – level 2 ports)
1.1.6	Schrier Park (add 4 – level 2 ports)
1.1.7	South Westnedge Park (add 4 – level 2 ports)
1.1.8	Trailhead at Kilgore & Lovers Lane (add 4 – level 2 ports)
Municipal Buildings	
1.1.9	City of Portage City Hall (add 4 – DCFC ports)
1.1.10	City of Portage Parks and Recreation Building (add 4 – level 2 ports)
1.1.11	Portage Zhang Senior Center (add 4 – DCFC ports)

Our approach to traffic safety considerations will be uniform for all locations. The charging ports will be located for the best access to accessory electric paneling. The charging stations will be designed with clear signage and markings to indicate the location of the charging spots and the direction of traffic flow. The charging stations will be located in areas with clear sightlines. Additionally, alternative physical barriers will be considered, to protect the charging stations from vehicle damage. Because we are utilizing existing space, as opposed to constructing new locations these locations will only require minimal alteration to meet or exceed safety standards.

1.1.1 Celery Flats Pavilion



Address: 7335 Garden Ln. Portage, MI, 49002

Parcel Number: 00015-130-O

Parcel Acreage: 9.01

Distance from Hwy/Fwy: 1.6 Miles

Connected Miles of Trail: 3.5

Connected Miles of Bikeway: 5.0

Direct Link to GIS location: [Link](#)

Six charging ports (three level 2 charging stations) will be built at our Celery Flats Pavilion, located on Garden Lane, a major road. The parcel runs along Portage Creek and is a central hub for individuals looking to walk or bike on our trails. Connected to this park is a municipally operated bike rental service, allowing users to traverse through our city as their primary transportation is being fueled. There are 986 parcels of land within a mile of the Pavillion. Notable nearby attractions include: Historical Hayloft Theatre and various commercial enterprises.

1.1.2 Central Park

Address: 7810 Shaver Rd.

Parcel Number: 00016-785-A

Parcel Acreage: 14.72

Distance from Hwy/Fwy: 2.1 Miles

Direct Link to GIS location: [Link](#)



four charging ports (two level 2 charging stations) will be built in our parking lot that services Central Park, Fire Station #1 and the Police Department Building. This parcel runs along Shaver Road. Central park is a continuous event location for city event planning, as it contains a large bandshell area that is often used to host entertainment. Beyond that, the adjacent parcels hold potential for future residential development — meaning that the accessibility felt by the creation of EV charging stations at this location will only increase with time. There are 989 parcels of land within a mile of the bandshell area. Notable nearby attractions include: City of Portage: Overlander Bandshell, Firestation #1, Police Department, and City Hall.

1.1.3 Eliason Nature Reserve: Southern Entrance



Connected Miles of Trail: 5.1

Connected Miles of Bikeway: 27

Direct Link to GIS location: [Link](#)

Four charging ports (two level 2 charging stations) will be added at the southern major entrance of the Eliason Nature Reserve. The two entrance parcels (highlighted in the reference photo to the left) are completely connected by trail. Meaning the EV charging port at the Southern entrance will connect EV charger users to 122 acres of the scenic land that is our Eliason Nature Reserve. The trails that connect the northern entrance to the southern entrance of the reserve also connect to the adjacent Bishops Bog Preserve (149 acres). There are 989 to 996 parcels of land within a mile of the reserve entrances (south and north respectively). Notable nearby attractions include: Schrier Park, Bishops Bog Reserve, Open House Theatre Company, Mosaic Dance Center, and Kids Gym Gymnastics.

Address: 1614 W Osterhout Ave.

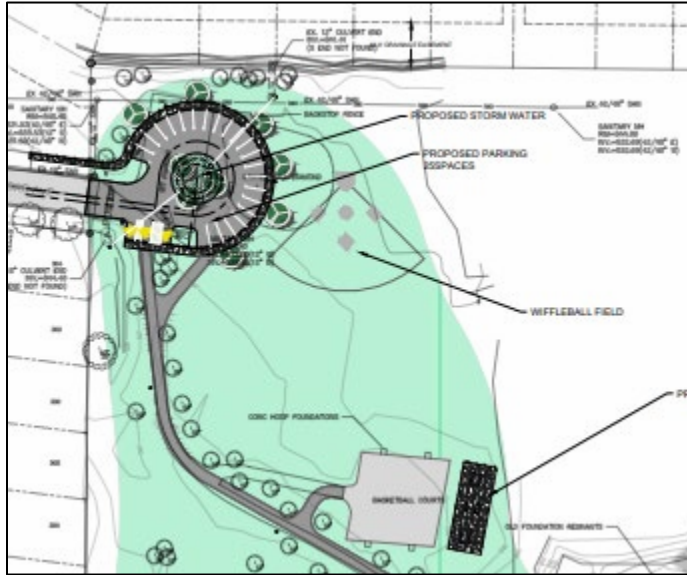
Parcel Number: 00033-090-O

Parcel Acreage: 18.2

Distance from Hwy/Fwy: 2.2 Miles



1.1.4 Lexington Green Park



Address: 4750 Pittsford Ave. Portage, MI, 49002

Parcel Number: 00001-155-O

Parcel Acreage: 18.4

Distance from Hwy/Fwy: 1.6 Miles

Direct Link to GIS location: [Link](#)

Four charging ports (two level 2 charging stations) will be built at Lexington Green Park. This project location is distinct, in that the built charging stations would connect directly into a subdivision road (Pittsford Road).

The parcel lies along the border of the Pavilion Township and the City of Portage. The park will be undergoing an extensive remodel that will provide attractive amenities to individuals charging their electric vehicle including reconstructed basketball courts, pickleball courts, a playground, and a bike skills course. There are 535 parcels of land within a mile of the Park (within the city jurisdiction alone). Nearby attractions include: a large residential development

1.1.5 Martin Luther King Jr. Park

Address: 1000 MLK Dr. PORTAGE, MI, 49024

Parcel Number: 00009-045-L

Parcel Acreage: 0.52

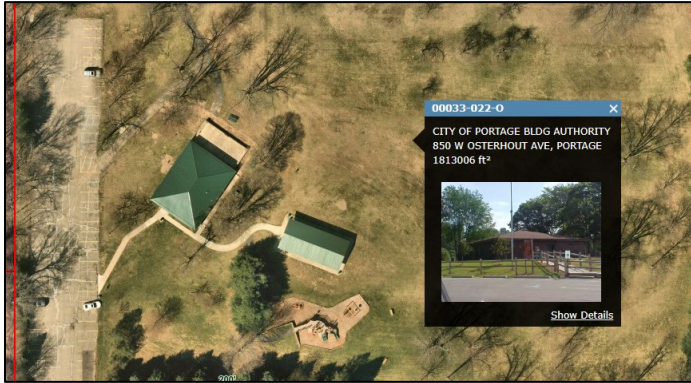
Distance from Hwy/Fwy: 1.6 Miles

Direct Link to GIS location: [Link](#)



Four charging ports (two charging stations) will be built at Martin Luther King Jr. Park. Martin Luther King Jr. Park lies between Martin Luther King Jr. Drive and Constitution Boulevard. The attraction of this project location is its proximity to Crossroads Mall. This charging station will be located 0.2 miles away from that economic interest. There are 996 parcels of land within a mile of the Park. Other notable nearby attractions include: Crossroads Mall, Celebration! Cinema IMAX, Haverhill Park, and Haverhill Elementary.

1.1.6 Schrier Park



Address: 850 W OSTERHOUT AVE

Parcel Number: 00033-022-O

Parcel Acreage: 42

Distance from Hwy/Fwy: 2.5 Miles

Connected Miles of Trail: 5.1

Connected Miles of Bikeway: 27

Direct Link to GIS location: [Link](#)

Four charging ports (two level 2 charging stations) will be built at Schrier Park. The park is accessible through West Osterhout Avenue. Schrier Park was the southern-most trail connection for many years before the collection of the Eliason Nature Reserve. The connected park building is currently undergoing renovations — allowing for more a continous usage of the park. Similar to Eliason Nature Reserve, although seperately designated, Schrier Park connects directly into Bishops Bog Reserve. The southern entrance will also be a major connection point for a currently proposed 4.2 miles of trails. There are 996 parcels of land within a mile of the Park. Notable nearby attractions include: Bishops Bog Reserve, Eliason Nature Reserve, and various commercial enterprises.

1.1.7 South Westnedge Park

Address: 9016 S WESTNEDGE AVE PORTAGE, MI, 49002

Parcel Number: 00028-001-D

Parcel Acreage: 27.24

Connected Miles of Trail: 5.1

Connected Miles of Bikeway: 27

Distance from Hwy/Fwy: 2.5 Miles

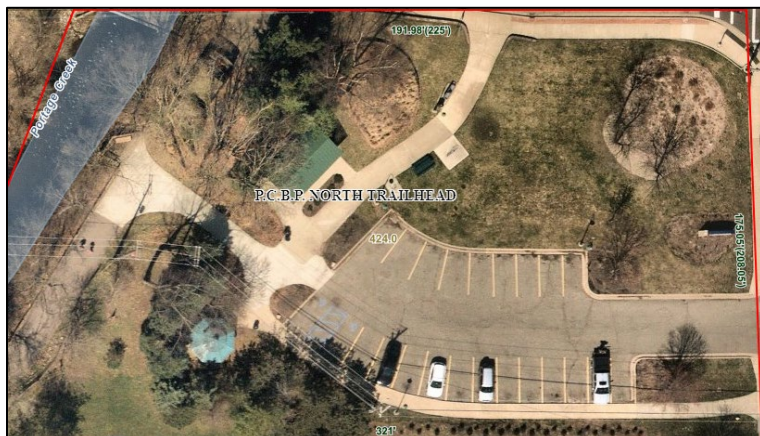
Direct Link to GIS location: [Link](#)



Four charging ports (two level 2 charging stations) will be built at South Westnedge Park. The park is accessible through South

Westnedge Ave., a major road. South Westnedge Park is a central gathering place for recreational activities within the city. Two dog parks, an inline skating rink, a skate park, and a plethora of baseball fields attract many visitors liable to use an electric vehicle charger. There are 985 parcels of land within a mile of the park. Notable nearby attractions include: Westlake Nature Preserve, Portage Central Elementary School, and various commercial enterprises.

1.1.8 Trailhead at Kilgore & Lovers Lane



Address: 424 E KILGORE RD
PORTAGE, MI, 49002

Parcel Number: 00003-015-A

Parcel Acreage: 1.16

Connected Miles of Trail: 3.5

Connected Miles of Bikeway: 5.0

Distance from Hwy/Fwy: 1.0 Miles

Direct Link to GIS location: [Link](#)

Four charging ports (two level two charging stations) will be built at the Trailhead at the major road intersection of Kilgore & Lovers Lane. The parcel lies along the border of the City of Kalamazoo and the City of Portage. The connected trail system follows Portage Creek down to Celery Flats Park nearly 3.5 miles away. There are 981 parcels of land within a mile of the Trailhead (within the City of Portage alone). Notable nearby attractions include Loy Norrix High School, Milham Park, and two large residential developments.

1.1.9 City Hall Building

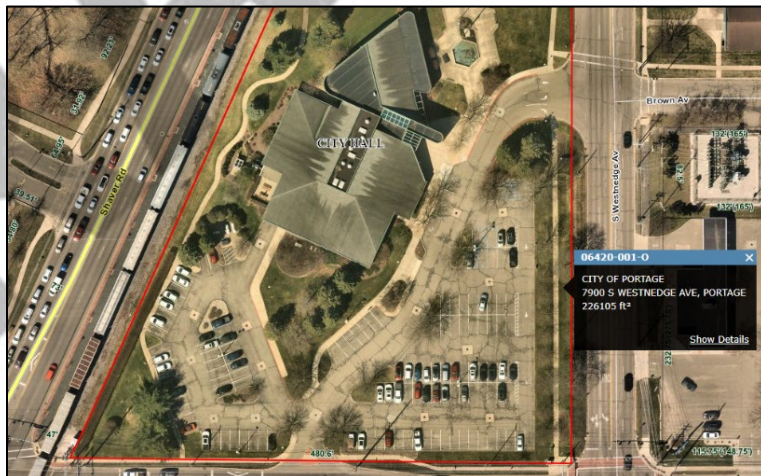
Address: 7900 S Westnedge Ave

Parcel Number: 06420-001-O

Parcel Acreage: 6.25

Distance from Hwy/Fwy: 2.5 Miles

Direct Link to GIS location: [Link](#)



Four charging ports (two DCFC charging stations) will be built within the parking lot of the City of Portage City Hall. The new charging stations will be built adjacent to an already existing level 2 charging station. With numerous employees housed within this building, city council meetings being housed in the same location, and millions of dollars in business handled within the City Hall's infrastructure — City Hall is undeniably a perfect location for accessible EV charging. There are 988 parcels of land within a mile of City Hall. Nearby attractions include: Portage Zhang Senior Center, Department of Public Works Building, Department of Parks & Recreation Building, Fire Station #1, the Portage District Library, various commercial enterprises, and the City of Portage Police Department Building.

1.1.10 Portage Zhang Senior Center



Address: 203 E CENTRE AVE

Parcel Number: 00015-330-B

Parcel Acreage: 2.01

Distance from Hwy/Fwy: 2.5 Miles

Direct Link to GIS location: [Link](#)

Four charging ports (two DCFC charging stations) will be built in the parking lot for our newly constructed Portage Zhang Senior Center. This location is ideal because we serve over 3000 monthly members, numerous

employees and volunteers are housed within this building, we host consistently popular programming, there are designated spaces for rental usage, and the electrical capability to construct DCFC chargers without substantial infrastructure upgrades. There are 985 parcels of land within a mile of the Portage Zhang Senior Center. Notable nearby attractions include: Portage Zhang Senior Center, Department of Public Works Building, Department of Parks & Recreation Building, Fire Station #1, the Portage District Library, various commercial enterprises, and the City of Portage Police Department Building.

1.1.11 Parks and Recreation Building

Address: 320 Library Lane

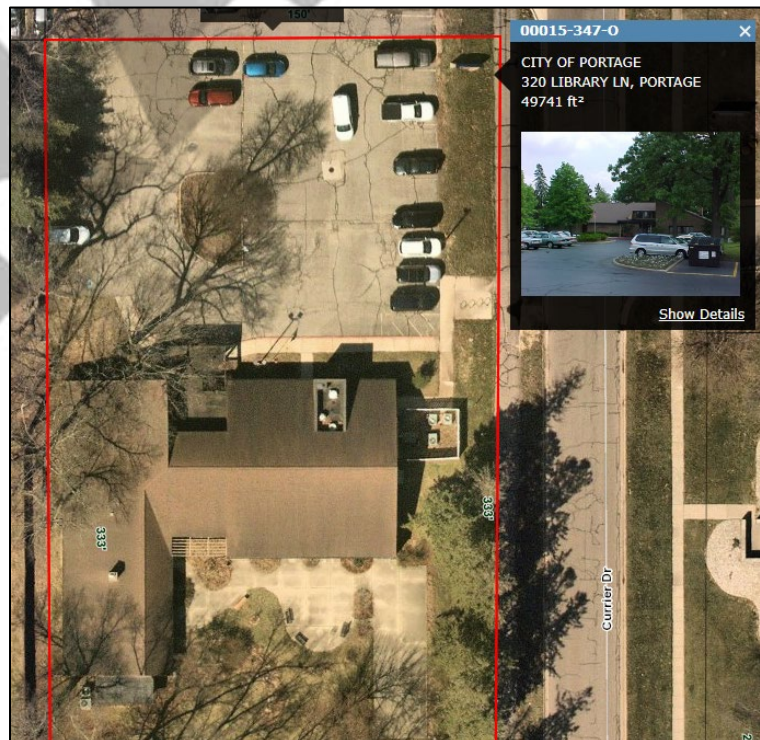
Parcel Number: 00015-347-O

Parcel Acreage: 1.15

Distance from Hwy/Fwy: 2.5 Miles

Direct Link to GIS location: [Link](#)

Four charging ports (two level 2 charging stations) will be built at our Parks and Recreation Building. This building hosts public events, houses multiple employees and functions as the center for public event planning for the City of Portage — making this a natural place to create EV charging stations. There are 986 parcels of land within one mile of the Parks and Recreation building. Nearby attractions include: The Portage

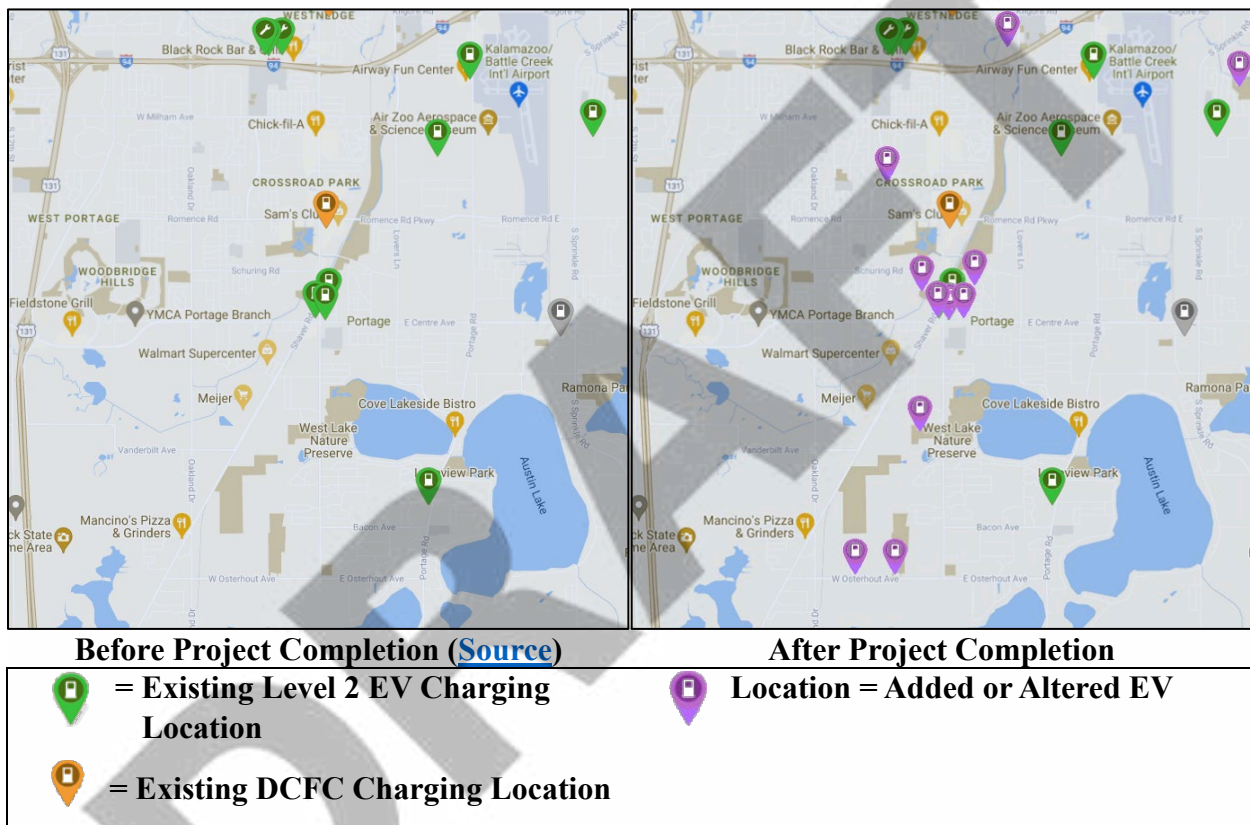


District Library, City Hall, The Portage Zhang Senior Center, The Portage Community Center, and various commercial enterprises.

1.2 Project Impact on Infrastructure Access

The completion of this project will have a significant impact on expanding community-based infrastructure and filling critical gaps in access to EV charging infrastructure in Portage and Southwest Michigan. Our project locations were carefully selected based on the following criteria, with a focus on enhancing infrastructure access: (1.2.1) lack of existing infrastructure, (1.2.2) proximity to jobs, and (1.2.3) connection to existing or expanding nature experience amenities such as trails, bikeways, and bike rentals

1.2.1 Impact on Infrastructure

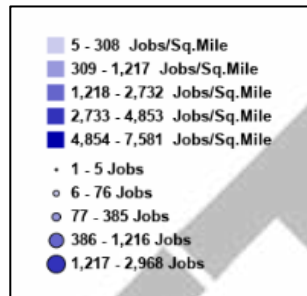
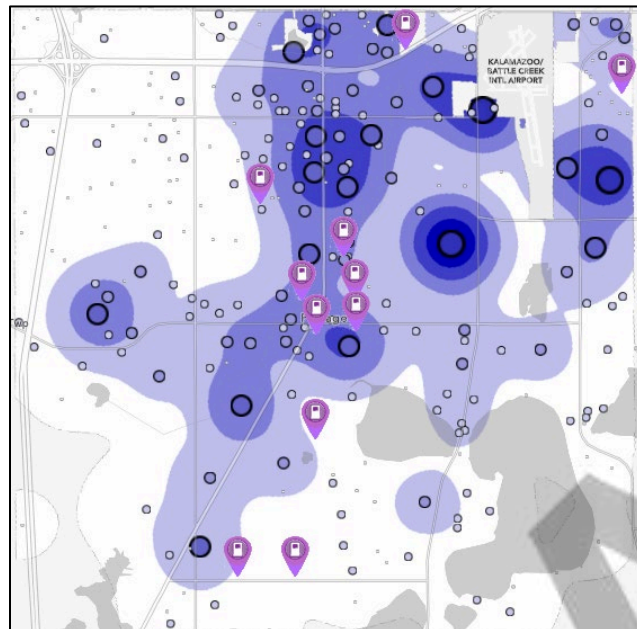


As it currently stands, there are only eight functional EV charging stations in Portage to serve a population of 48,890. However, the projections outlined in 'The Michigan Healthy Climate Plan' estimate that by 2030, 28% of drivers will utilize electric vehicles. Taking into account our own expected population growth, this would result in a ratio of 1785 electric vehicle drivers for every 1 electric vehicle charging station by 2030. By adding charging stations at each location, our proposed project will significantly improve this ratio to 460 electric vehicle drivers for every 1 charging station.

While Portage aims to become a more inclusive and accessible community, the reality is that the average resident heavily relies on personal vehicles for daily activities. The city has been rated as 'Car-Dependent' with a Walk score of 20 and a bike score of 46 on Walkscore.com. With over

83% of workers commuting alone in their own vehicles and limited coverage from public transportation services, access to EV chargers would provide an environmentally friendly alternative and allow us to better serve our constituents.

1.2.2 Proximity to Jobs

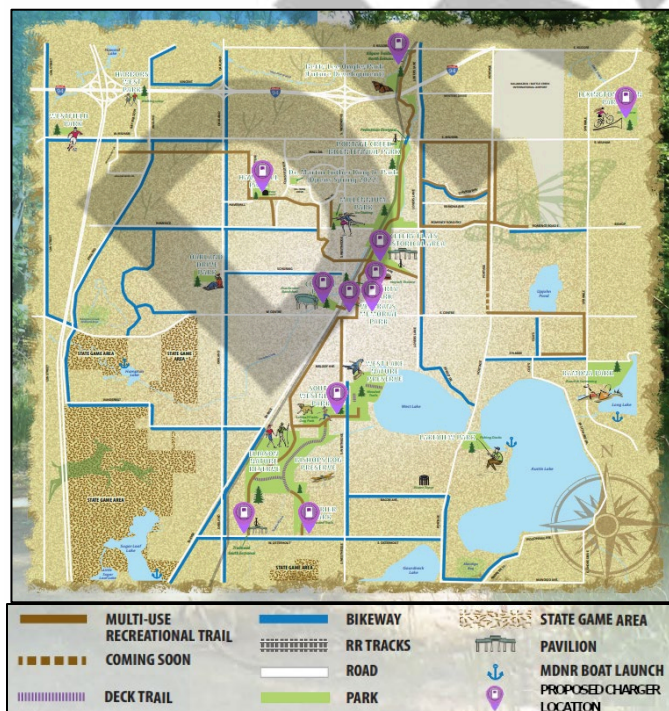


In order to maximize the usage of EV chargers, proximity to job centers played a significant role in determining project locations. By analyzing job density per square mile, we identified areas with high job concentrations and strategically placed

charging stations nearby. This approach ensures that EV charging infrastructure is conveniently accessible to employees in these job-dense areas, supporting

sustainable commuting options.

1.2.3 Strategic Usage of Natural Amenities



Electric vehicle charging is a unique experience, with users typically aiming to maintain a charge between 20% and 80%. Recognizing this, our project focused on connecting charging station locations with existing or expanding nature experience amenities, such as bikeways, trails, and bike rental kiosks. These amenities offer users engaging activities while their vehicles charge and provide alternative transportation options. Portage's trail and bikeway paths, depicted on the bike and trail map, create a healthy and interconnected network that spans different locations throughout the city.

By incorporating these suggestions and expanding on each section within your response, you will provide a more comprehensive and descriptive

explanation of how the project expands community-based infrastructure, fills access gaps, and aligns with the requirements of the grant.

1.3 Project Allocation of Funds

The City of Portage is seeking \$1,030,091.54 in CFI grant funding, which will be matched with \$206,018.31 in local funds to support the implementation of our Electric Vehicle Charger Strategy. The estimates provided are based on an investment in three - level 2 charging stations. Some of our requirements for Chargers will be predicated on our current agreement with the manufacturer of our three existing charging stations, ChargePoint.

Category	# of Chargers	Chargers	Paneling	Cloud Services/Assure Plan	Installation Plans	Freight
DCFC	4	\$ 300,000.00	\$ 105,000.00	\$ 22,082.13	Included in Paneling	\$ 921.84
level 2	19	\$ 147,330.75	\$ 173,250.00	\$ 104,890.12	\$ 378,037.34	\$4,597.68
Totals	23	\$ 447,330.75	\$ 278,250.00	\$ 126,972.25	\$ 378,037.34	\$5,519.52
Total Cost	\$ 1,236,109.85	Cost before Match	\$ 1,030,091.54			
		20% Match	\$ 206,018.31			
		Total Cost	\$ 1,236,109.85			

1.3.1 Description of Spent Funds

Chargers: This category covers the procurement of the actual charging poles, accounting for 35.85% of the total funds. Our fleet superintendent will be responsible for managing this cost.

Paneling: This category includes the electrical infrastructure required for the installation of the charging stations. For DCFC (Direct Current Fast Charging) stations, the installation cost is also included. Paneling constitutes 21.92% of the total funds. Our Chief Operating Officer will be responsible for managing this cost.

Cloud Services / Assure Plan: This category encompasses the cost of cloud services, which allow us to monitor usage and track greenhouse gas emission reductions. It also includes the maintenance insurance, known as the assure plan, for the charging stations. This category accounts for 10.44% of the total funds. Our Fleet Superintendent will be responsible for managing this cost.

Installation: The installation cost is a significant portion of the project expenses, as it involves the actual labor and associated materials required for installation. The variability in cost arises from the distance between certain park paneling and the proposed location of charging stations. Installations represent 31.35% of the total funds. Our Chief Operating Officer will be responsible for managing this cost.

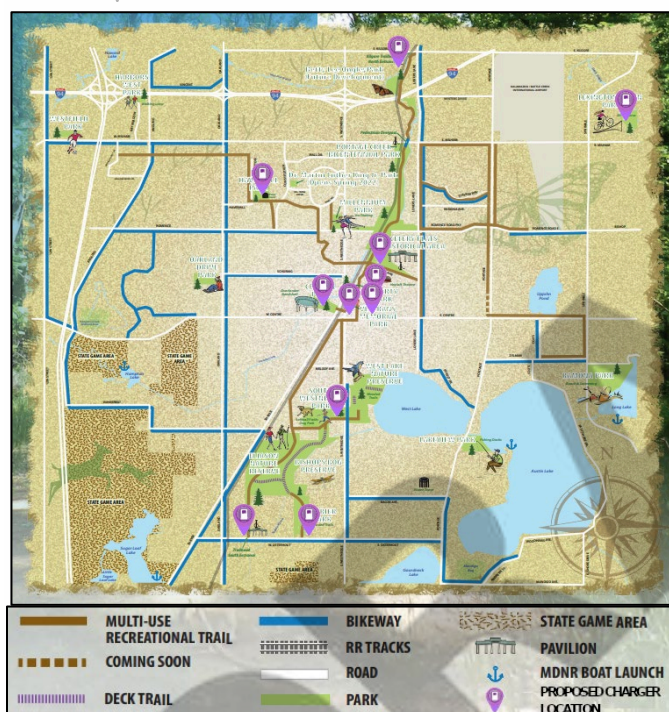
Freight: The freight cost covers the shipping expenses for the equipment. Although it accounts for a smaller portion, only 0.45% of the total funds, it is essential for ensuring the timely delivery of the charging infrastructure. Our Fleet Superintendent will be responsible for managing this cost.

Please refer to the provided spreadsheet for detailed numerical breakdowns of the costs for each section, divided by DCFCs and Level 2 EV Chargers.

1.4 Project Impact on Focus Areas

This project will also work towards three subset project focus areas as defined by the FHWA: (1.4.1) the establishment of multi-modal hubs and shared-use fleets and services, (1.4.2) the creation of urban/suburban area charging solutions, and (1.4.3) the transition of fleet vehicles that serve and operate in communities. This section will also include a brief discussion about how the project will benefit the community and expand alternative charging access to moderate-income neighborhoods (1.4.4).

1.4.1 Multi-Modal Hubs and Shared-Use Fleets and Services



This project aims to establish a direct connection between electric vehicle ownership and the utilization of various alternative mobility options, particularly those that enhance active transportation and provide alternatives to individual vehicle ownership. Our project locations have been strategically chosen to facilitate the promotion and integration of micromobility, bicycle mobility, and other active mobility options.

We recognize the importance of promoting sustainable and healthy transportation choices that complement electric vehicle usage. To achieve this, all our project sites are either directly connected to existing bikeways and trails or are in the planning phase of being connected. By

incorporating active mobility options, we seek to encourage the use of bicycles, micromobility devices, and other forms of active transportation alongside electric vehicles.

Each of our project locations can be considered a Multi-Modal Hub, where charging station users have the opportunity to engage in multi-modal transportation experiences. As users wait for their vehicles to charge, they will have the option to rent a bike from us or use their own bicycles, allowing them to explore our trails and bikeways. By connecting electric vehicle ownership with natural amenity transportation, we aim to provide a holistic and enjoyable experience for users, promoting both environmental sustainability and personal wellness.

The City of Portage takes pride in its proximity to nature, which serves as a significant asset for our community. With the slogan 'A Natural Place to Move,' we emphasize the seamless integration of nature and transportation. Our project locations provide convenient access to

natural amenities, enabling charger users to embark on recreational or intermediary journeys while their vehicles are charging. This approach not only promotes active mobility but also enhances the overall experience of electric vehicle ownership.

1.4.2 Urban/Suburban Area Charging and Fueling Solutions

The City of Portage is dedicated to providing convenient and affordable access to electric vehicle charging stations, particularly in urban and suburban areas. Our project will prioritize the use of light construction, specifically pole-based charging stations, which have demonstrated a higher return on investment, lower cost, and a visually appealing design that can be seamlessly integrated into various locations.

While Portage maintains its distinct identity from the neighboring municipality of Kalamazoo, there are areas where the transition from suburban Portage to urban Kalamazoo is indistinguishable. Our charging station locations have been strategically chosen to cater to the needs of both urban and suburban patrons, facilitating easy movement between these areas for work and other activities. A prime example is the Trailhead at Kilgore Road and Lovers Lane, serving as a vital charging point for users commuting between Portage and Kalamazoo.

The current distribution of electric vehicle chargers within Portage and Kalamazoo County highlights an access gap and pricing disparities. Portage currently has only eight non-Tesla electric vehicle chargers, two of which are operated by the City. In comparison, Kalamazoo County has 40 additional non-Tesla chargers, with only two located within a mile's reach of Portage's jurisdictional boundary. Our analysis reveals that City of Portage EV ports are priced 44% lower than other publicly disclosed charging stations in the county."

There is a clear need for government intervention to bridge the access gap and make the transition to electric vehicle ownership more feasible for Portage residents. Our project, incorporating a mix of Level 2 and DCFC chargers, aims to address the current gaps in access that private industry has not fully met. By offering a diverse range of charging options, we seek to provide affordable and convenient solutions to encourage electric vehicle adoption within our community.

1.4.3 Fleet Vehicles that Serve and Operate in Communities

The City of Portage is fully committed to the electrification of our municipal fleet, particularly focusing on its fleet. Currently, 13% of our total city fleet of vehicles consists of hybrid vehicles and this number continues to grow, showcasing our dedication to sustainable transportation. However, we recognize that there are several vehicles within our fleet that do not yet have suitable electric equivalents available in the market.

Within our general use vehicle category, an impressive 75% of our vehicles are hybrid. Our Fleet Superintendent actively maintains a comprehensive fleet transition plan, ensuring that any vehicle due for replacement will be replaced with an appropriate electric vehicle counterpart, if available. This approach demonstrates our commitment to the phased integration of electric vehicles into our fleet as they become more accessible and practical.

1.4.4 Project Benefit and Moderate-Income Access

The project will significantly improve access to EV charging stations for all residents of Portage, including those in rural areas, low- and moderate-income neighborhoods, and underserved or hard-to-reach communities. The City of Portage recognizes the importance of equitable access to sustainable transportation options and is committed to bridging the gap in charging infrastructure availability in these areas.

As part of our commitment to community development, the City of Portage has recently adopted the Portage Attainable Housing Plan. This plan outlines our goal of incorporating at least 20% attainable housing units in future developments, targeting individuals or families with incomes between 80-120% of the Area Median Income. In line with this initiative, a 100-unit development is planned on City-owned land in the upcoming years.

While there are proposed level 1 wall charging stations for the 100-unit development, the provision of level 2 and DCFC charging stations within the broader community will be vital. These additional charging options will reduce the investment burden for moderate-income residents who will be settling within our jurisdiction. It is crucial to ensure that all residents, regardless of income level, have convenient access to affordable and sustainable transportation options, thereby promoting inclusivity and addressing transportation-related equity concerns.

2. **Budget**

The City of Portage is seeking \$1,030,091.54 in CFI grant funding, which will be matched with \$206,018.31 in local funds to support the implementation of our Electric Vehicle Charger Strategy. The estimates provided are based on an investment in three - level 2 charging stations.

Category	# of Chargers	Chargers	Paneling	Cloud Services/Assure Plan	Installation Plans	Freight
DCFC	4	\$ 300,000.00	\$ 105,000.00	\$ 22,082.13	Included in Paneling	\$ 921.84
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Total Cost	\$ 1,236,109.85	Cost before Match	\$ 1,030,091.54			
		20% Match	\$ 206,018.31			
		Total Cost	\$ 1,236,109.85			

3. **Project Criteria**

3.1 **Safety**

Our project takes a comprehensive approach to address traffic safety considerations, ensuring the appropriate mitigation of any safety risks introduced by the construction of EV charging stations. We prioritize the safety of all users, including pedestrians, cyclists, and motorists, to create a safe and accessible environment.

The selection of charging port locations is carefully evaluated to provide optimal access to accessory electric paneling. We consider factors such as traffic flow, visibility, and clear sightlines to minimize any potential hazards. Signage and markings will be prominently displayed to clearly indicate the location of charging spots and guide traffic in a safe manner. We

will also explore the use of physical barriers, where necessary, to protect the charging stations from potential vehicle damage.

Importantly, our approach emphasizes utilizing existing spaces rather than constructing new locations. This minimizes the need for major alterations and ensures compliance with safety standards. Our dedicated Traffic Engineer, in collaboration with the City Engineer, will closely oversee each project to guarantee positive safety benefits for all residents.



For instance, the Celery Flats Pavilion (1.1.1) serves as an excellent example of an existing location that already incorporates many of the desired alterations. Clear arrows indicate one-way traffic, minimizing congestion and promoting orderly movement. Landscape modifications have been made to enhance sightlines, further enhancing safety measures.

The City of Portage is confident that our project will deliver positive safety benefits to all users. We are committed to ensuring that our project does not have a negative impact on overall safety and instead promotes safety through thoughtful design. Our approach aligns with the goals outlined in the National Roadway Safety Strategies presented by the U.S. Department of Transportation.

By prioritizing safety considerations and adhering to established guidelines, we are confident that our project will create a safer environment for the traveling public while facilitating the adoption of electric vehicles. The City of Portage remains dedicated to the well-being and safety of our community.

3.2 Climate Change Resilience, and Sustainability

Our project takes a holistic and proactive approach to address climate change, resilience, and environmental justice considerations both in the planning stage and during project delivery. We recognize the urgent need to reduce greenhouse gas emissions in the transportation sector and are committed to implementing measures that effectively mitigate our carbon footprint.

To address greenhouse gas emissions, our primary focus is on the construction of electric vehicle (EV) charging stations. By providing accessible and efficient charging infrastructure, we aim to accelerate the adoption of electric vehicles and contribute to a significant reduction in transportation-related emissions.

In addition to reducing greenhouse gas emissions, we prioritize incorporating evidence-based climate resilience measures and features into our project. We will collaborate with experts in the field to identify and implement design strategies that enhance the project's resilience to climate-related risks, such as extreme weather events, rising sea levels, and changing precipitation patterns. This includes considerations for flood-resistant infrastructure, elevated charging station platforms, and backup power systems to ensure functionality during emergencies.

Furthermore, we are committed to reducing lifecycle greenhouse gas emissions by carefully selecting project materials. Our procurement process prioritizes sustainable and low-carbon materials, promoting the use of recycled or locally sourced materials with a lower environmental impact. We also aim to minimize waste generation and maximize recycling and reuse opportunities during construction and operation.

Environmental protection is a key aspect of our project. We conduct thorough environmental assessments to identify potential impacts on air or water quality, wetlands, and endangered species. Through the use of best practices and adherence to stringent environmental regulations, we will mitigate adverse effects and implement measures to protect these sensitive ecosystems. This includes stormwater management strategies, water conservation measures, and habitat restoration efforts where applicable.

Importantly, we are deeply committed to addressing the disproportionate negative impacts of climate change and pollution on disadvantaged communities. We actively engage with these communities through meaningful public involvement, seeking their input and perspectives throughout the project's life cycle. Our efforts extend beyond the project itself and focus on prevention, response, and recovery from natural disasters exacerbated by climate change. We work closely with community organizations, local governments, and relevant stakeholders to develop comprehensive strategies that enhance community resilience and foster equitable access to resources and services.

As evidence of our commitment to climate change resilience and sustainability, the City of Portage proudly holds the distinction of being the only community within Southwest Michigan to be recognized as a gold level recipient of the Michigan Green Communities Challenge Award. This prestigious accolade signifies our dedication to achieving inclusive and lasting impacts within our jurisdiction. As part of our gold level status, we have made significant strides in various areas, including planning for sustainable development, promoting energy efficiency and renewable energy transitions, implementing responsible waste management practices, advocating for sustainable land use, supporting clean and inclusive mobility options, and mobilizing our residents to actively participate in sustainable initiatives.

In conclusion, our project encompasses a comprehensive approach that addresses climate change, resilience, and environmental justice considerations. By reducing greenhouse gas emissions, incorporating climate resilience measures, minimizing adverse environmental impacts, and prioritizing disadvantaged communities, we aim to contribute to a sustainable and equitable future. Our commitment to evidence-based practices, collaboration, and community engagement ensures that our project aligns with the goals of promoting environmental stewardship, mitigating climate risks, and fostering social equity.

3.3 Equity, Community Engagement, and Justice⁴⁰

Our project will include a comprehensive equity assessment to evaluate whether it will create proportional impacts and address transportation-related disparities in the project area. We recognize the importance of ensuring equitable access to transportation resources and aim to remove any existing disparities that may disproportionately affect certain populations.

To conduct the equity assessment, we will utilize the DOT's Transportation Disadvantaged Census Tracts tool, or equivalent tools, to identify areas with transportation disparities and assess

the impact of our project on different populations. This assessment will guide our decision-making process in determining the placement and distribution of EV charging stations to maximize accessibility and benefit for all residents.

Meaningful public involvement, inclusive of disadvantaged populations, is a crucial aspect of our project. We are committed to engaging with the community throughout the project's life cycle, seeking their input and incorporating their perspectives. This ensures that the project meets the needs of underrepresented communities and addresses any concerns they may have.

Our project aims to benefit low-income communities, disadvantaged communities, communities underserved by affordable transportation, and overburdened communities. We will strive to achieve outcomes that target at least 40 percent of the project's benefits toward these communities, aligning with the grant's objective of promoting equitable access to transportation resources.

By increasing the availability of EV charging stations, our project will contribute to affordable transportation options, improve safety, connect individuals to good-paying jobs, combat climate change, and enhance access to resources and overall quality of life. Through our equity assessment and community engagement efforts, we will ensure that our project positively impacts all populations in the project area and promotes inclusivity.

3.4 Workforce Development, Job Quality, and Wealth Creation

The City of Portage is fully committed to meeting the grant requirements by focusing on the construction of new EV charging stations. Our project aims to create a positive impact on workforce development, job quality, and wealth creation within our community through the following strategies:

- **Good-Paying Jobs and Labor Standards:** As part of our EV charging station construction project, we will prioritize fair labor practices and ensure good-paying jobs for workers. We will adhere to labor standards, including the use of project labor agreements, to safeguard worker rights, promote fair compensation, and provide opportunities for workers to join unions.
- **Workforce Development and Underrepresented Populations:** Our project will invest in workforce development programs that align with the construction and maintenance of EV charging stations. We will strive to offer supportive services to train, place, and retain individuals in good-paying jobs or registered apprenticeships. With a strong emphasis on inclusivity in the bidding process, we will focus on providing opportunities to women, people of color, individuals with disabilities, and those with convictions who are underrepresented in infrastructure jobs.
- **Inclusive Economic Development and Entrepreneurship:** By constructing new EV charging stations, we will drive local inclusive economic development and entrepreneurship. We will prioritize the utilization of Disadvantaged Business Enterprises (DBEs), Minority-owned Businesses (MBEs), Women-owned Businesses (WBEs), and 8(a) firms in the construction process. This will enable us to create wealth, foster economic growth, and promote the participation of underrepresented entrepreneurs within our community.

Through the construction of new EV charging stations, the City of Portage is confident in meeting the grant requirements related to workforce development, job quality, and wealth

creation. By adhering to labor standards, focusing on bidders who invest in workforce development programs, and promoting inclusive economic development and entrepreneurship, our project will not only enhance access to EV charging infrastructure but also provide tangible benefits to the community.

We are committed to leveraging this grant opportunity to create a sustainable and equitable future, where the construction of EV charging stations serves as a catalyst for workforce development, job quality, and wealth creation within our community.

3.5 CFI Program Vision

This project will equitably expand the deployment of public EV charging infrastructure to the citizens of Portage and beyond. Each charging station, located outside of a public park or municipal building, will provide 24/7 accessibility to residents and visitors alike. Through the strategic distribution of EV charging stations near employment hubs (detailed in 1.2.2) we hope to encourage usage by a greater diversity of patrons travelling to, from, and near their place of employment.

The City of Portage is confident that this project promotes multi-modal hubs (1.4.1), offers urban/suburban charging and fueling solutions (1.4.2), and will enable us to provide swifter electrification of fleet vehicles that serve and operate in the community (1.4.3).

4. Project Readiness and Environmental Risk

The structure of this project has allowed the City of Portage to manage many of the variable's projects of a similar nature might find challenging. All property utilized within this project is City-owned and therefore this project will not require an assessment of real property or detail of Right of Way acquisitions.

4.1 Statement of Work

Work concisely involves the installation of 23 electric vehicle charging stations at 11 city owned sites. 19 of the electric vehicle chargers will be AC level 2 charging stations. Four of the charging stations will be level 3 or Direct Current Fast Chargers (DCFCs).

Contractors will make the necessary upgrades to existing electric infrastructure, in order to be able to maintain simultaneous usage of all available charging stations at each given location. The contractor will access electric paneling or find the nearest access point already connected to electric paneling and provide connections to established locations. All electrical wiring will be buried from the point of electrical connection — to the point of charger usage. Concrete materials will need to be utilized to stabilize pole charging stations. Concrete materials, placement, and finishing shall conform to the City of Portage specifications. The curb/sidewalk locations will be poured with concrete compressive rating of 3,500 psi. It is recommended the contractor provide curb protection until the concrete has set in an effort to prevent vandalism.

Contractors must account for DCFC charging stations that can provide a max power of 125kW per hour. Level 2 charging stations should conform with existing level 2 charging stations located at the City of Portage City Hall and the Portage Zhang Senior Center (7.2 kW per hour).

4.2 Equity and Accessibility

The city is committed to providing accessible charging infrastructure for all residents, including individuals with disabilities. Our design and installation process will adhere to ADA guidelines, ensuring that charging stations are easily accessible and usable for people with mobility challenges. This includes considering features such as accessible parking spaces, accessible routes to the charging stations, and accessible payment methods.

To address equity concerns, we will strategically locate the charging stations in areas that serve a diverse range of communities and neighborhoods. By installing charging stations in existing parking lots at parks and municipal buildings, we aim to ensure that residents from various socioeconomic backgrounds, including underserved communities, have access to convenient and reliable electric vehicle charging infrastructure.

To continuously assess the effectiveness of our equity and accessibility efforts, the City will establish a monitoring system. This will involve tracking usage patterns, evaluating feedback from the community, and conducting periodic assessments to identify any disparities or areas for improvement. We are committed to making adjustments and taking proactive measures to ensure that equity and accessibility remain at the forefront of our charging infrastructure initiatives.

4.3 Project Risks & Solutions

4.3.1 Electrical System Variability

The cost of electrical infrastructure upgrades and the connections to proposed locations may vary due to the capacity limitations and specifications of each park. Variability in cost prediction poses a financial obstacle.

By conducting a thorough assessment of each park's electrical system capacity and consult with electrical engineers to accurately estimate the upgrade costs. We will also engage with local utilities and explore potential partnerships or grants to offset the costs of unforeseen infrastructure upgrade costs.

4.3.2 Construction and Electrician Delays

Construction projects are susceptible to delays, which can lead to budget overflows. Factors such as weather conditions, labor shortages, and unforeseen technical challenges could impact the project timeline.

In order to address this, we will develop a comprehensive construction plan with realistic timelines and buffer periods to account for potential delays. We will also maintain open communication with contractors and electricians to address any issues promptly. Finally, the City of Portage will consider including contractual penalties and incentives to encourage adherence to the agreed-upon schedule.

4.3.3 Vendor and Supplier Reliability

The project's success relies on the reliability and timely delivery of vendors, suppliers, electricians, and pavers. Any delays or inconsistencies in the supply chain could disrupt the installation process.

Our solutions are this. Thoroughly vet vendors and suppliers before awarding contracts, considering their track record, references, and ability to meet project requirements. Establish clear communication channels and maintain regular updates with suppliers to address any potential issues promptly. Have contingency plans in place to mitigate delays caused by supplier disruptions.

4.3.4 User Adoption and Demand

There is a risk of insufficient user adoption or lower-than-anticipated demand for the charging stations, resulting in underutilization of the infrastructure.

To address this, our public information department will develop a comprehensive marketing and outreach strategy to raise awareness about the benefits of electric vehicles and the availability of charging stations. It will be necessary to collaborate with local businesses, organizations, and EV communities to promote the charging infrastructure and incentivize usage.

4.4 Public Engagement

The project's success depends on public perception and stakeholder support. There is a risk that some stakeholders may question the necessity or effectiveness of the investment, hindering community buy-in.

We will implement a robust public engagement strategy to educate stakeholders about the environmental and economic benefits of electric vehicles and charging infrastructure. Public meetings, workshops, and surveys will also be utilized to gather feedback. Finally, fostering partnerships with community organizations and advocacy groups to build and retain support for the project will be a key strategy.

Specifically, regarding Disadvantaged Business Enterprise Participation (DBEs), we will seek out qualified DBEs for construction, electrical, and related services to be notified of our procurement processes involving this project.

4.5 Project Timeline

This project will take at most two and a half years. On learning of the grant award, at the soonest possible time we will go into our solicitation process before the following construction season.

All major administrative forces that would work to implement this project have provided input and signed off on this grant application — including: the Department Head for the Department of Public Works, the Deputy Department Head of Public Works: Fleet and Facilities, the City Manager, and Chief Operations Officer.

On May 22, 2023, the grant application submission was approved by the Portage City Council — affirming our commitment to the project.

A very tentative timeline would look like the following (framed by months out from award):

One month out from learning of award: start the request for proposal process for vendors of electric vehicle charging stations. Simultaneously fortify electrical capacity requirements.

Four months out: secure proposal and have purchase approved by Portage City Council, as per solicitation regulations. Start the process for procurement of construction (pavement work) and the solicitation process of electrician work.

Seven months out (or soonest availability within Michigan Construction Season): Receive Bids and start work.

Twelve months to Twenty-Four months: Clear sightlines of problematic project locations, and adjust pricing to better address costs of maintenance, and reinforce marketing strategies around less utilized locations.

Depending on the availability of construction workers during this period — it is very likely that this process will need to be split into three phases. Assuming at most it would take 8-9 months to receive on proposals and bids completely from the start of each phase (which the necessity of phases will become apparent at time of bidding) this entire project could take anywhere from 8 months to 27 months (without considerations for the constraints imposed by Michigan construction timeframes).

4.6 Addressing 23 CFR Part 680 Requirements

Electric vehicle charging stations will comply with the entirety of § 680.

Minutes of Boards & Commissions

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of the Meeting – April 6, 2023

5:30 p.m. Conference Room 1

CALL TO ORDER: The City of Portage Special Human Services Board meeting of April 6, 2023, was called to order by Monica Lloyd at 5:31 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue, Portage MI.

MEMBERS PRESENT: Chair Brooke Kolodzieczyk, Vice Chair Jihan Young, Effie Kokkinos, John Dillworth, Justin Phan, Chelsea Huber, Sue Beasley, Bridget Lane.

OTHERS PRESENT: Chris Buckley

STAFF PRESENT: Tina Perry

APPROVAL OF MINUTES: The Minutes of March 2, 2023 were approved by a motion made by John Dillworth and supported by Jihan Young. The motion was unanimously approved, 8-0.

NEW BUSINESS:

CDBG Public Hearing for the FY23-24 Annual Action Plan. Monica Lloyd made a motion to open the public hearing to receive comments on the FY23-24 Annual Action Plan for use of CDBG monies during the time from July 1, 2023 through June 30, 2024, supported by Chelsea Huber. Tina Perry explained the differences in funding from the current year included a lower allocation from HUD and less loan repayments for a \$79,890 budget reduction.

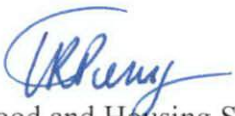
Chris Buckley, director of the Portage Community Center commented that the reduction will significantly impact the utility assistance program. They will be serving much fewer people; from approximately 200 to only 65 or 70 with the allocation from the General Fund. Chris commented that Portage Community Center is proactive through is greatly concerned with the CDBG cut.

Jihan Young made a motion to close the Public Hearing after indicating that comments can be received until May 6, 2023. Justin Phan supported the motion and it unanimously passed 8-0.

Fair Housing month. In support of April being Fair Housing Month, a representative from the Center of Fair Housing of Southwest Michigan had planned to attend the April 6 regular HSB meeting to provide an update of current affairs of Fair Housing, however due to an illness, the presentation is postponed until the May 4, 2023 HSB Meeting. Following the presentation, the HSB will begin review of the HSB application to receive requests for funding for CDBG and City of Portage General Funds for FY24-25.

ADJOURN: Motion to adjourn was made by John Dillworth, supported by Jihan Young and unanimously supported. 8-0.

Respectfully Submitted,

Tina Perry 
Neighborhood and Housing Specialist
Community Development, City of Portage

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – April 10, 2023

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Haddow at 7:00 p.m. no one was in the audience.

MEMBERS PRESENT: Lynn Haddow, Jay Eichstaedt, Linda Fry, Ken Seybold, Aimee Potts

MEMBERS EXCUSED: Michael Reedy, Lena Jomaa

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator; Catherine Kaufman, City Attorney; Josh Thall, Assistant City Attorney.

APPROVAL OF THE MINUTES:

A motion was made by Fry, and seconded by Eichstaedt, to approve the March 13, 2023 minutes as submitted. Upon voice vote, motion passed 5-0.

NEW BUSINESS:

ZBA #22-09; 7101 South Westnedge Avenue: No applicant was in attendance to present their case.

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

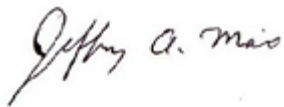
After additional discussion, a motion was made by Seybold, seconded by Potts, to postpone the item to the May 8, 2023 meeting.

OTHER BUSINESS: The Board accepted the resignation of Linda Finch

STATEMENT OF CITIZENS: None.

ADJOURNMENT: The meeting was adjourned at 7:10 pm.

Respectfully submitted,

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

Jeff Mais
Zoning & Codes Administrator

**City of Portage Environmental Board
Minutes for the Meeting on April 12, 2023**

Members present: Justin Gish, Joseph Chamberlin, Lauren Thompkins, Jason Beasley, David Lancaster, Thomas Schaffer, Diedre Courtney, Aanya Goel (Youth Advisory Committee), Jerry Kroehn, Jamie Harmon (ex officio)

Guests: None present

7:02p.m. Meeting called to order

7:03 p.m. Welcome and Introduction of Guests

- Aanya Goel from the Youth Advisory Committee joined this meeting.

7:04 p.m. Public Comment

- No members of the public present to speak.

7:06 p.m. Approval of the March Minutes

- Thomas S. made motion to accept these minutes. Joe C. seconded. Motion passed.

7:06 p.m. Arbor Day/Tree Planting

- Event planned for April 28th at 2pm at Portage Central. A white oak will be planted and be a focal point for the Portage Central Campus community. The Portage Central gardening club from the area will plant and maintain the tree. The city manager and school officials will be in attendance. Environmental Board Members are encouraged to attend.

7:15 p.m. Urban Bird Treaty

- The oak tree being planted on Arbor Day will benefit bird species. The City of Kalamazoo will be involved with this urban bird treaty. Response to the Urban Bird Treaty application has not been received.

7:23 p.m. Renewable Energy

- Lauren T. will speak with industry leaders who may present to the board on issues surrounding renewable energy policies.

7:30 p.m. Master Plan Discussion

- Diedre C. attended the public event at the senior center. She stated that the public event focused on issues of housing and natural space, two topics of interest to the Environmental Board.
- Jaime H. stated that the plan would most likely not be approved for a year and a half. Jaime H. encouraged Board members to attend and share their environmental members

knowledge. Justin G asked if there was any effort for those who are drafting the master plan to come speak to the board directly. Jaime H. will reach out to the drafters of the master plan to see if a special arrangement can be made for these folks can speak with the board directly. Joe C. suggested adding an agenda item for the next meeting to create a master plan committee. Thomas S. made a motion to create this committee at the next meeting. Joe C. seconded. Motion passed.

7:34 p.m. KPL Speaking Engagement

- Thomas S. attended this event and reported back on the moves Ann Arbor is making towards a sustainable city. Thomas S. appreciated Ann Arbor's focus on vulnerable populations and how sustainability can improve their lives first.

7:40 p.m. Board Member Discussion

- Thomas S. commended Diedre C. and David L. on their recent appointments at local higher education institutions.
- Jaime H. stated that Hope College will be doing research on the local bogs.
- Jason B. asked about an Environmental Board table at the local farmer's market. Jaime H. stated that if the Environmental Board wants a table they simply need to ask. Joe C. asked for an agenda item be made at the next meeting. Lauren T. suggested the creation of a survey for attendees of the farmer's market.
- Thomas S. would like to see an eco-competition between the two Portage high schools.

8:03 p.m. Adjourn

- Motion to adjourn made by Thomas S. Seconded by Diedre C. Motion passed.

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Ordinance Amendment #22/23-9: Commercial marihuana development Chapter 42
Article 4

SUPPORTING PERSONNEL: Erica Eklov, City Clerk
Jonathon Hallberg, Interim Director of Community Development
Nicholas Arnold, Director of Public Safety - Police / Fire Chief
Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Subsequent to the public hearing, adopt Ordinance Amendment #22/23-9(A) to amend commercial marijuana development standards within Chapter 42, Land Development Regulations, Article 4 (Zoning).

Presently, following approval by voters in 2018, the State of Michigan allows both the personal use of marijuana and commercial marijuana businesses. At the local level, cities/townships have the authority to establish local permitting processes, licensing, and zoning standards for commercial marijuana businesses; very few local authorities can regulate the personal use of marijuana. The City of Portage has established permitting processes for commercial marijuana businesses in Chapters 14 (Businesses) and 42 (Land Development Regulations) for these uses.

In the past few years, many businesses in Michigan have had to adjust operations due to COVID restrictions. This resulted in an increase in contactless ordering/delivering/acquiring of products and services and an increase in drive-through service demand. The state temporarily relaxed certain commercial marijuana regulations and allowed retailers, provisioning centers, and micro-businesses to provide contactless transactions and drive-through services. Given the pandemic, the city did not wish to stand in the way of the contactless option. The state has now permanently allowed these new operational services and, with the impact of the pandemic lessened, the city recently directed all dispensaries to cease any drive-through operations unless and until the following proposed ordinance revisions are enacted by the City Council. Presuming approval, those dispensaries wishing to have a drive-through window will have to comply with the same standards and application procedures as other businesses in the community.

Ultimately, the goal of the proposed ordinance is to better match our municipal ordinance with the State of Michigan legal framework. The city seeks ordinance amendments to modify several commercial marijuana development standards consistent with recent changes in the state's Cannabis Regulatory Agency (CRA) and to better position land for future development. The proposed modifications include the following:

1. Drive-through marijuana operations are currently prohibited in the City of Portage. Remove this prohibition as consistent with new CRA standards. This would allow only marijuana retailers

- (adult-use/recreation), provisioning centers (medical), and micro-businesses (grow, process, and sell in a single location) to have a drive-through service.
2. Establish new drive-through queuing standards for the above marijuana uses, as consistent with other city zoning drive-through businesses to best manage proper areas for queuing, general site circulation, and parking.
 3. Commercial marijuana growing businesses are currently allowed in Portage within the Industrial districts (I-1 & I-2) only. Marijuana can be grown indoors or outdoors. The staff proposes prohibiting outdoor growing to better position those valuable industrial properties for higher development opportunities. There are no proposed changes to continued indoor marijuana growth.
 4. Rename 'marihuana' to 'marijuana', consistent with the CRA.

The B-3 General Business zoning district allows commercial uses of retail, restaurants, offices, and others. Additionally, drive-through businesses such as restaurants, cafes, and others are permitted within this district. Marijuana businesses, including provisioning centers and retailers, are permitted only in the B-3 district, and within the industrial districts if co-located with a marijuana grower and processor. These businesses are not allowed drive-through service due to past prohibitions by the state and city (zoning code Sec 42-262(B)(16)(d)). The CRA prohibition has been overturned. Therefore, the city seeks to apply standards consistent with the state to allow drive-through service for retailers, provisioning centers, and those same uses that are co-located in industrial districts.

With regard to Drive-Through Standards, certain businesses within the city are allowed a drive-through service by a specific zoning district and shall meet specific standards, such as minimum queuing distance from the order window and pick-up window, minimum drive lane width, etc. To align with permitting drive-through services for provisioning centers and retailers, the city seeks to apply drive-through standards. Although there are no specific minimum spacing or car queuing standards for retail businesses, there are those for fast-food restaurants. This includes three stacking spaces (three car lengths) between the window and menu board and three stacking spaces before the menu board. This queuing standard is widely used across different restaurant companies and has been effective in accommodating drive-through needs. Some fast-food restaurants add two drive-through lanes to better accommodate high demand. Staff finds this proposed queuing drive-through standard to be effective for accommodating drive-through demands for marijuana provisioning centers and retailers. The attached map shows all existing marijuana provisioning centers and retailers in Portage. If items 1 and 2 above are approved, all existing provisioning centers and retailers that wish to add a drive-through service shall amend their Site Plan and seek city approval to ensure all parking and accessibility standards are met. As of the date of this report, there are ten provisioning centers and retail locations in Portage; some offer both forms of marijuana (recreation and medical).

For Outdoor Grow Operations in relation to industrial districts, the CRA allows commercial marijuana to be grown inside or outside of a building. Cities/townships may allow or prohibit where commercial marijuana may be grown. Currently, the City of Portage allows both outdoor and indoor commercial marijuana growing, where allowed, per Sec 42-280(B)(21)(a) within the following locational restrictions:

1. Limited to industrial districts (I-1 & I-2),
2. Not abutting or adjacent to a residential district, and
3. Not within 1,000 feet of a public/private school or college or university, a public library, child daycare center, a substance abuse treatment facility, park/playground, public/private youth center,

public swimming pool, video arcade facility, recreation facility, religious institution, or housing facility owned by a public housing authority.

As of the date of this report, the city has approved only one commercial marijuana growing business, located at 4525 Quality Court. Per approved plans, this business grows marijuana only inside the subject building. Aside from that business, there are no other approved or pending marijuana-growing businesses. As of the date of this report, staff has mapped eligible sites (see attachment) meeting the above locational criteria for future marijuana commercial growing businesses. A list of the mapped sites is also provided (see attachment), consisting of 68 properties. In the list, five are owned by a government agency (the City of Portage and the City of Kalamazoo), two are owned by a utility company (Consumers Energy), five are undeveloped (vacant) sites, and the remaining (56) sites are privately owned and developed. The largest property owner by acreage on this list is Pharmacia & Upjohn Company (Pfizer). The City Administration proposes prohibiting the future outdoor growing of commercial marijuana for the following reasons:

- The CRA does not classify commercial growing of marijuana as agricultural use. Thus, it is not protected under the Generally Accepted Agricultural Management Practices (GAAMP).
- Outdoor growing of commercial marijuana would likely require large tracts of land. With a high demand for industrial land within Portage, the city can better attract future industrial growth and employment for those large tracts of land.
- Due to a lack of containment and high visibility, outdoor marijuana growing businesses could likely attract theft and criminal behavior. This could result in more demand for local emergency response services.
- Most of the industrially-zoned properties are served by city water and sewer utilities. These utilities increase development potential for more intense uses.
- Outdoor marijuana plants could result in unattractive odors for adjacent neighborhoods, which would be difficult to manage in an outdoor environment.
- As mentioned earlier, there are no approved, pending approval, nor built outdoor commercial marijuana growing businesses in Portage. Therefore, no existing outdoor marijuana growing businesses would be negatively affected by this proposed change.
- Lastly, this proposed change would not impact the approved, or future indoor commercial marijuana growing businesses.

The final revision to both the zoning (Chapter 42) and the business (Chapter 14) ordinances involves renaming 'marihuana' to 'marijuana', consistent with the CRA. This will be done throughout the code. This will not result in any locational impacts on commercial marijuana businesses.

Although the Comprehensive Plan does not specifically address marijuana uses, it does classify certain lands for general manufacturing/processing activities, various commercial uses, etc. As established by the CRA and allowed by the City of Portage, commercial marijuana businesses are permitted by certain zoning districts, as consistent with the intent of the Future Land Use Map of the Comprehensive Plan. The plan's two industrial land use classifications are 1) Shaver Road Business Corridor, and 2) Industrial. Both classifications describe land use purposes generally consisting of a source of production of a variety of products/services that benefit a corridor, region, or beyond. Further, these classifications generally support land uses for industrial manufacturing operations, assembly, or other similar uses.

Outdoor growing of marijuana or general crops would not be consistent with the intent or supported land uses within those industrial districts. Therefore, the staff's proposed prohibition of outdoor growing of commercial marijuana would be consistent with those two industrial land use classifications. The plan provides various business land use classifications, with the 'General Business' and 'Regional Business Centers' being most aligned with the B-3 General Business zoning district. As stated above, this zoning district permits a variety of drive-through businesses. Allowing drive-through service for marijuana retailers and provisioning centers would be consistent with the above business land use classifications.

The proposed amendments were introduced to the Planning Commission during the April 6, 2023, meeting. The required public notice for the Planning Commission meeting was published in the Kalamazoo Gazette on March 21, 2022. No citizen comments were received at the meeting. Following the public hearing, the Planning Commission voted 6-1 to waive the second public hearing and recommend to City Council that Ordinance Amendment #22/23-A, zoning for marijuana businesses, be approved. Lastly, following a question on April 18 regarding conflicting language in the licensing portion of the ordinance, Section 14-261(2) was updated to remove the notation that sales would take place indoors and outside of public view to be consistent with drive-through operations. Staff does not expect drive-through sales to be shielded from public view. As such, staff adjusted the language to make it more consistent.

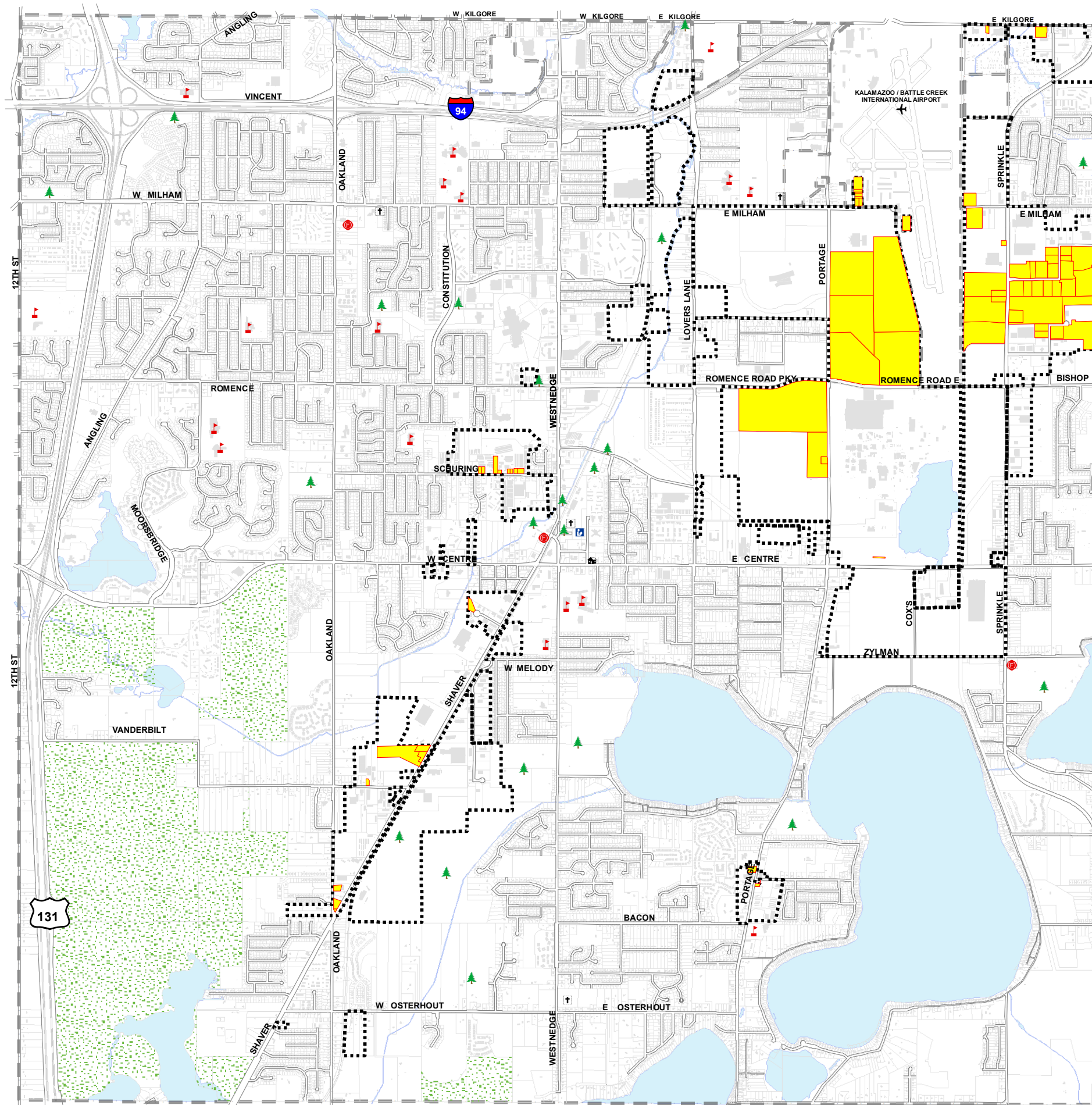
Due to recent publication issues with the Kalamazoo Gazette the legal requirement to publish a zoning ordinance amendment in the "local newspaper of general circulation" 15 days prior to completing the public hearing requirements was not met. As such, the City Council opened the public hearing during the May 9, 2023 Regular Meeting, then adjourned the public hearing to resume May 23, 2023.

FUNDING: Not Applicable

- Attachments:**
1. Eligible Marijuana Growing, Processor Sites; City of Portage
 2. Map of Existing Provisioning Centers, Retailers
 3. Marijuana Eligible Industrial Site List
 4. Chapter 42 Ordinance Amendment - redline version
 5. Draft April 6, 2023 Planning Commission meeting minutes
 6. Planning Commission Transmittal dated April 11, 2023



Map of Previously Approved and Potential Marihuana Business Locations: Grow Operations, Processors, Safety Compliance, Secure Transporters and Microbusinesses March 21, 2023



- Properties that may meet eligibility requirements regardless of current use
- I-1 or I-2 Zoning
- City Boundary

Refer to the marihuana business ordinance for location requirements. Potential locations must be I-1 or I-2 zoned, and not adjacent or abutting a residential zone and more than 1000' from uses as specified in the Code of Ordinances of the City of Portage, Sec. 42-280 B.

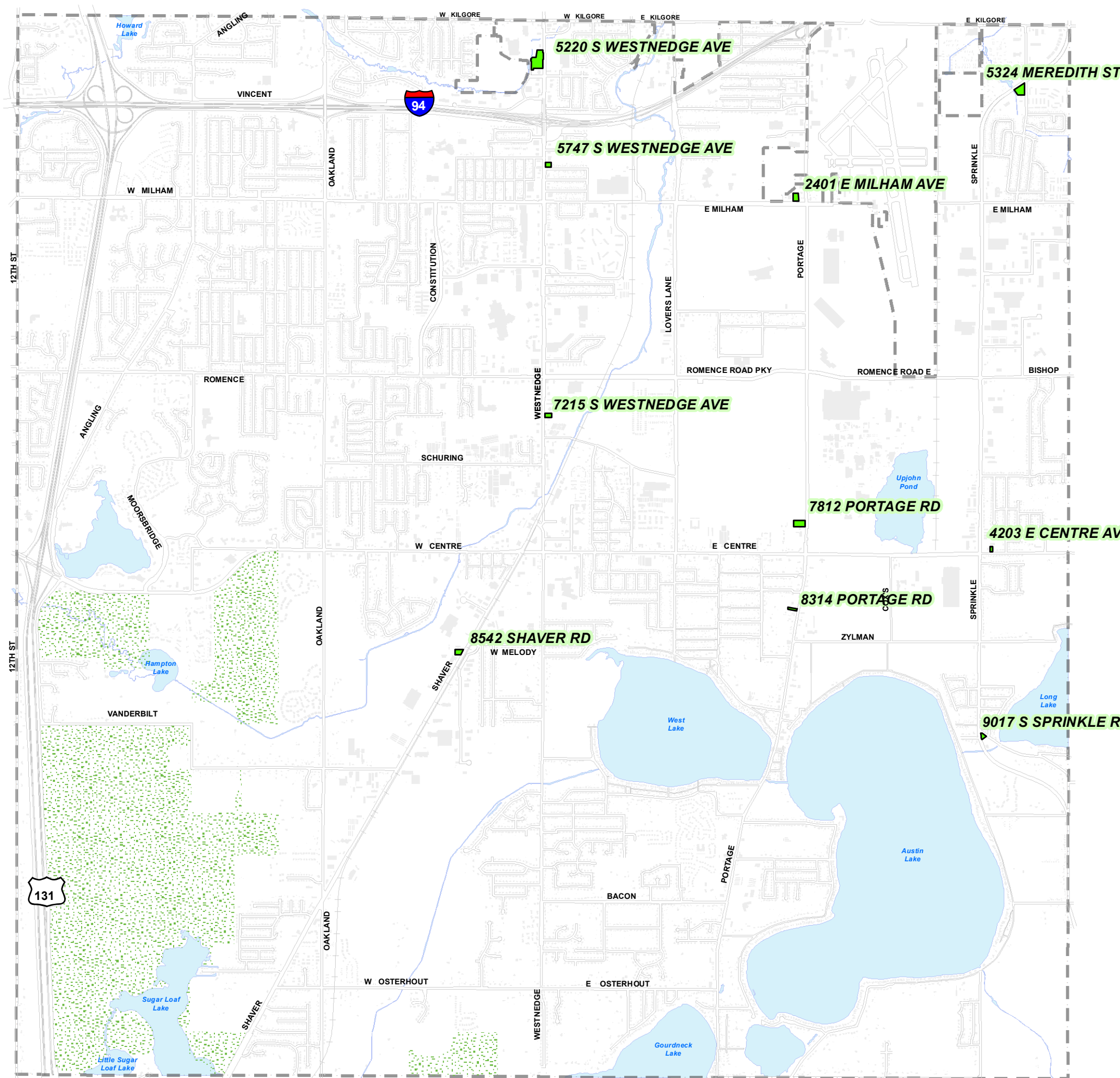
This listing is for information only and all potential properties must be individually evaluated to ensure compliance with ordinance.



1 inch = 3,200 feet

Map of Previously Approved and Potential Marihuana Business Locations: Provisioning Centers and Retailers

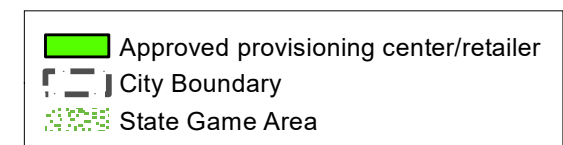
March 23, 2023



Refer to the marihuana business ordinance for location requirements.

Potential locations must be a permitted B-3 use, and not adjacent to a residential zone and more than 1000' from churches, schools, day cares, libraries, treatment facilities, parks and public and/or private recreation areas.

Provisioning centers and retailers must be at least 1000' from each other.



1 inch = 3,167 feet

No.	Size (sq ft)	Acres	Parcel No.	Owner Name	Existing Use	Site Address	State
1	39,930.00	0.92	067200100	PHARMACIA & UPJOHN COMPANY	Vacant	7400 PORTAGE RD	MI
2	753,144.00	17.29	067200010	PHARMACIA & UPJOHN COMPANY	Vacant	7230 PORTAGE RD	MI
3	1,971,385.00	45.3	00011010H	PHARMACIA & UPJOHN COMPANY	Vacant	3101 ROMENCE RD	MI
4	68,414.00	1.57	00012100C	TEMPROPERTIES - PORTAGE LLC	Vacant	6500 S SPRINKLE RD	MI
5	301,598.00	6.9	00012118D	DSL ENTERPRISES, INC	Vacant	4501 QUALITY CT	MI
6	5,764.00	0.13	00029445A	CENTRAL ADVERTISING CO	Billboards	9960 SHAVER RD	MI
7	45,893.00	1.05	00029441O	KALAMAZOO FLEET FUELING, INC.	Gas Station	9950 SHAVER RD	MI
8	11,413.00	0.26	00026165O	NICHOLS, ANDREW D	Single Family House	9741 PORTAGE RD	MI
9	43,790.00	1.01	00026065O	DEJAMS, LLC	Stainless Fabricating & Eng.	9702 PORTAGE RD	MI
10	19,391.00	0.45	00029005A	FEMA CORPORATION	FEMA Corporation	1728 VANDERBILT AVE	MI
11	480,623.00	11.03	00028120B	OSPREY STORAGE SHAVER LLC	Osprey Self Storage	9114 SHAVER RD	MI
12	69,022.00	1.58	00028135A	REALTY INCOME PROPERTIES 28 LLC	Gerber Collision (Under Construction)	9040 SHAVER RD	MI
13	57,807.00	1.33	00720004O	HI TECH HOLDINGS LLC	WMH Fluidpower	862 LENOX AVE	MI
14	10,896.00	0.25	00016130O	JOHN SCHURING JR CO	Schuring Greenhouses	608 SCHURING RD	MI
15	10,754.00	0.25	00016145O	JOHN SCHURING JR, COMPANY	Single Family House	510 SCHURING RD	MI
16	10,767.00	0.25	00016140O	CUBIC, MICHAEL	Single Family House	516 SCHURING RD	MI
17	30,053.00	0.69	00016165O	PARSONS, PATRICIA & PAUL	Single Family House	408 SCHURING RD	MI
18	14,846.00	0.34	00016160O	GENTNER, MELISSA	Single Family House	428 SCHURING RD	MI
19	19,997.00	0.46	00016115O	BRADLEY, TERRENCE F & CARLA S	Single Family House	726 SCHURING RD	MI
20	19,213.00	0.44	00016110O	TERRY, SANDRA	Single Family House	802 SCHURING RD	MI
21	68,578.00	1.57	00016125O	HOEKSEMA BROTHERS GREENHOUSES, LLC	Hoeksema Greenhouses	618 SCHURING RD	MI
22	3,560,252.00	81.73	00014005A	PHARMACIA & UPJOHN COMPANY	Temporary Parking Lot/ Construction Staging	7000 PORTAGE RD	MI
23	80,557.00	1.85	00012115X	PORTAGE MI HOLDINGS, LLC	Pharm Optima	6710 QUALITY WAY	MI
24	1,802,310.00	41.38	00011010G	NORMAN/PORTAGE, LLC	Office Building	6901 PORTAGE RD	MI
25	148,028.00	3.4	00012118A	STEPHENS PROPERTIES LLC	Quality Air Service	6701 QUALITY WAY	MI

26	83,874.00	1.9	00012115W	HUSKER HOLDINGS LLC	Kalamazoo Machine Tool	6700 QUALITY WAY	MI
27	782,400.00	18.0	00012101C	MANN+HUMMEL USA, INC	Mann+ Hummel	6700 S SPRINKLE RD	MI
28	628,307.00	14.4	00012118B	DSL ENTERPRISES, INC	D&L Industrial Services	4550 QUALITY CT	MI
29	155,314.00	3.6	00012116A	SPRINKLE ENGINEERING BUILDING, LLC	Summit Polymers	6615 S SPRINKLE RD	MI
30	1,123,221.00	25.79	00012117A	ERBSLOEH ALUMINUM SOLUTIONS, INC.	WKW Aluminum	6565 S SPRINKLE RD	MI
31	1,651,904.00	37.92	00011010L	ET KALAMAZOO FX, LLC	Fed Ex	6701 PORTAGE RD	MI
32	82,394.00	1.89	00012106O	BARNES HOLDINGS LLC	Superior Business Solutions- Commercial Printer	6490 S SPRINKLE RD	MI
33	120,585.00	2.77	06442009A	SAMCO LAND KALAMAZOO, LLC	SA Morman - Door Supplier	4510 COMMERCIAL AVE	MI
34	128,849.00	2.96	06442008O	RF HOLDING LLC	Acuren Inspection; Casium Technologies	4460 COMMERCIAL AVE	MI
35	154,172.00	3.54	06440006O	TODD UNIFORM INC	Aramak Uniform Services	4384 COMMERCIAL AVE	MI
36	119,370.00	2.74	06440007O	FIND-COUNT-DIVINE 897 LLC	Blu Technology, Perspective	4250 COMMERCIAL AVE	MI
37	186,101.00	4.27	06440001O	CC 10 LLC	Office Building	4176 COMMERCIAL AVE	MI
38	219,987.00	5.05	06442009B	4570 COMMERCIAL AVE, LLC	Lindenmeyr Munroe; Rollie Williams; Lending Hands	4570 COMMERCIAL AVE	MI
39	799,672.00	18.36	00012105O	MANN+HUMMEL USA, INC	Mann+ Hummel	6400 S SPRINKLE RD	MI
40	471,619.00	10.83	00012001C	COLONIAL ENGINEERING INC	Colonial Engineering - Plastic Fabrication	6400 CORPORATE AVE	MI
41	132,787.00	3.05	06442010A	BICKINGS, TIMOTHY P & D A	Custom Design Inc. - Industrial Equipment Supplier	4481 COMMERCIAL AVE	MI
42	177,291.00	4.07	06440005O	M R S REALTY CORP	Hub Group Trucking	4385 COMMERCIAL AVE	MI
43	82,717.00	1.90	06440004O	4311 COMMERCIAL AVE, LLC	B&L Bolt - Distribution Service	4311 COMMERCIAL AVE	MI
44	263,149.00	6.04	06440002O	COMMERCIAL PROPERTIES PARTNERS, LLC	Thermal Fisher Scientific- Biotech. Company	4169 COMMERCIAL AVE	MI
45	51,441.00	1.18	06443017O	EQUITY PARTNERS 1, LLC	Depatie Technology Center	6287 AMERICAN AVE	MI
46	91,961.00	2.11	06443011O	EQUITY PARTNERS 1, LLC	Building - vacant, unknown occupant	6292 AMERICAN AVE	MI
47	1,641,808.00	37.69	00011010J	STRYKER CORPORATION	Stryker Building	6501 PORTAGE RD	MI

48	89,265.00	2.05	064430120	EQUITY PARTNERS 1, LLC	Depatie Fluid Power - Hose Supplier	6256 AMERICAN AVE	MI
49	444,120.00	10.20	00012080S	SUMMIT POLYMERS PROPERTIES LTD	Summit Polymers - Plastic Fabrication	4750 EXECUTIVE DR	MI
50	97,038.00	2.23	064430160	CONFORMANCE FASTENERS INC	Conformance Fasteners - Fastener Supplier	6239 AMERICAN AVE	MI
51	278,372.00	6.39	00012090O	3700 MILHAM, LLC	Clark Logic - Logistics Service	3700 E MILHAM AVE	MI
52	22,119.00	0.51	09240036O	NUNNS CORP	Single Family House	2725 E MILHAM AVE	MI
53	29,337.00	0.67	09240034O	ISAACS, LAURA	Single Family House	2711 E MILHAM AVE	MI
54	9,797.00	0.22	09240033O	FRAZIER, HARLIE & GRIMM, CORA	Single Family House	5921 WILLOUGHBY DR	MI
55	136,588.00	3.14	00001086O	DOMESTIQUE REALTY, LLC	Foundation Building Material	3737 E MILHAM AVE	MI
56	19,598.00	0.45	09240031O	SHORT, ANGELA	Single Family House	5913 WILLOUGHBY DR	MI
57	9,834.00	0.23	09240030O	TELL LEASING CO	Storage Garage	5909 WILLOUGHBY DR	MI
58	87,729.00	2.01	09240020O	RAI AZO, LLC	RAI Jets Kalamazoo - Aviation Consultants	5825 WILLOUGHBY DR	MI
59	102,387.00	2.35	00001032A	THERKILDSSEN, DAVID & NANCY TRUST	Storage Garage	3512 E KILGORE RD	MI
60	21,512.00	0.49	00001083O	SUMMIT POLYMERS INC	Summit Polymers Trucking/Storage	3000 E KILGORE RD	MI
61	49,413.00	1.13	00028125B	CITY OF PORTAGE	N/A	9102 SHAVER RD	MI
62	22,219.00	0.51	00012110O	CONSUMERS ENERGY CO	N/A	6210 S SPRINKLE RD	MI
63	2,949,327.00	67.71	00011010K	COUNTY OF KALAMAZOO	N/A	6555 PORTAGE RD	MI
64	101,298.00	2.33	00011005O	COUNTY OF KALAMAZOO	N/A	3100 E MILHAM AVE	MI
65	211,244.00	4.85	00012080J	MDOT	N/A	6345 AMERICAN AVE	MI
66	856,950.00	19.67	00012100D	CITY OF PORTAGE	N/A	6600 S SPRINKLE RD	MI
67	13,295.00	0.31	00014166O	CONSUMERS ENERGY CO	N/A	2915 E CENTRE AVE	MI

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING ARTICLE 4 ZONING, DIVISION 4, ZONING DISTRICTS, SUBDIVISION 6,
BUSINESS DISTRICTS AND SUBDIVISION 7, INDUSTRIAL DISTRICTS, OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS**

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended as follows:

ARTICLE 4. ZONING, DIVISION 4, ZONING DISTRICTS, SUBDIVISION 6, BUSINESS DISTRICTS, B-3

Sec. 42-262. B-3 general business district, subsection B (16) *shall be amended to read as follows:*

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

16. The following ~~marihuana~~marijuana businesses: Medical ~~marihuana~~marijuana provisioning center as defined by the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq. (Medical Facilities Act) and ~~marihuana~~marijuana retailer as defined by the Michigan Regulation and Taxation of Marihuana Act MCL 333.27951 et seq. (Adult-Use Act).

a. A medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer shall not be located:

- i. Adjacent to or abutting a residential zoning district; and
- ii. Within 1,000 feet from the real property, located either in the City of Portage or an adjacent municipality, comprising a public or private elementary, charter vocational or secondary school or a public or private college, junior college or university, a public library, child day care center, a substance abuse treatment facility, a park or a playground, public or private youth center, public swimming pool, video arcade facility, recreational facility, religious institution or housing facility owned by a public housing authority; and
- iii. Except as provided in section 42-262(B)(16)(g), within 1,000 feet of any other medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer located within the city.

b. Determination of whether a proposed medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer will be located consistent with the provisions of subsection a. above will be made as follows:

- i. Whether a proposed medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer will be adjacent to or abutting a residential district will be determined by the location of the boundary lines for the zoning lot to be occupied by the medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer as those lines existed on December 31, 2017 as shown on the records of the City of Portage in existence on that date.
- ii. Measurements for purposes of subsections 42-262(B)(16)(a)(ii) and (iii) above shall be made from the boundary of the zoning lot to be occupied by the medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer to the nearest point of the zoning lot occupied by any of the uses listed in subsection 42-262(B)(16)(a)(ii), or to the nearest point of the zoning lot occupied by another medical ~~marihuana~~marijuana provisioning center or

~~marihuana~~marijuana retailer using an uninterrupted straight line without regard to intervening structures or objects, and using the boundary lines of the zoning lots as they existed on December 31, 2017 as shown on the records of the city in existence on that date.

iii. "Zoning lot" is defined in section 42-112 of this Code of Ordinances.

- c. Buildings or structures for the distribution, and sale of ~~marihuana~~marijuana and ~~marihuana~~marijuana infused products by a medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer shall comply with all State of Michigan Construction Codes (building, electrical, plumbing and mechanical) in regard to occupancy classification, building design, construction and fire suppression. Medical ~~marihuana~~marijuana provisioning centers and ~~marihuana~~marijuana retailers shall not be located within greenhouses and similar buildings.
- d. All medical ~~marihuana~~marijuana provisioning centers and ~~marihuana~~marijuana retailers must be at a fixed location. Mobile medical ~~marihuana~~marijuana provisioning centers and ~~marihuana~~marijuana retailers, and drive-through operations for medical ~~marihuana~~marijuana provisioning centers and ~~marihuana~~marijuana retailers are prohibited. Sale or transfer of ~~marihuana~~marijuana products by internet or mail order, consignment, or at wholesale by a medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer is prohibited. This provision shall not be construed to prohibit sale or transfer of ~~marihuana~~marijuana products as otherwise expressly authorized by the Medical Facilities Act or the Adult-Use Act, nor to prohibit home delivery of ~~marihuana~~marijuana products as may be permitted by law. *Drive through windows and other contactless delivery methods may be authorized subject to all applicable zoning and building code regulations.*
- e. No ~~marihuana~~marijuana or ~~marihuana~~marijuana infused products may be used or consumed on the premises of a medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer.
- f. The activities and operations of a medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer shall be indoors within a building and out of public view.
- g. A medical ~~marihuana~~marijuana provisioning center and a ~~marihuana~~marijuana retailer may be located in a B-3 zone at the same location consistent with the Adult-Use Act and rules. The medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer located at the same location shall be partitioned from each other, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by each ~~marihuana~~marijuana business. If a medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer is located in a multi-tenant building with any other activity or business, the medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer shall be partitioned from any other activity or business, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by the medical ~~marihuana~~marijuana provisioning center or ~~marihuana~~marijuana retailer.
- h. The business and operations of all medical ~~marihuana~~marijuana provisioning centers and ~~marihuana~~marijuana retailers shall comply at all times with applicable state law and regulations, and this Code of Ordinances.
- i. ~~This amendment to chapter 42 section 42-262(B)(16) of article 4, division 4, zoning districts and district regulations shall only take effect if chapter 14 is amended to allow marihuana establishments in the city pursuant to the Adult Use Act.~~

All other parts of Section 42-262 remain unchanged.

ARTICLE 4. ZONING, DIVISION 4, ZONING DISTRICTS, SUBDIVISION 7, INDUSTRIAL DISTRICTS I-1 LIGHT INDUSTRIAL AND I-2 HEAVY INDUSTRIAL

Sec. 42-280. I-1 light industrial district subsection B (21) *shall be amended to read as follows:*

B. Principal permitted uses: In an I-1 light industrial district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

21. The following ~~marihuana~~marijuana businesses: Medical ~~marihuana~~marijuana class A, B, and C grow facilities, stacked class C grow facilities, and medical ~~marihuana~~marijuana processor facilities as those facilities are defined by the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq. (Medical Facilities Act), and ~~marihuana~~marijuana class A, B, and C grow establishments, *stacked class C grow facilities*, ~~marihuana~~marijuana processor establishments, and ~~marihuana~~marijuana microbusinesses as those establishments are defined by the Michigan Regulation and Taxation of Marihuana Act MCL 333.27951 et seq. (Adult-Use Act). A medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer may also be permitted in this district if combined with a medical ~~marihuana~~marijuana grow facility, ~~marihuana~~marijuana grow establishment, medical ~~marihuana~~marijuana processor facility, ~~marihuana~~marijuana processor establishment, or a combination thereof as provided in section 42-280 (B)(21)(g).

a. All ~~marihuana~~marijuana businesses permitted by this section shall not be located:

- i. Adjacent to or abutting a residential zoning district; and
- ii. Within 1,000 feet from the real property, located either in the city or an adjacent municipality, comprising a public or private elementary, vocational, charter, or secondary school or a public or private college, junior college or university, a public library, a child day care center, a substance abuse treatment facility, park or a playground, public or private youth center, public swimming pool, video arcade facility or recreation facility or religious institution or housing facility owned by a public housing authority; and
- iii. Except as provided in section 42-280(B)(21)(g), within 1,000 feet of any other ~~marihuana~~marijuana business permitted by this section or section 42-281(7).

b. Determination of whether a proposed ~~marihuana~~marijuana business permitted by this section will be located consistent with the provisions of subsection a. above will be made as follows:

- i. Whether a proposed ~~marihuana~~marijuana business permitted by this section will be adjacent to or abutting a residential district will be determined by the location of the boundary lines for the zoning lot to be occupied by the ~~marihuana~~marijuana business as those lines existed on December 31, 2017 as shown on the records of the city in existence on that date.
- ii. Measurements for purposes of subsections 42-280 (B)(21)(a)(ii) and (iii) above shall be made from the boundary of the zoning lot to be occupied by a ~~marihuana~~marijuana business permitted by this section to the nearest point of the zoning lot occupied by any of the uses listed in 43-280 (B)(21)(a)(ii), or to the nearest point of the zoning lot occupied by another ~~marihuana~~marijuana business permitted by this section or section 42-281(7) using an uninterrupted straight line without regard to intervening structures or objects, and the boundary lines of the zoning lots as they existed on December 31, 2017 as shown on the records of the city in existence on that date.

iii. "Zoning lot" is defined in section 42-112 of this Code of Ordinances.

c. Buildings or structures for the growing, production, processing, distribution or sale of ~~marihuana~~marijuana shall comply with all State of Michigan Construction Codes (building, electrical, plumbing and mechanical) in regard to occupancy classification, building design, construction and fire suppression.

d. All ~~marihuana~~marijuana businesses permitted by this section must be at a fixed location. Mobile facilities ~~and drive through operations~~ are prohibited. Sale or transfer of ~~marihuana~~marijuana

products by internet or mail order, consignment, or at wholesale is prohibited. This provision shall not be construed to prohibit sale or transfer of ~~marihuana~~marijuana products as otherwise expressly authorized by the Medical Facilities Act or the Adult-Use Act, nor to prohibit home delivery of ~~marihuana~~marijuana products as may be permitted by law. *Drive through windows and other contactless delivery methods may be authorized for a medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer, if such ~~marihuana~~marijuana business is permitted in this zoning district, subject to all applicable zoning and building code regulations.*

- e. No ~~marihuana~~marijuana or ~~marihuana~~marijuana infused products may be used or consumed on the premises of a ~~marihuana~~marijuana business permitted by this section.
- f. ~~Marihuana~~Marijuana businesses permitted by this section shall conduct the activities of the ~~marihuana~~marijuana business, including, without limitation, the cultivating, growing, processing, manufacturing, storage or sale and distribution of ~~marihuana~~marijuana and ~~marihuana~~marijuana infused products, and all materials used in connection with the cultivating, growing, processing, and distribution of ~~marihuana~~marijuana and ~~marihuana~~marijuana infused products indoors and out of public view. ~~except medical marihuana grow facilities and marihuana grow establishments may grow or cultivate marihuana outdoors consistent with the Medical Facilities Act and rules of the Adult Use Act and rules.~~
- g. Medical ~~marihuana~~marijuana grow facilities, ~~marihuana~~marijuana grow establishments, medical ~~marihuana~~marijuana processor facilities, ~~marihuana~~marijuana processor establishments, medical provisioning centers, and ~~marihuana~~marijuana retailers may be located as separate businesses at the same location in any combination, except that a medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer are only allowed in this district if combined with a medical ~~marihuana~~marijuana grow facility, ~~marihuana~~marijuana grow establishment, medical ~~marihuana~~marijuana processor facility, ~~marihuana~~marijuana processor establishment, or a combination thereof. Each ~~marihuana~~marijuana business that is located in the same location shall be partitioned from any other ~~marihuana~~marijuana business in that location, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by the ~~marihuana~~marijuana business. No more than one ~~marihuana~~marijuana microbusiness shall be allowed on a single zoning lot or at the same location as another ~~marihuana~~marijuana business permitted by this section, and no more than one ~~marihuana~~marijuana business permitted by this section shall be allowed in a multi-tenant building with any other activity or business. If a ~~marihuana~~marijuana business permitted by this section is located in a multi-tenant building with any other activity or business, the medical ~~marihuana~~marijuana business shall be partitioned from any other activity or business, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by the ~~marihuana~~marijuana business.
- h. The business and operations of all ~~marihuana~~marijuana businesses permitted by this section shall comply at all times with applicable state law and regulations, and this Code of Ordinances.
- i. ~~This amendment to section 42-280(B)(21) of chapter 42, article 4, division 4, zoning districts and district regulations shall only take effect if chapter 14, article 12, is amended to allow marihuana establishments under the Adult Use Act.~~

All other parts of Section 42-280 remain unchanged.

Sec. 42-281. I-2 heavy industrial district subsection B (7) *shall be amended to read as follows:*

- B. Principal permitted uses: In an I-2 heavy industrial district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

-
7. The following ~~marihuana~~marijuana businesses: Medical ~~marihuana~~marijuana class A, B, and C grow facilities, medical ~~marihuana~~marijuana stacked class C grow facilities, and medical ~~marihuana~~marijuana processor facilities as those facilities are defined by the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq. (Medical Facilities Act), and ~~marihuana~~marijuana class A, B, and C grow establishments, ~~marihuana~~marijuana processor establishments, and ~~marihuana~~marijuana microbusinesses, as those establishments are defined by the Michigan Regulation and Taxation of marihuana Act MCL 333.27951 et seq. (Adult-Use Act). A medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer may also be permitted in this district if combined with a medical ~~marihuana~~marijuana grow facility, ~~marihuana~~marijuana grow establishment, medical ~~marihuana~~marijuana processor facility, ~~marihuana~~marijuana processor establishment, or a combination thereof as provided in section 42-281 (B)(7)(g).
- a. All ~~marihuana~~marijuana businesses permitted by this section shall not be located:
- Adjacent to or abutting a residential zoning district; and
 - Within 1,000 feet from the real property, located either in the City of Portage or an adjacent municipality, comprising a public or private elementary, vocational. charter, or secondary school or a public or private college, junior college or university, a public library, a child day care center a substance abuse treatment facility, park or a playground, public or private youth center, public swimming pool, video arcade facility or recreation facility or religious institution or housing facility owned by a public housing authority; and
 - Except as provided in section 42-281(B)(7)(g), within 1,000 feet of any other medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business permitted by this section or section 42-281(21).
- b. Determination of whether a proposed medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business permitted by this section will be located consistent with the provisions of subsection a. above will be made as follows:
- Whether a proposed medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business permitted by this section will be adjacent to or abutting a residential district will be determined by the location of the boundary lines for the zoning lot to be occupied by the medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business as those lines existed on December 31, 2017 as shown on the records of the city in existence on that date.
 - Measurements for purposes of subsections 42-281(B)(7)(a)(ii) and (iii) above shall be made from the boundary of the zoning lot to be occupied by the medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business permitted by this section to the nearest point of the zoning lot occupied by any of the uses listed in 42-281 (B)(7)(a)(ii), or to the nearest point of the zoning lot occupied by another medical ~~marihuana~~marijuana or ~~marihuana~~marijuana business permitted by this section or section 42-280(22) using an uninterrupted straight line without regard to intervening structures or objects, and the boundaries of the zoning lots as they existed on December 31, 2017 as shown on the records of the city in existence on that date.
 - "Zoning lot" is defined in section 42-112 of this Code of Ordinances.
- c. Buildings or structures for the growing, production, processing, distribution or sale of ~~marihuana~~marijuana shall comply with all State of Michigan Construction Codes (building, electrical, plumbing and mechanical) in regard to occupancy classification, building design, construction and fire suppression.
- d. All ~~marihuana~~marijuana businesses permitted by this section must be at a fixed location. Mobile facilities ~~and drive through operations~~ are prohibited. Sale or transfer of ~~marihuana~~marijuana products by internet or mail order, consignment, or at wholesale is prohibited. This provision shall not be construed to prohibit sale or transfer of ~~marihuana~~marijuana products as otherwise

expressly authorized by the Medical Facilities Act or the Adult-Use Act, nor to prohibit home delivery of ~~marihuana~~marijuana products as may be permitted by law. *Drive through windows and other contactless delivery methods may be authorized for a medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer, if such ~~marihuana~~marijuana business is permitted in this zoning district, subject to all applicable zoning and building code regulations.*

- e. No ~~marihuana~~marijuana or ~~marihuana~~marijuana infused products may be used or consumed on the premises of a ~~marihuana~~marijuana business permitted by this section.
- f. ~~Marihuana~~Marijuana businesses permitted by this section shall conduct the activities of the business, including, without limitation, the cultivating, growing, processing, manufacturing, storage, sale or distribution of ~~marihuana~~marijuana and ~~marihuana~~marijuana infused products, and all materials used in connection with the cultivating, growing, processing and sale or distribution of ~~marihuana~~marijuana and ~~marihuana~~marijuana infused products indoors and out of public view. ~~except medical marihuana grow facilities and marihuana grow establishments may grow or cultivate marihuana outdoors consistent with the Medical Facilities Act and rules or the Adult Use Act and rules.~~
- g. Medical ~~marihuana~~marijuana grow facilities, ~~marihuana~~marijuana grow establishments, medical ~~marihuana~~marijuana processor facilities, ~~marihuana~~marijuana processor establishments medical provisioning centers, and ~~marihuana~~marijuana retailers may be located as separate businesses at the same location in any combination, except that a medical ~~marihuana~~marijuana provisioning center and ~~marihuana~~marijuana retailer are only permitted in this district if combined with a medical ~~marihuana~~marijuana grow facility, ~~marihuana~~marijuana grow establishment, medical ~~marihuana~~marijuana processor facility, ~~marihuana~~marijuana processor establishment, or a combination thereof. Each ~~marihuana~~marijuana business that is located in the same location shall be partitioned from any other ~~marihuana~~marijuana business in that location, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by the ~~marihuana~~marijuana business. No more than one medical ~~marihuana~~marijuana microbusiness shall be allowed on a single zoning lot or at the same location as another ~~marihuana~~marijuana business allowed by this section, and no more than one ~~marihuana~~marijuana business permitted by this section shall be allowed in a multi-tenant building with any other activity or business. If a ~~marihuana~~marijuana business permitted by this section is located in a multi-tenant building with any other activity or business, the ~~marihuana~~marijuana business shall be partitioned from any other activity or business, have a separate entrance, and have a separate HVAC system for the portion of the building occupied by the ~~marihuana~~marijuana business.
- h. The business and operations of all medical ~~marihuana~~marijuana businesses permitted by this section shall comply at all times with applicable state law and regulations, and this Code of Ordinances.
- i. ~~This amendment to section 42-281(B)(7) of chapter 42, article 4, division 4, zoning districts and district regulations, shall only take effect if chapter 14 article 12 is amended to allow marihuana establishments under the Adult Use Act.~~

All other parts of Section 42-281 remain unchanged.

Sec. 42-523. Schedule of off-street parking requirements *shall be amended to read as follows:*

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

	Use	Minimum # of Spaces	Remarks
Resid	One-family and two-family residences	2/dwelling unit	—
	Residential and multi-family residences	2/dwelling unit	—

	Housing for the elderly Senior adult housing Congregate care facility; Assisted living; and Convalescent/nursing home	1.5/dwelling unit 1/2 units plus 1/employee in the largest working shift	If units revert to general occupancy, then 2 spaces/unit shall be provided
	Manufactured Home Community	2/site plus 1/employee	—
Institutional	Religious institutions	1/3 seats or 6 ft. of pews in main unit of worship	—
	Health facilities Hospitals Immediate medical care clinic	2 spaces per bed 2/exam room plus 1/employee	—
	Private elementary and junior high schools	1/teacher, employee or administrator or requirements for auditorium, whichever is greater	—
	Private senior high schools	1/teacher, employee or administrator and 1/10 students, or requirements for auditorium, whichever is greater	—
	Private clubs and lodge halls	1/3 persons allowed within the maximum occupancy load	Maximum occupancy load established by local, county or state fire, building or health codes
	Swimming pool clubs, tennis clubs and other similar uses	1/2 member families or individuals	—
	Public and private golf courses, except miniature or par 3 course	6/hole plus 1/employee	—
	Fraternities and sororities	1/5 permitted active members, or 1/2 beds (whichever is greater)	—
	Stadiums, sports arenas or similar places or outdoor assembly	1/3 seats or 6 ft. of benches	—
	Theaters and auditoriums	1/3 seats plus 1/2 employees	—
Business and Commercial	Planned commercial shopping centers in a business district with a GLA greater than 100,000 sq. ft.	4/1000 sq. ft. of GLA	—
	Car washes (automatic)	1/employee plus stacking spaces equal to 5 times the maximum capacity of the car wash	Maximum capacity of the wash means the greatest number of vehicles possible undergoing some phase of washing at the same time. Determined by length of wash line (ft.)/20 ft.

	Carwashes (self-service and/or coin-operated)	2 plus 1 for each employee and 1 for each vacuum station or similar area	—
	Beauty parlors or barbershops	3/first 2 chairs, plus 1½ for each additional chair	—
	Day spa	1/150 sq. ft. of UFA	—
	Bed and breakfasts	2 plus 1/guest room	—
	Bowling alleys	5/lane	—
	Dancehalls, pool or billiard parlors, roller or skating rinks, exhibition halls and assembly halls without fixed seats	1/3 persons allowed within the maximum occupancy load	Maximum occupancy load established by local, county or state fire, building or health codes
Business and Commercial	Restaurants that provide waiter/waitress service to the table but no drive-thru or in-car service.	1/60 sq. ft. of UFA	—
	Fast food restaurants that provide for table areas inside and drive-thru service but do not provide waiter/waitress service to the table or in-car service.	1/40 sq. ft. of UFA plus 3 stacking spaces between the window and menu board and 3 stacking before the menu board	—
	Fast food restaurants that provide take-out service (walk-up window or drive-thru service) with no or limited inside table area.	1/25 sq. ft. of UFA plus 3 stacking spaces between the window and menu board and 3 stacking spaces before the menu board.	—
	Fast food restaurants that provide in-car service.	In addition to the parking space at each menu board, 1/each employee in the largest working shift.	—
	Furniture, appliance and household equipment repair shops; showrooms of plumbers, decorators, electricians or similar tradesmen; shoe repair; and other similar uses	1/800 sq. ft. of UFA; Floor area used in processing 1 additional/2 employees	—
	Auto repair facility	2/ stall, rack or pit plus 1/employee	—
	Vehicle fueling station	1/fuel nozzle plus 1/200 UFA of retail floor area	—
	Laundromats and coin-operated dry cleaners	1/2 machines	—
	Miniature and par 3 golf courses	3/hole plus 1/employee	—
	Mortuary establishments	1/50 sq. ft. of UFA	—
	Motels, hotels and other commercial lodging establishments	1/occupancy unit plus 1/employee	—
	Motor vehicle sales and service establishments	1/200 sq. ft. of UFA or sales room plus 1/auto service stall in service room.	—
	Retail stores, except as otherwise specified earlier	1/200 sq. ft. of UFA	—

	<u>Marijuana provisioning center, adult use retailer and/or microbusiness that provides drive-thru service</u>	<u>3 stacking spaces before the drive thru window</u>	
Offices	Banks	1/200 sq. ft. of UFA plus 1/employee and 3 stacking spaces per drive-thru facility	—
	Professional offices of doctors, dentists and similar professionals, clinics	1/150 sq. ft. of UFA	—
	Business and professional offices, except as indicated in the previous use	1/200 sq. ft. of UFA	—
Industrial Agricultural	Industrial and research establishments and related accessory offices	5 plus 1½ per employee in largest work shift	—
	Wholesale establishments and related accessory offices	5 plus 1/employee in largest work shift, or 1/1700 sq. ft. of UFA (whichever is greater)	—
	General or specialized agriculture	2 plus 1 per 1½ employees in largest work shift	Excludes seasonal workers
	Industrial agriculture	5 plus 1 per 1½ employees in largest work shift	Excludes seasonal workers

(Ord. No. 03-01 (Exh. A, § 42-613), 2-18-2003; Ord. No. 08-05, 7-22-2008; Ord. No. 16-11, 10-18-2016)

All other parts of Section 42-523 remain unchanged.

Dated: _____

Patricia M. Randall, Mayor

FIRST READING:

SECOND READING:

ORDINANCE #:

EFFECTIVE DATE:

CERTIFICATION

I, Erica Eklov, do hereby certify that I am the duly appointed City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2023.

Erica Eklov, City Clerk

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, April 6, 2023
7:00 PM Portage
Portage City Hall Council Chambers**

The City of Portage Planning Commission meeting of April 6, 2023, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, Senior City Planner
- Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (no); Adams (yes); Youngs (yes); Kasper (no); and Freiman (yes).

Motion by Commissioner Fries, seconded by Commissioner Pezzoli to excuse Commissioners Baldwin and Kasper. Motion carried 7-0.

APPROVAL OF MINUTES

1. Minutes dated March 16, 2023.

Motion by Commissioner Youngs, seconded by Commissioner Pezzoli to approve the March 16, 2023, as submitted. Motion carried 7-0.

PUBLIC HEARINGS

1. Ordinance Amendment #22/23-9: An Ordinance to amend commercial marihuana development standards within Chapter 42 Article 4.

Eric Feldt presented the City-initiated ordinance amendment consisting of four proposed changes: adding drive-throughs, establishing drive-through standards, prohibiting outdoor commercial grow facilities, and changing the spelling of the term marihuana with marijuana. Mr. Feldt indicated that this amendment was to align with new State marihuana regulation changes, to increase land use development potential of Industrial-zoned property and to be more consistent with the City's Comprehensive Plan. He identified various sections of the zoning code and included a mark up version of the zoning ordinance. Mr. Feldt indicated that, as of the date of the Planning Commission April 6, 2023, meeting, there are ten marihuana retailer/ provisioning center sites and one indoor marihuana grower. He concluded his presentation with staff's recommendation to the Planning Commission: If no additional public comment is requested by the Commission, and the Commission is supportive of the proposed ordinance amendment, staff advises the Planning Commission to recommend Ordinance Amendment #22/23-9 to amend commercial marihuana development standards to City Council be approved.

Various Commissioners discussed marihuana tax monies received by the City of Portage, the number of interested marihuana companies wishing to add drive-through services, and whether the City has a cap on marihuana retailers/ provisioning centers.

Chair Corradini opened the public hearing. No public comments received. Chair Corradini asked for support to close public hearing; Commissioner Freiman supported. Chair Corradini took voice vote of the Commission to close public hearing; unanimous support (7-0) received.

Vice Chair Joshi stated opposition to the ordinance amendment due to not wanting to make marihuana more accessible.

Motion by Commissioner Pezzoli, seconded by Commissioner Freiman to recommend to City Council approval of Ordinance Amendment #22/23-9 to amend commercial marihuana development standard. Motion carried 6-1.

SITE/FINAL PLANS

1. A Final Planned Development Site Plan for a senior housing facility at 8150 Creekside Drive.

Mr. Feldt prefaced the project with a brief background of the approved Tentative Plan which was approved by the Planning Commission and City Council, which had allowed the development to proceed with the filing of the Final Site Plan. Mr. Feldt presented various comparison images between the approved Tentative Plan and Final Plan. He indicated that the developer is proposing four minor changes in the Final Plan: adding an on-site stormwater basin, relocating the deferred parking, minor change in the southern berm, and architectural items. Mr. Feldt explained that those changes are not substantial and are allowed by the zoning code as a project progresses from Tentative Plan to Final Plan design. He identified the various applicable zoning code sections for the overall Planned Development, as well as the Tentative and Final Plan subsections. He indicated that the City's Development Review Team, consisting of various department staff, did not have any pending items or recommended conditions. Mr. Feldt concluded with staff's recommendation that the Planning Commission recommend to City Council the approval of the Final PD Site Plan for StoryPoint South, a senior housing facility, at 8150 Creekside Drive.

Various Commissioners discussed the number of proposed care services, stormwater elements, maintenance of Creekside Drive, water and sanitary sewer utilities, whether there was any history of flood, and parking elements.

Brandon Visconti, applicant's representative with CommonSail, 7927 Nemco Way Brighton, MI 48116, discussed the need for the project and addressed the project's stormwater elements.

Jeff Miller, applicant's representative with Prein & Newhof, 3355 Evergreen NE Grand Rapids, MI 49525, discussed the stormwater elements in detail.

Chair Corradini asked about the parking requirement and how it is impacted by the proposed change in deferred parking. Mr. Feldt stated that the parking requirement approved under the Tentative Plan was 192 spaces, including 25 deferred spaces. The proposed Final Site Plan consists of only 21 deferred spaces, four fewer. Mr. Feldt stated that the new proposed total parking space count of 188 is within the allowable 10% change in the zoning code.

Commission Fries asked about further reducing the parking spaces due to other similar projects. The applicant's representative indicated that the proposed parking meets the needs of the project.

Motion by Commissioner Fries, seconded by Commissioner Adams, to recommend to City Council approval of the Final PD Site Plan for StoryPoint South, a senior housing facility, at 8150 Creekside Drive. Motion carried 7-0.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS/ STAFF

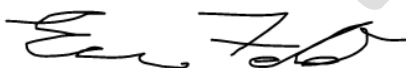
Mr. Feldt provided the following updates:

- The City of Portage Community Development Department Director position is to be combined with the vacant Deputy City Manager position and renamed as Chief Development Officer. The position will be filled by Peter Dame, former City Manager of the City of Grosse Pointe. Mr. Dame's first day with the City of Portage is expected to be April 24, 2023.
- For the Crossroads Mall subarea section of the new Master Plan process update, City staff will be meeting with various Crossroads Mall area stakeholders later in April to gain input on their future needs.
- The Community Development Department is drafting various housing-related zoning code changes recommended during the March Planning Commission workshop. These changes will be presented to the Commission during future meetings.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 7:48 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
Senior City Planner



Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: April 11, 2023

SUBJECT: Ordinance Amendment #22/23-9: An ordinance to amend commercial marihuana development standards within Chapter 42 Article 4.

At the April 6, 2023 meeting, the Planning Commission reviewed and discussed an ordinance amendment to amend commercial marihuana development standards within Chapter 42 Article 4. The City seeks a proposed ordinance amendment that would modify several commercial marihuana development standards consistent with recent changes in the State's Cannabis Regulatory Agency (CRA) and to better position land for future development. The proposed modifications include the following:

1. Drive-through operations are currently prohibited in the City of Portage. Remove this prohibition as consistent with new CRA standards. This would allow only marihuana retailers (adult-use/ recreation), provisioning centers (medical), and microbusiness (grow, process, and sell in a single location) to have a drive-through service.
2. Establish new drive-through queuing standards for the above marihuana uses, as consistent with other City zoning drive-through businesses to best manage proper areas for queuing and general site circulation, parking.
3. Commercial marihuana growing businesses are currently allowed in Portage within the Industrial districts (I-1 & I-2) only. Marihuana can be grown indoors or outdoors. Staff proposes prohibiting outdoor growing in order to better position those valuable industrial properties for higher development opportunities. There are no proposed changes to continuing indoor marihuana growing.
4. Rename 'marihuana' to 'marijuana', consistent with the CRA.

Eric Feldt, Senior City Planner, was present to support the proposed application and explain the ordinance amendment details. There was no public comment on this item at the meeting.

The Planning Commission voted 6:1 to recommend to City Council the approval of the proposed amendment to the commercial marihuana development standards within Chapter 42 Article 4.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION

Dan Corradini
Chairman

Attachments: April 6, 2023 Planning Commission meeting minutes

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Proposed Fiscal Year 2023-2024 Budget and General Appropriations Act and Salary and Wage Resolutions

SUPPORTING PERSONNEL: Aaron Coeur, Deputy Director of Accounting & Budget

ACTION RECOMMENDED: Approve the Fiscal Year 2023-2024 Proposed Budget and adopt the General Appropriations Act and Salary and Wage Resolutions

Following City Council budget review sessions on April 18 and 25, 2023, as well as a public hearing on May 9, 2023, the adoption of the General Appropriations Act and Salary and Wage Resolutions will complete the Fiscal Year 2023-2024 Budget adoption and authorize implementation beginning July 1, 2023.

The Fiscal Year 2023-2024 Budget is a conservative financial plan that maintains a high level of excellence in service. Effective financial controls and planning efforts remain in place to minimize the effects of future budget challenges. The FY 2023-2024 Budget is a sound financial plan for the community that:

- Maintains the overall city tax rate (millage) at 10.6400 mills;
- Maintains the City Council prescribed fund balance for the General Fund of at least twenty percent (20%) of General Fund expenditures;
- Preserves the City of Portage's position in the lower twenty percent (20%) of all Michigan cities with populations between 30,000 and 70,000 in terms of millage level.

The General Appropriations Act Resolution, which is attached, has been prepared to conform to all requirements of the City Charter and state statutes. The Salary and Wage Resolution, necessary to establish salary and wage schedules, is also attached. In accordance with the timeline prescribed by the City Charter, it is therefore recommended that City Council approve the Fiscal Year 2023-2024 Proposed Budget and adopt the General Appropriations Act and Salary and Wage Resolutions.

FUNDING: N/A

Attachments:

1. Salary and Wage Resolution 23-24
2. General Appropriations Act Resolution 23-24

SALARY AND WAGE RESOLUTION
RESOLUTION TO ADOPT THE SALARY AND WAGE SCHEDULES
FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024

Motion by
Supported by

WHEREAS, Section 6.18(a) of the City Charter and Section 248.06 of the City Code require that upon recommendation of the City Manager, the City Council shall establish uniform salary and wage scales for all officers and employees of the City;

NOW, THEREFORE, BE IT RESOLVED that for the period beginning July 1, 2023 and until otherwise directed, salaries and wages shall be established and adjusted as follows:

- (1) Personnel of the following bargaining unit(s) shall receive compensation in accordance with bargaining agreement being negotiated to replace the labor agreement expiring June 30, 2023:

Portage Police Command Officers Association (PPCOA)

- (2) Personnel of the following bargaining unit(s) shall receive compensation effective July 1, 2023 in accordance with applicable collective bargaining agreements:

Portage Police Officers Association (PPOA) – effective 7/1/22-6/30/25

United Auto Workers (UAW) – Department of Public Works – effective 2/10/21-6/30/24

International Association of Firefighters (IAFF) – effective 7/1/20-6/30/24

- (3) Department Head and full time non-union employees receive salary adjustments as provided for in the Non-Union Employee Compensation and Classification Plan, as recommended by the City Manager and adopted with the budget on May 23, 2023. The 2023/2024 recommended budget provides for one-time merit bonus or adjustments for Department Head and full-time non-union employees and for organizational restructuring and certain attainment adjustments authorized by the City Manager during the fiscal year. Total adjustments for Department Head and regular full-time non-union employees shall not exceed \$ 531,852.46. Part-time and seasonal employees receive wage increases as approved by the City Manager. Compensation for the City Manager shall be determined by the City Council.

YES:
NO:
ABSENT:

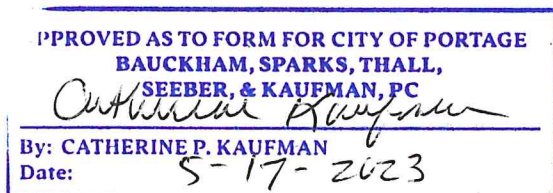
Erica Eklov, City Clerk

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 23rd day of May, 2023 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 23rd day of May, 2023.



Erica Eklov, City Clerk

GENERAL APPROPRIATIONS ACT
RESOLUTION TO ADOPT THE BUDGET
OF THE CITY OF PORTAGE FOR THE FISCAL
YEAR JULY 1, 2023 TO JUNE 30, 2024
AND TO MAKE APPROPRIATIONS THEREFORE

Motion by
Supported by

WHEREAS, Chapter 7 of the City Charter requires: That the City Manager submit a budget proposal with his recommendation to the City Council; that a public hearing be held on said budget proposal; that the City Council by resolution adopt a budget for the ensuing fiscal year, make an appropriation of the money needed therefore, and designate the sum to be raised by taxation; and

WHEREAS, the Manager has submitted said budget and recommendations and a public hearing has been held thereon;

NOW, THEREFORE, BE IT RESOLVED as provided in Chapter 7 of the City Charter, and in conformity with Public Act 621 of 1978, the Uniform Budgeting and Accounting Act, that the budgets attached hereto and made a part hereof by reference are hereby considered and adopted, to be administered on an activity level, with the exception of the Capital Improvement Fund, which will be administered on a program/project level, as the budgets of the City of Portage to cover the operations and expenditures thereof for the fiscal year July 1, 2023 to June 30, 2024.

BE IT FURTHER RESOLVED that the sum of \$25,991,147.38 be raised by taxation by the levy of 10.6400 mills for operations on the taxable value of all real and personal property in the City as follows:

General Operating Fund	7.3560 mills	\$17,969,067.69
Capital Improvement Fund	2.0000 mills	\$ 4,885,554.02
Curbside Recycling Fund	0.3275 mills	\$ 800,009.47
Leaf Pickup/Spring Cleanup Fund	0.3730 mills	\$ 911,155.82
Municipal Street Fund	<u>0.5835 mills</u>	\$ 1,425,360.38
	<u>10.6400 mills</u>	\$ 25,991,147.38

BE IT FURTHER RESOLVED that the City Manager be authorized to transfer necessary amounts between activities/departments within a fund and make any adjustments within or between funds which do not change ending fund balance. The Capital Improvement Funds shall be considered one fund for the purposes of this provision.

BE IT FURTHER RESOLVED that for the General Fund, the fund balance shall be at least 20% of the 2023-2024 appropriations, including transfers.

BE IT FURTHER RESOLVED that a copy of this budget resolution be furnished to the City Assessor, who together with the Finance Director shall then proceed to assess and collect the taxes in accordance with the City Charter and State Statutes.

YES:
NO:
ABSENT:

Erica Eklov, City Clerk

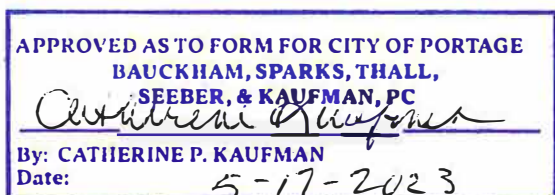
CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 23rd day of May, 2023 the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 23rd day of May, 2023

Erica Eklov, City Clerk



TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Appointments to Boards and Commissions

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Appoint individuals to Boards & Commissions as noted.

This evening, May 23, 2023, the Portage City Council interviewed applicants to serve on the Youth Advisory Committee, Construction Board of Appeals, Senior Citizens Advisory Board, Planning Commission, and Local Officers Compensation Commission. 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:

Appoint all applicants and participants, as noted in the Interview Session summary, with terms ending June 30, 2024, to the **Youth Advisory Committee**.

Reappoint Sheldon Smith, as well as appoint _____, to terms ending June 1, 2026, to the **Construction Board of Appeals**.

Appoint _____ to an unfulfilled term ending October 1, 2024, to the **Senior Citizens Advisory Board**.

Reappoint Bill Fries, Reed Youngs, and Rick Freiman, to terms ending May 31, 2026, to the **Planning Commission**.

Appoint _____ to a term ending October 1, 2024, to the **Local Officers Compensation Commission**.

Appoint _____ to an unfulfilled term ending February 28, 2026 to the **Zoning Board of Appeals**.

Appoint _____ to an unfulfilled term ending October 1, 2023 to the **Environmental Board**.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Ordinance Amendment #22/23-9(B): An Ordinance to amend commercial marihuana development standards of Chapter 14, Businesses, Article 12.

SUPPORTING PERSONNEL: Erica Eklov, City Clerk
Jonathon Hallberg, Interim Director of Community Development
Nicholas Arnold, Director of Public Safety - Police / Fire Chief
Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Adopt Amendment #22/23-9(B) to amend Marihuana Businesses, of Chapter 14, Businesses, Article 12.

Presently, following approval by voters in 2018, the State of Michigan allows both the personal use of marijuana and commercial marijuana businesses. At the local level, cities/townships have the authority to establish local permitting processes, licensing, and zoning standards for commercial marijuana businesses; very few local authorities can regulate the personal use of marijuana. The City of Portage has established permitting processes for commercial marijuana businesses in Chapters 14 (Businesses) and 42 (Land Development Regulations) for these uses.

In the past few years, many businesses in Michigan have had to adjust operations due to COVID restrictions. This resulted in an increase in contactless ordering/delivering/acquiring of products and services and an increase in drive-through service demand. The state temporarily relaxed certain commercial marijuana regulations and allowed retailers, provisioning centers, and micro-businesses to provide contactless transactions and drive-through services. Given the pandemic, the city did not wish to stand in the way of the contactless option. The state has now permanently allowed these new operational services and, with the impact of the pandemic lessened, the city recently directed all dispensaries to cease any drive-through operations unless and until the following proposed ordinance revisions are enacted by the City Council. Presuming approval, those dispensaries wishing to have a drive-through window will have to comply with the same standards and application procedures as other businesses in the community.

Ultimately, the goal of the proposed ordinance is to better match our municipal ordinance with the State of Michigan legal framework. The city seeks ordinance amendments to modify several commercial marijuana development standards consistent with recent changes in the state's Cannabis Regulatory Agency (CRA) and to better position land for future development. The proposed modifications include the following:

1. Drive-through marijuana operations are currently prohibited in the City of Portage. Remove this prohibition as consistent with new CRA standards. This would allow only marijuana retailers (adult-use/recreation), provisioning centers (medical), and micro-businesses (grow, process, and sell in a single location) to have a drive-through service.

2. Establish new drive-through queuing standards for the above marijuana uses, as consistent with other city zoning drive-through businesses to best manage proper areas for queuing, general site circulation, and parking.
3. Commercial marijuana growing businesses are currently allowed in Portage within the Industrial districts (I-1 & I-2) only. Marijuana can be grown indoors or outdoors. The staff proposes prohibiting outdoor growing to better position those valuable industrial properties for higher development opportunities. There are no proposed changes to continued indoor marijuana growth.
4. Rename 'marihuana' to 'marijuana', consistent with the CRA.

The B-3 General Business zoning district allows commercial uses of retail, restaurants, offices, and others. Additionally, drive-through businesses such as restaurants, cafes, and others are permitted within this district. Marijuana businesses, including provisioning centers and retailers, are permitted only in the B-3 district, and within the industrial districts if co-located with a marijuana grower and processor. These businesses are not allowed drive-through service due to past prohibitions by the state and city [zoning code Sec 42-262(B)(16)(d)]. The CRA prohibition has been overturned. Therefore, the city seeks to apply standards consistent with the state to allow drive-through service for retailers, provisioning centers, and those same uses that are co-located in industrial districts.

With regard to Drive-Through Standards, certain businesses within the city are allowed a drive-through service by a specific zoning district and shall meet specific standards, such as minimum queuing distance from the order window and pick-up window, minimum drive lane width, etc. To align with permitting drive-through services for provisioning centers and retailers, the city seeks to apply drive-through standards. Although there are no specific minimum spacing or car queuing standards for retail businesses, there are those for fast-food restaurants. This includes three stacking spaces (three car lengths) between the window and menu board and three stacking spaces before the menu board. This queuing standard is widely used across different restaurant companies and has been effective in accommodating drive-through needs. Some fast-food restaurants add two drive-through lanes to better accommodate high demand. Staff finds this proposed queuing drive-through standard to be effective for accommodating drive-through demands for marijuana provisioning centers and retailers. The attached map shows all existing marijuana provisioning centers and retailers in Portage. If items 1 and 2 above are approved, all existing provisioning centers and retailers that wish to add a drive-through service shall amend their Site Plan and seek city approval to ensure all parking and accessibility standards are met. As of the date of this report, there are ten provisioning centers and retail locations in Portage; some offer both forms of marijuana (recreation and medical).

For Outdoor Grow Operations in relation to industrial districts, the CRA allows commercial marijuana to be grown inside or outside of a building. Cities/townships may allow or prohibit where commercial marijuana may be grown. Currently, the City of Portage allows both outdoor and indoor commercial marijuana growing, where allowed, per Sec 42-280(B)(21)(a) within the following locational restrictions:

1. Limited to industrial districts (I-1 & I-2),
2. Not abutting or adjacent to a residential district, and
3. Not within 1,000 feet of a public/private school or college or university, a public library, child daycare center, a substance abuse treatment facility, park/playground, public/private youth center,

public swimming pool, video arcade facility, recreation facility, religious institution, or housing facility owned by a public housing authority.

As of the date of this report, the city has approved only one commercial marijuana growing business, located at 4525 Quality Court. Per approved plans, this business grows marijuana only inside the subject building. Aside from that business, there are no other approved or pending marijuana-growing businesses. As of the date of this report, staff has mapped eligible sites (see attachment) meeting the above locational criteria for future marijuana commercial growing businesses. A list of the mapped sites is also provided (see attachment), consisting of 68 properties. In the list, five are owned by a government agency (the City of Portage and the City of Kalamazoo), two are owned by a utility company (Consumers Energy), five are undeveloped (vacant) sites, and the remaining (56) sites are privately owned and developed. The largest property owner by acreage on this list is Pharmacia & Upjohn Company (Pfizer). The City Administration proposes prohibiting the future outdoor growing of commercial marijuana for the following reasons:

- The CRA does not classify commercial growing of marijuana as agricultural use. Thus, it is not protected under the Generally Accepted Agricultural Management Practices (GAAMP).
- Outdoor growing of commercial marijuana would likely require large tracts of land. With a high demand for industrial land within Portage, the city can better attract future industrial growth and employment for those large tracts of land.
- Due to a lack of containment and high visibility, outdoor marijuana growing businesses could likely attract theft and criminal behavior. This could result in more demand for local emergency response services.
- Most of the industrially-zoned properties are served by city water and sewer utilities. These utilities increase development potential for more intense uses.
- Outdoor marijuana plants could result in unattractive odors for adjacent neighborhoods, which would be difficult to manage in an outdoor environment.
- As mentioned earlier, there are no approved, pending approval, nor built outdoor commercial marijuana growing businesses in Portage. Therefore, no existing outdoor marijuana growing businesses would be negatively affected by this proposed change.
- Lastly, this proposed change would not impact the approved, or future indoor commercial marijuana growing businesses.

The final revision to both the zoning (Chapter 42) and the business (Chapter 14) ordinances involves renaming 'marihuana' to 'marijuana', consistent with the CRA. This will be done throughout the code. This will not result in any locational impacts on commercial marijuana businesses.

Although the Comprehensive Plan does not specifically address marijuana uses, it does classify certain lands for general manufacturing/processing activities, various commercial uses, etc. As established by the CRA and allowed by the City of Portage, commercial marijuana businesses are permitted by certain zoning districts, as consistent with the intent of the Future Land Use Map of the Comprehensive Plan. The plan's two industrial land use classifications are 1) Shaver Road Business Corridor, and 2) Industrial. Both classifications describe land use purposes generally consisting of a source of production of a variety of products/services that benefit a corridor, region, or beyond. Further, these classifications generally support land uses for industrial manufacturing operations, assembly, or other similar uses.

Outdoor growing of marijuana or general crops would not be consistent with the intent or supported land uses within those industrial districts. Therefore, the staff's proposed prohibition of outdoor growing of commercial marijuana would be consistent with those two industrial land use classifications. The plan provides various business land use classifications, with the 'General Business' and 'Regional Business Centers' being most aligned with the B-3 General Business zoning district. As stated above, this zoning district permits a variety of drive-through businesses. Allowing drive-through service for marijuana retailers and provisioning centers would be consistent with the above business land use classifications.

The proposed amendments were introduced to the Planning Commission during the April 6, 2023, meeting. The required public notice for the Planning Commission meeting was published in the Kalamazoo Gazette on March 21, 2022. No citizen comments were received at the meeting. Following the public hearing, the Planning Commission voted 6-1 to waive the second public hearing and recommend to City Council that Ordinance Amendment #22/23-A, zoning for marijuana businesses, be approved. Lastly, following a question on April 18 regarding conflicting language in the licensing portion of the ordinance, Section 14-261(2) was updated to remove the notation that sales would take place indoors and outside of public view to be consistent with drive-through operations. Staff does not expect drive-through sales to be shielded from public view. As such, staff adjusted the language to make it more consistent.

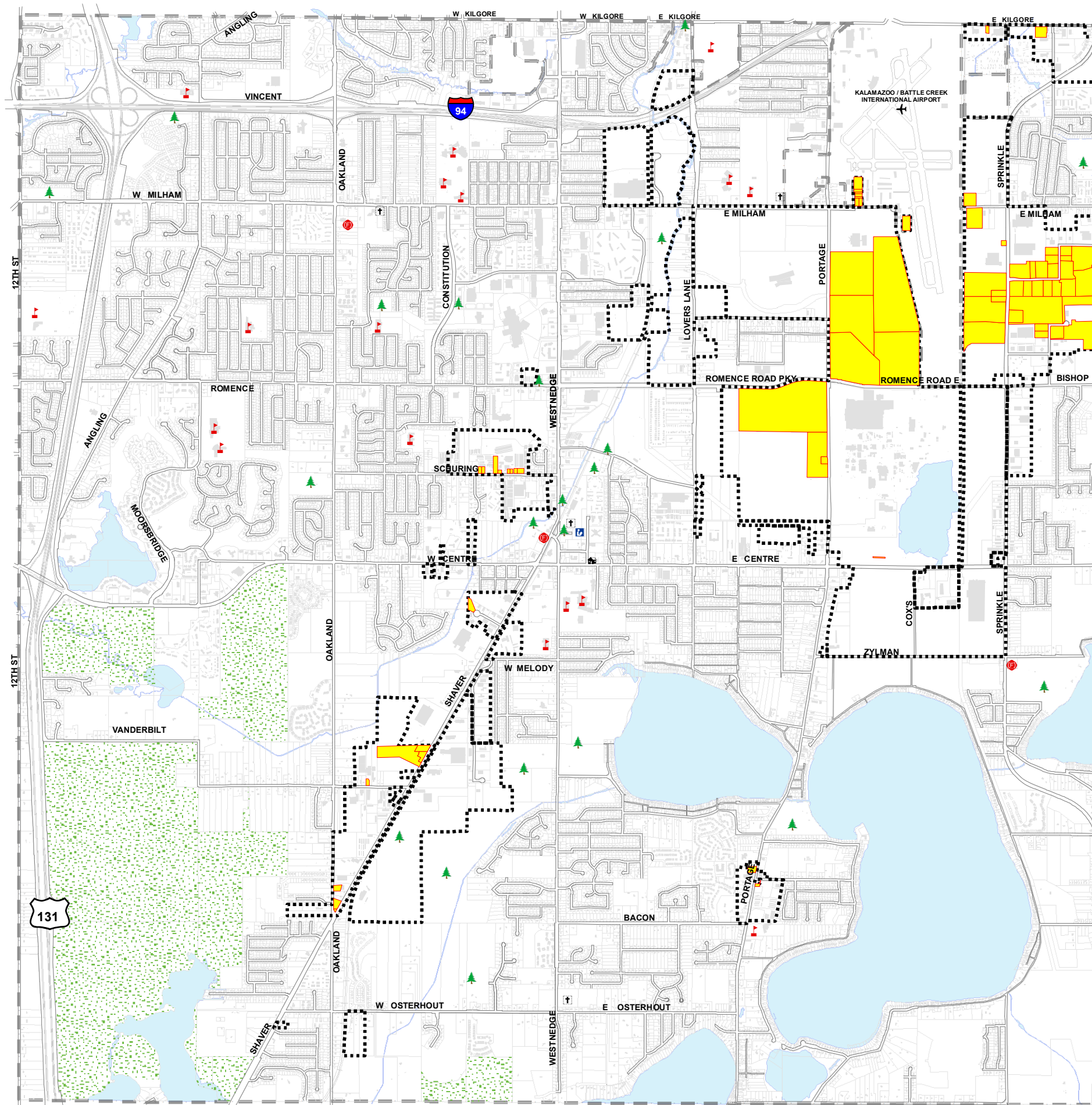
It is therefore recommended that City Council adopt Amendment #22/23-9(B) to amend Marihuana Businesses, of Chapter 14, Businesses, Article 12.

FUNDING: Not Applicable

- Attachments:**
1. Eligible Marihuana Growing, Processor Sites; City of Portage
 2. Map of Existing Provisioning Centers, Retailers
 3. Marihuana Eligible Industrial Site List
 4. Chapter 14 Ordinance Amendment - redline version (updated)
 5. Draft April 6, 2023 Planning Commission meeting minutes
 6. Planning Commission Transmittal dated April 11, 2023



Map of Previously Approved and
Potential Marihuana Business Locations:
Grow Operations, Processors, Safety Compliance,
Secure Transporters and Microbusinesses
March 21, 2023



- Properties that may meet eligibility requirements regardless of current use
- I-1 or I-2 Zoning
- City Boundary

Refer to the marihuana business ordinance for location requirements. Potential locations must be I-1 or I-2 zoned, and not adjacent or abutting a residential zone and more than 1000' from uses as specified in the Code of Ordinances of the City of Portage, Sec. 42-280 B.

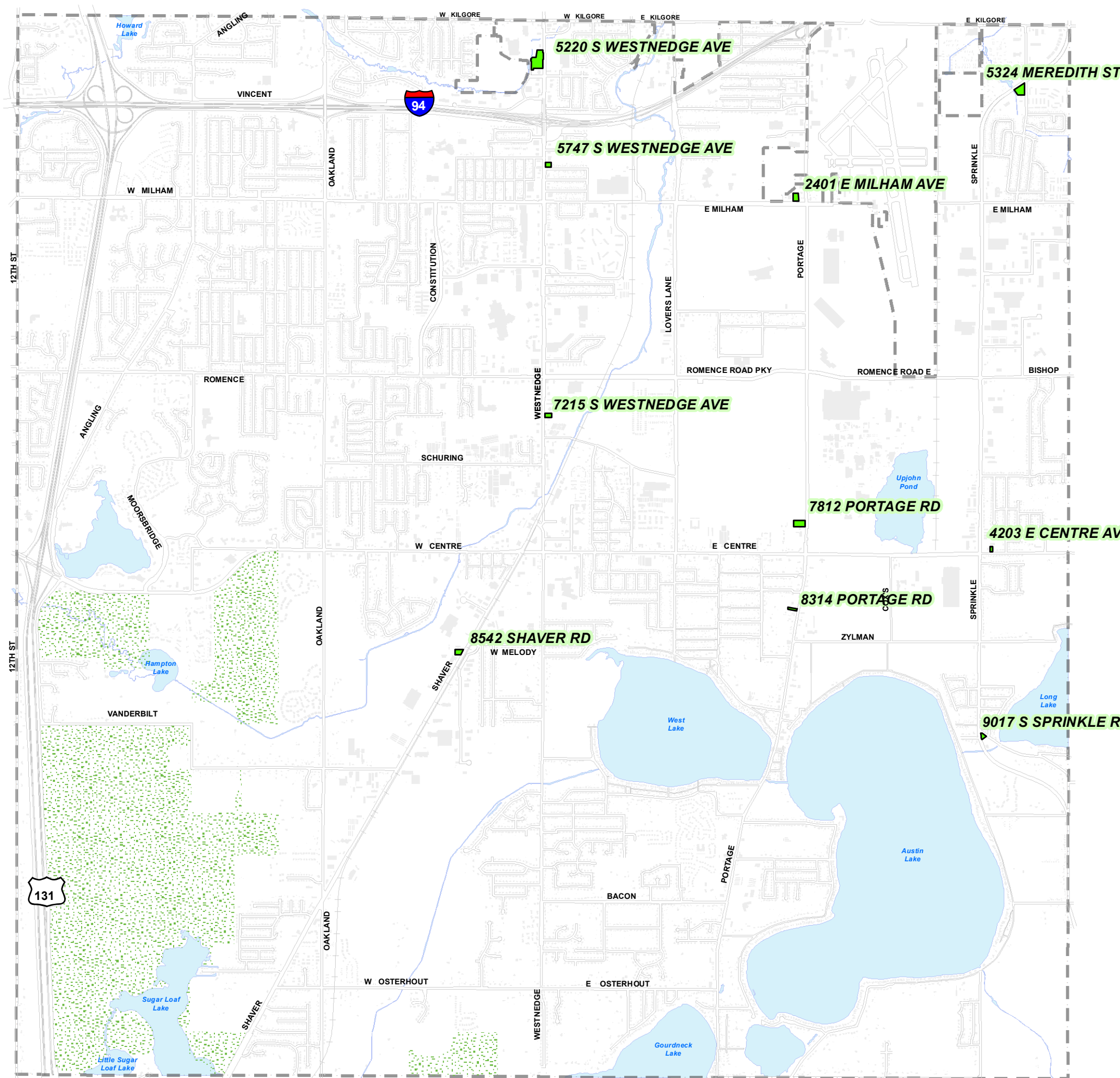
This listing is for information only and all potential properties must be individually evaluated to ensure compliance with ordinance.



1 inch = 3,200 feet

Map of Previously Approved and Potential Marihuana Business Locations: Provisioning Centers and Retailers

March 23, 2023



Refer to the marihuana business ordinance for location requirements.

Potential locations must be a permitted B-3 use, and not adjacent to a residential zone and more than 1000' from churches, schools, day cares, libraries, treatment facilities, parks and public and/or private recreation areas.

Provisioning centers and retailers must be at least 1000' from each other.

-  Approved provisioning center/retailer
-  City Boundary
-  State Game Area



1 inch = 3,167 feet

No.	Size (sq ft)	Acres	Parcel No.	Owner Name	Existing Use	Site Address	State
1	39,930.00	0.92	067200100	PHARMACIA & UPJOHN COMPANY	Vacant	7400 PORTAGE RD	MI
2	753,144.00	17.29	067200010	PHARMACIA & UPJOHN COMPANY	Vacant	7230 PORTAGE RD	MI
3	1,971,385.00	45.3	00011010H	PHARMACIA & UPJOHN COMPANY	Vacant	3101 ROMENCE RD	MI
4	68,414.00	1.57	00012100C	TEMPROPERTIES - PORTAGE LLC	Vacant	6500 S SPRINKLE RD	MI
5	301,598.00	6.9	00012118D	DSL ENTERPRISES, INC	Vacant	4501 QUALITY CT	MI
6	5,764.00	0.13	00029445A	CENTRAL ADVERTISING CO	Billboards	9960 SHAVER RD	MI
7	45,893.00	1.05	00029441O	KALAMAZOO FLEET FUELING, INC.	Gas Station	9950 SHAVER RD	MI
8	11,413.00	0.26	00026165O	NICHOLS, ANDREW D	Single Family House	9741 PORTAGE RD	MI
9	43,790.00	1.01	00026065O	DEJAMS, LLC	Stainless Fabricating & Eng.	9702 PORTAGE RD	MI
10	19,391.00	0.45	00029005A	FEMA CORPORATION	FEMA Corporation	1728 VANDERBILT AVE	MI
11	480,623.00	11.03	00028120B	OSPREY STORAGE SHAVER LLC	Osprey Self Storage	9114 SHAVER RD	MI
12	69,022.00	1.58	00028135A	REALTY INCOME PROPERTIES 28 LLC	Gerber Collision (Under Construction)	9040 SHAVER RD	MI
13	57,807.00	1.33	00720004O	HI TECH HOLDINGS LLC	WMH Fluidpower	862 LENOX AVE	MI
14	10,896.00	0.25	00016130O	JOHN SCHURING JR CO	Schuring Greenhouses	608 SCHURING RD	MI
15	10,754.00	0.25	00016145O	JOHN SCHURING JR, COMPANY	Single Family House	510 SCHURING RD	MI
16	10,767.00	0.25	00016140O	CUBIC, MICHAEL	Single Family House	516 SCHURING RD	MI
17	30,053.00	0.69	00016165O	PARSONS, PATRICIA & PAUL	Single Family House	408 SCHURING RD	MI
18	14,846.00	0.34	00016160O	GENTNER, MELISSA	Single Family House	428 SCHURING RD	MI
19	19,997.00	0.46	00016115O	BRADLEY, TERRENCE F & CARLA S	Single Family House	726 SCHURING RD	MI
20	19,213.00	0.44	00016110O	TERRY, SANDRA	Single Family House	802 SCHURING RD	MI
21	68,578.00	1.57	00016125O	HOEKSEMA BROTHERS GREENHOUSES, LLC	Hoeksema Greenhouses	618 SCHURING RD	MI
22	3,560,252.00	81.73	00014005A	PHARMACIA & UPJOHN COMPANY	Temporary Parking Lot/ Construction Staging	7000 PORTAGE RD	MI
23	80,557.00	1.85	00012115X	PORTAGE MI HOLDINGS, LLC	Pharm Optima	6710 QUALITY WAY	MI
24	1,802,310.00	41.38	00011010G	NORMAN/PORTAGE, LLC	Office Building	6901 PORTAGE RD	MI
25	148,028.00	3.4	00012118A	STEPHENS PROPERTIES LLC	Quality Air Service	6701 QUALITY WAY	MI

26	83,874.00	1.9	00012115W	HUSKER HOLDINGS LLC	Kalamazoo Machine Tool	6700 QUALITY WAY	MI
27	782,400.00	18.0	00012101C	MANN+HUMMEL USA, INC	Mann+ Hummel	6700 S SPRINKLE RD	MI
28	628,307.00	14.4	00012118B	DSL ENTERPRISES, INC	D&L Industrial Services	4550 QUALITY CT	MI
29	155,314.00	3.6	00012116A	SPRINKLE ENGINEERING BUILDING, LLC	Summit Polymers	6615 S SPRINKLE RD	MI
30	1,123,221.00	25.79	00012117A	ERBSLOEH ALUMINUM SOLUTIONS, INC.	WKW Aluminum	6565 S SPRINKLE RD	MI
31	1,651,904.00	37.92	00011010L	ET KALAMAZOO FX, LLC	Fed Ex	6701 PORTAGE RD	MI
32	82,394.00	1.89	00012106O	BARNES HOLDINGS LLC	Superior Business Solutions- Commercial Printer	6490 S SPRINKLE RD	MI
33	120,585.00	2.77	06442009A	SAMCO LAND KALAMAZOO, LLC	SA Morman - Door Supplier	4510 COMMERCIAL AVE	MI
34	128,849.00	2.96	06442008O	RF HOLDING LLC	Acuren Inspection; Casium Technologies	4460 COMMERCIAL AVE	MI
35	154,172.00	3.54	06440006O	TODD UNIFORM INC	Aramak Uniform Services	4384 COMMERCIAL AVE	MI
36	119,370.00	2.74	06440007O	FIND-COUNT-DIVINE 897 LLC	Blu Technology, Perspective	4250 COMMERCIAL AVE	MI
37	186,101.00	4.27	06440001O	CC 10 LLC	Office Building	4176 COMMERCIAL AVE	MI
38	219,987.00	5.05	06442009B	4570 COMMERCIAL AVE, LLC	Lindenmeyr Munroe; Rollie Williams; Lending Hands	4570 COMMERCIAL AVE	MI
39	799,672.00	18.36	00012105O	MANN+HUMMEL USA, INC	Mann+ Hummel	6400 S SPRINKLE RD	MI
40	471,619.00	10.83	00012001C	COLONIAL ENGINEERING INC	Colonial Engineering - Plastic Fabrication	6400 CORPORATE AVE	MI
41	132,787.00	3.05	06442010A	BICKINGS, TIMOTHY P & D A	Custom Design Inc. - Industrial Equipment Supplier	4481 COMMERCIAL AVE	MI
42	177,291.00	4.07	06440005O	M R S REALTY CORP	Hub Group Trucking	4385 COMMERCIAL AVE	MI
43	82,717.00	1.90	06440004O	4311 COMMERCIAL AVE, LLC	B&L Bolt - Distribution Service	4311 COMMERCIAL AVE	MI
44	263,149.00	6.04	06440002O	COMMERCIAL PROPERTIES PARTNERS, LLC	Thermal Fisher Scientific- Biotech. Company	4169 COMMERCIAL AVE	MI
45	51,441.00	1.18	06443017O	EQUITY PARTNERS 1, LLC	Depatie Technology Center	6287 AMERICAN AVE	MI
46	91,961.00	2.11	06443011O	EQUITY PARTNERS 1, LLC	Building - vacant, unknown occupant	6292 AMERICAN AVE	MI
47	1,641,808.00	37.69	00011010J	STRYKER CORPORATION	Stryker Building	6501 PORTAGE RD	MI

48	89,265.00	2.05	064430120	EQUITY PARTNERS 1, LLC	Depatie Fluid Power - Hose Supplier	6256 AMERICAN AVE	MI
49	444,120.00	10.20	00012080S	SUMMIT POLYMERS PROPERTIES LTD	Summit Polymers - Plastic Fabrication	4750 EXECUTIVE DR	MI
50	97,038.00	2.23	064430160	CONFORMANCE FASTENERS INC	Conformance Fasteners - Fastener Supplier	6239 AMERICAN AVE	MI
51	278,372.00	6.39	00012090O	3700 MILHAM, LLC	Clark Logic - Logistics Service	3700 E MILHAM AVE	MI
52	22,119.00	0.51	09240036O	NUNNS CORP	Single Family House	2725 E MILHAM AVE	MI
53	29,337.00	0.67	09240034O	ISAACS, LAURA	Single Family House	2711 E MILHAM AVE	MI
54	9,797.00	0.22	09240033O	FRAZIER, HARLIE & GRIMM, CORA	Single Family House	5921 WILLOUGHBY DR	MI
55	136,588.00	3.14	00001086O	DOMESTIQUE REALTY, LLC	Foundation Building Material	3737 E MILHAM AVE	MI
56	19,598.00	0.45	09240031O	SHORT, ANGELA	Single Family House	5913 WILLOUGHBY DR	MI
57	9,834.00	0.23	09240030O	TELL LEASING CO	Storage Garage	5909 WILLOUGHBY DR	MI
58	87,729.00	2.01	09240020O	RAI AZO, LLC	RAI Jets Kalamazoo - Aviation Consultants	5825 WILLOUGHBY DR	MI
59	102,387.00	2.35	00001032A	THERKILDSSEN, DAVID & NANCY TRUST	Storage Garage	3512 E KILGORE RD	MI
60	21,512.00	0.49	00001083O	SUMMIT POLYMERS INC	Summit Polymers Trucking/Storage	3000 E KILGORE RD	MI
61	49,413.00	1.13	00028125B	CITY OF PORTAGE	N/A	9102 SHAVER RD	MI
62	22,219.00	0.51	00012110O	CONSUMERS ENERGY CO	N/A	6210 S SPRINKLE RD	MI
63	2,949,327.00	67.71	00011010K	COUNTY OF KALAMAZOO	N/A	6555 PORTAGE RD	MI
64	101,298.00	2.33	00011005O	COUNTY OF KALAMAZOO	N/A	3100 E MILHAM AVE	MI
65	211,244.00	4.85	00012080J	MDOT	N/A	6345 AMERICAN AVE	MI
66	856,950.00	19.67	00012100D	CITY OF PORTAGE	N/A	6600 S SPRINKLE RD	MI
67	13,295.00	0.31	00014166O	CONSUMERS ENERGY CO	N/A	2915 E CENTRE AVE	MI

ARTICLE 12. ~~MARIHUANA~~MARIJUANA BUSINESSES¹

Sec. 14-245. Purpose.

- (a) The purpose of this article is, pursuant to the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq. (Medical Facilities Act) and the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq., (Adult-Use Act) to: authorize the establishment of certain types of medical ~~marihuana~~marijuana facilities and adult-use ~~marihuana~~marijuana establishments (~~marihuana~~marijuana businesses) in the City of Portage; provide for standards and procedures for the review, issuance, renewal, or revocation of permits for such businesses; and establish fees for such permits.
- (b) Nothing in this article, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for the growing, sale, consumption, use, distribution or possession of ~~marihuana~~marijuana in any form or manner that is not in compliance with the Michigan Medical Marihuana Act, MCL 333.26421 et seq., (Medical Marihuana Act) the Medical Facilities Act, the Marihuana Tracking Act, MCL 333.27901 et seq., (Tracking Act) the Adult-Use Act and all other applicable rules promulgated by the State of Michigan.
- (c) Because federal law is not affected by state law or rules, nothing in this article, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall any provision of this article or this Code, be construed as granting immunity from criminal prosecution under federal law. Neither the Medical Facilities Act nor the Adult-Use Act protects patients, users, care givers, licensees, or the owners or occupants of properties on which the medical or adult-use of ~~marihuana~~marijuana is occurring from federal prosecution, or from having their property seized by federal authorities under the Federal Controlled Substances Act.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-246. Definitions.

- (a) As used in this article, the following terms shall have the meanings indicated:

Applicant means the person who applied for and received prequalification for a license under either the Marihuana Facilities Act or the Adult-Use Act, and who then applied for a ~~marihuana~~marijuana business permit under this article or a ~~marihuana~~marijuana facilities permit under the previous version of this article.

CRA means the Cannabis Regulatory Agency of the State of Michigan.

Equivalent licenses means any of the following held by a single licensee:

- (1) A ~~marihuana~~marijuana grower license, of any class, issued under Adult-Use Act and a grower license, of any class, issued under the Medical Facilities Act.

¹Editor's note(s)—Ord. No. 19/20-06 , adopted May 26, 2020, amended art. 12 in its entirety, §§ 14-245—14-269, in effect repealing and reenacting said article, §§ 14-245—14-266, as set out herein. Formerly, art. 12 pertained to medical ~~marihuana~~marijuana facilities and derived from Ord. No. 18-01, adopted Feb. 27, 2018.

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- (2) A ~~marihuana~~marijuana processor license issued under Adult-Use Act and a processor license issued under the Medical Facilities Act.
 - (3) A ~~marihuana~~marijuana retailer license issued under MRTMA and a provisioning center license issued under the MMFLA.
 - (4) A ~~marihuana~~marijuana secure transporter license issued under Adult-Use Act and a secure transporter license issued under the Medical Facilities Act.
 - (5) A ~~marihuana~~marijuana safety compliance facility license issued under Adult-Use Act and a safety compliance facility license issued under the Medical Facilities Act.

Grower means a licensee and permittee that, under either the Medical Facilities Act and Rules or the Adult-Use Act and Rules, is a commercial entity located in this city that cultivates, dries, trims, or cures and packages ~~marihuana~~marijuana for sale to a processor, provisioning center, or ~~marihuana~~marijuana retailer.

License, ~~marihuana~~marijuana business license or business license means a state operating license issued under the Medical Facilities Act or the Adult-Use Act.

Licensee means a person holding a state operating license issued under the Medical Facilities Act or the Adult-Use Act.

~~Marihuana~~Marijuana means that term as defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106.

~~Marihuana~~Marijuana *business or business* means the licensed and permitted operation at a property location in the city as a grower, processor, provisioning center, safety compliance facility, or secure transporter, under the Medical Facilities Act and this article or the prior version of this article, or a grower, processor, retailer, safety compliance facility, secure transporter, microbusiness, or ~~marihuana~~marijuana event organizer under the Adult-Use Act and this article.

~~Marihuana~~Marijuana *business permit* means a permit issued under this article that allows a person to operate either a medical ~~marihuana~~marijuana facility permitted under the Medical Facilities Act and this article, or an adult-use establishment permitted under the Adult-Use Act and this article, in this city.

~~Marihuana~~Marijuana *facilities permit* means a permit issued under the previous version of this article for a medical ~~marihuana~~marijuana facility under the Medical Facilities Act and that article.

~~Marihuana~~Marijuana *microbusiness or microbusiness* means a licensee and permittee that is a commercial entity in this city that, consistent with the Adult-Use Act and Rules, cultivates not more than 150 ~~marihuana~~marijuana plants, processes and packages ~~marihuana~~marijuana, and sells or transfers ~~marihuana~~marijuana to individuals who are 21 years of age or older or to a ~~marihuana~~marijuana safety compliance facility, but not to other ~~marihuana~~marijuana establishments or to medical ~~marihuana~~marijuana facilities.

~~Marihuana~~Marijuana *plant* means any plant of the species *Cannabis sativa* L. ~~Marihuana~~Marijuana plant does not include industrial hemp as that term is defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106.

- (1) ~~Marihuana~~Marijuana *product* means ~~marihuana~~marijuana or ~~marihuana~~marijuana-infused product, or both, as those terms are defined in the in the Medical Facilities Act or the Adult-Use Act, unless otherwise provided for in the rules and this article.

~~Marihuana~~Marijuana-*infused product* means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable ~~marihuana~~marijuana that is intended for human consumption in a manner other than smoke inhalation as defined in the Medical Facilities Act or the Adult-Use Act. ~~Marihuana~~Marijuana-infused product shall not be considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 et seq.

~~Marihuana~~Marijuana *retailer or retailer* means a licensee and permittee that is a commercial entity located in this city that, consistent with the Adult-Use Act and Rules purchases ~~marihuana~~marijuana products from an adult-use grower or adult-use processor and sells, supplies, or provides ~~marihuana~~marijuana to persons over 21 years of age or older. Retailer includes any commercial property where ~~marihuana~~marijuana products are sold at retail to registered persons over 21 years of age or older as provided in the Adult-Use Act and Rules. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the ~~MRA~~State of Michigan ~~marihuana~~marijuana registration process in accordance with the Medical Marihuana Act is not a ~~provisioning-center~~ provisioning center or a retailer for purposes of this article.

MRA means the Marijuana Regulatory Agency created by E.R.O. No. 2019-2, compiled at MCL 333.27001.
CRA means the Cannabis Regulatory Agency, which is the retitled agency created by ERO No. 2019-2, compiled at MLC 333.27001.

Paraphernalia means any equipment, product, or material of any kind that is designed for or used in growing, cultivating, producing, manufacturing, compounding, converting, storing, processing, preparing, transporting, injecting, smoking, ingesting, inhaling, or otherwise introducing into the human body, ~~marihuana~~marijuana.

Permittee means a person who has been issued a ~~marihuana~~marijuana business permit pursuant to this article or a medical facilities permit under the previous version of this article.

Person means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.

Proposed ~~marihuana~~marijuana *business* means a location in the city at which an applicant plans to operate a ~~marihuana~~marijuana business under the Medical Facilities Act and/or Adult-Use Act, rules, and this article if the applicant is issued a state license, and a permit under this article.

Provisional approval means a determination that an applicant has submitted an application that meets all of the requirements for a complete permit in section 14-250 of this article, and the requirements for acceptance of the application in section 14-252 of this article.

Provisioning center means a licensee and permittee that is a commercial entity located in this city that, consistent with the Medical Facilities Act and Rules, purchases ~~marihuana~~marijuana products from a medical facility grower or medical facility processor and sells, supplies, or provides ~~marihuana~~marijuana products to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where ~~marihuana~~marijuana products are sold at retail to registered qualifying patients or registered primary caregivers as provided in the Medical Facilities Act and Rules. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the ~~MRA~~CRA ~~marihuana~~marijuana registration process in accordance with the Medical Marihuana Act is not a provisioning center for purposes of this article.

Rules mean the emergency and general rules of ~~MRA~~CRA adopted pursuant to the Medical Facilities Act the Tracking Act and the Adult-Use Act as may be amended from time to time.

Safety compliance facility means a licensee and permittee that under either the Medical Facilities Act and Rules or Adult-Use Act and Rules is a commercial entity that receives ~~marihuana~~marijuana from a ~~marihuana~~marijuana business or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the ~~marihuana~~marijuana to the ~~marihuana~~marijuana business.

Secure transporter means a licensee and permittee that under either the Medical Facilities Act and Rules or Adult-Use Act and Rules is a commercial entity located in this city that stores ~~marihuana~~marijuana and transports ~~marihuana~~marijuana between ~~marihuana~~marijuana facilities for a fee.

Stacked license means more than one state operating license issued to a single licensee to operate as a class C grower as specified in each license at a ~~marihuana~~marijuana business under either the Medical Facilities Act and Rules or the Adult-Use Act and Rules.

State operating license, business license, or license means a license that is issued under the Medical Facilities Act or Adult-Use Act that allows the licensee to operate as one of the following, specified in the license:

- (1) A grower.
- (2) A processor.
- (3) A secure transporter.
- (4) A provisioning center.
- (5) A safety compliance facility.
- (6) A microbusiness.
- (7) An excess ~~marihuana~~marijuana grower.
- (8) A marijuana event organizer.
- (9) A designated consumption establishment.
- (10) A temporary ~~marihuana~~marijuana event.
- (11) A ~~marihuana~~marijuana retailer

Statewide monitoring system or, unless the context requires a different meaning, "system" means an internet-based, statewide database established, implemented, and maintained by the department under the Marihuana Tracking Act, that is available to licensees, law enforcement agencies, and authorized state departments and agencies on a 24-hour basis for all of the following:

- (1) Tracking ~~marihuana~~marijuana transfer and transportation by licensees, including transferee, date, quantity, and price.
- (2) Verifying in commercially reasonable time that a transfer will not exceed the limit that the patient or caregiver is authorized to receive under Section 4 of the Michigan Medical Marihuana Act.
 - a. Unless the context requires a different meaning, any term used in this article that is defined by the Medical Marihuana Act shall have the definition given in that act.
 - b. Unless the context requires a different meaning, any term used in this article as it is defined by the Medical Facilities Act shall have the definition given in that act. Unless the context requires a different meaning, any term used in this article that is defined by the Tracking Act shall have the definition given in that act.
 - c. Unless the context requires a different meaning, any term used in this article that is defined by the Adult-Use Act shall have the definition given in that act.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-247. Adoption of state rules and regulations.

All activities related to ~~marihuana~~marijuana shall be in compliance with the Tracking Act, Medical Facilities Act, or the Adult-Use Act and all other applicable rules promulgated by the state of Michigan.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-248 ~~Marihuana~~Marijuana businesses allowed.

- (a) Pursuant to Section 205(1) of the Medical Facilities Act and Section 6(1) of the Adult-Use Act, the city authorizes the following types of ~~marihuana~~marijuana businesses to be permitted in the city, without limitation as to the number of businesses:
- (1) Under the Medical Facilities Act:
- Provisioning center;
 - Class A grower;
 - Class B grower;
 - Class C grower;
 - Stacked license Class C grower;
 - Processor;
 - Safety compliance facility;
 - Secure transporter.
- (2) Under the Adult-Use Act:
- Retailer;
 - Class A grower;
 - Class B grower;
 - Class C grower;
 - Stacked license Class C grower;
 - Processor;
 - Safety compliance facility;
 - Secure transporter;
 - Microbusiness.
- (b) ~~Marihuana~~Marijuana business permits are not authorized by this article for designated consumption establishments, excess ~~marihuana~~marijuana growers, ~~marihuana~~marijuana event organizers, and temporary ~~marihuana~~marijuana events under the Adult-Use Act, or other ~~marihuana~~marijuana related licenses that may be allowed by any State law or administrative rule in the future.
- (c) The council reserves the right to amend the number and types of ~~marihuana~~marijuana businesses allowed within the city, subject to the laws, rules, and other regulations promulgated by the State of Michigan, or the ~~MRA~~CRA.
- (Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-249. Permit required.

No person shall own or operate a ~~marihuana~~marijuana business in the city without first applying for and receiving a license from ~~MRA~~CRA, and either a ~~marihuana~~marijuana facilities permit under the previous version of this article, or a ~~marihuana~~marijuana business permit under this article. No person who has received a city permit

and state license to operate a medical ~~marihuana~~marijuana class C grower facility shall grow more than 1,500 plants at the facility without first applying for and receiving a permit from the city manager for each additional medical ~~marihuana~~marijuana class C license the person desires to stack with its original state operating license, and a stacked medical ~~marihuana~~marijuana class C state operating license or licenses. Additionally, no person who has received a city permit and state license to operate an adult-use ~~marihuana~~marijuana class C grower establishment shall grow more than 2,000 plants at the establishment without first applying for and receiving a permit from the city manager for each additional adult-use ~~marihuana~~marijuana class C license the person desires to stack with its original state operating license, and a stacked adult-use ~~marihuana~~marijuana class C state operating license or licenses. ~~For two years from November 1, 2019, the date MRA began receiving license applications under the Adult Use Act, no person shall receive a permit for a marijuana retail business that has not first received a marihuana facilities permit from the city and a medical marihuana state operating license.~~

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-250. Application for permit.

- (a) Any person desiring to secure a ~~marihuana~~marijuana business permit shall make application to the city clerk upon a form provided by the city clerk at a time established by the city manager pursuant to section 14-250(c). The city clerk will stamp the permit application with the date and time received and mark the application "received". The review of applications as provided by this article will be completed, and all applications will be either accepted or denied within 90 days of the date the application is marked "received" by the city clerk.
- (1) All permit applicants, except applicants regarding a medical facility or adult-use stacked class C grower license or licenses, before applying for a permit must be prequalified by ~~MRA~~CRA for a medical ~~marihuana~~marijuana facility license if they are applying for a permit to operate a medical ~~marihuana~~marijuana facility under the Medical Facilities Act, or ~~marihuana~~marijuana establishment license if they are applying for a permit to operate a ~~marihuana~~marijuana establishment under the Adult-Use Act.
 - (2) The applicant must be the same person who received prequalification from ~~MRA~~CRA.
 - (3) A copy of all applications received shall be distributed by the city clerk to the appropriate city departments for review. All applications will be reviewed in the order received by the city clerk to determine that the application contains all information and documentation required by section 14-250(d) and the location of the proposed facility complies with the zoning requirements in article 4 of chapter 42 of this Code. Applications that are not missing any required information or documentation and comply with the zoning requirements of article 4 of chapter 42 of this Code will be stamped by the city clerk with the date and time the application is deemed to be complete, and marked "complete". Applications that do not comply with the zoning requirements of article 4 of chapter 42 of this Code will be denied pursuant to section 14-252.
 - (4) If an application is incomplete or missing information the city clerk shall notify the applicant of the incomplete or missing information in writing by mail or electronic mail sent to the address provided for notification by the applicant. The applicant shall have five business days from the date of mailing by regular or electronic mail of the written notice to provide the incomplete or missing information to the city clerk. Failure to provide the missing or incomplete information within the time specified may result in denial of the application. Applications with incomplete or missing information shall not be reviewed by city staff or marked or stamped complete until all incomplete or missing information is received by the city clerk and that date will be used to determine the order of review of the application in relation to other applications.

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- (5) An application will be accepted at the date and time the application is stamped or marked complete pursuant to subsection 14-250(a)(3) or (4) of this section.
 - (6) If on the effective date of this article there is an application for a medical ~~marihuana~~marijuana facility that was submitted to the city clerk under the previous version of this article and a provisional permit has not yet been issued to the applicant, the application will be reviewed and processed before any application received under this article.
- (b) Permit applications for ~~marihuana~~marijuana businesses and applications for stacked class C grower licenses at an existing class C grower, shall be submitted to the city clerk at a time or within the time periods established by the city manager.
 - (c) The city manager shall be responsible for establishing the procedure for receiving, reviewing and processing permits.
 - (d) The application for a permit shall include at a minimum the information and documentation listed below under oath.
 - (1) The name, business address, business telephone number, and, if applicable, federal tax identification number of the applicant.
 - (2) A copy of the notice from ~~MRA~~CRA that the applicant has been prequalified for a license.
 - (3) Whether the applicant has previously violated this article or a substantially similar ordinance in another municipality preceding the date of the application.
 - (4) A description of the type of ~~marihuana~~marijuana business applied for.
 - (5) A security plan for the ~~marihuana~~marijuana business that addresses all required security measures of the Medical Facilities and Adult-use rules and addresses at a minimum the ability to meet the security measures of those rules.
 - (6) An HVAC plan for the ~~marihuana~~marijuana business describing in detail among other things the equipment or systems that will be used to preclude ~~marihuana~~marijuana odors from emanating from the premises in a detectable amount sufficient to interfere with the reasonable and comfortable use and enjoyment of adjacent property as determined by the objective standards of a reasonable person of normal sensitivity.
 - (7) A scaled conceptual site plan and floor plan, including any proposed contactless delivery method.
 - (8) The property address of the proposed ~~marihuana~~marijuana business to be operated by the applicant.
 - (9) Proof that the applicant has or will have lawful possession of the premises proposed for the ~~marihuana~~marijuana business for the period during which the permit will be issued, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or letter of intent by the owner of the premises indicating an intent to lease the premises to the applicant contingent upon the applicant successfully obtaining a state operating license and local permit.
 - (10) The mailing address and electronic address at which the applicant desires to receive notification under this article, and phone numbers at which the applicant desires to be contacted.
 - (11) Whether the applicant intends that a combination of ~~marihuana~~marijuana businesses will operate as separate businesses at the same location, and if so, a description of the types of ~~marihuana~~marijuana business intended to be located at the same location.
 - (12) Whether the applicant intends that equivalent licenses will operate as separate businesses at the same location and if so, a description of the equivalent ~~marihuana~~marijuana businesses intended to be located at the same location.

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- (13) A copy of the ~~marihuana~~marijuana facilities plan to be submitted in connection with a state license application under the Medical Facilities Act for the ~~marihuana~~marijuana business for which provisional approval was issued, or a copy of the ~~marihuana~~marijuana establishment plan to be submitted in connection with a state license application under the Adult-Use Act for the ~~marihuana~~marijuana business for which provisional approval was issued
 - (14) A statement that the applicant will not violate any of the laws of the state or the ordinances of the city in conducting the business in which the license will be used, and that a violation on the premises may be cause for nonrenewal of a permit issued under this article, or for revocation of the permit.
 - (15) A statement that the applicant understands that the issuance of a ~~marihuana~~marijuana business permit under this article is not intended to grant, nor shall be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of ~~marihuana~~marijuana in any form or manner that is not in compliance with the Marihuana Act, the Medical Facilities Act, the Tracking Act, the Adult-Use Act, and all other applicable rules promulgated by the ~~MRA~~CRA, or from criminal prosecution or the seizure of property by federal authorities under the Federal Controlled Substances Act.
 - (16) All ~~marihuana~~marijuana facilities licensed and permitted to operate in the city shall at all times maintain in full force and effect workers compensation insurance as required by state law, and general liability insurance with minimum limits of \$1,000,000.00 per occurrence and a \$2,000,000.00 aggregate limit issued by the company licensed to do business in Michigan having an A.M. Best rating of at least A-. Applicants shall provide evidence of such insurance in the form of a certificate of insurance evidencing the existence of a valid and effective policy, or evidence that the applicant is able to obtain such insurance and state the limits of each policy, the name of the insurer, the effective date and expiration date of each policy, policy number if known, and the names of additional insured which shall include the city, its officials, and employees.
 - (17) The city manager may from time to time establish other qualifications for the application and permit which shall be provided in writing to prospective applicants with the application form.
 - (18) The city manager may require the applicant to provide, within five business days of a written demand any document, report, graph or other information which applicant has supplied to ~~MRA~~CRA and that is not specifically required by this section.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-251. Fees.

A nonrefundable permit fee set by resolution of city council, but not to exceed \$5,000.00, shall be submitted with the application for a permit. This fee shall be in addition to, and not in lieu of, any other fees for licensing or permitting requirements including, but not limited to, site plan review, zoning, or building permits.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-252. Acceptance or denial of application.

- (a) Applications received may be denied by the city manager if the applicant fails to provide missing or incomplete information within the time specified in section 14-250(a)(4) of this article. The city manager shall deny an application for any of the following reasons:

- (1) The applicant has not been prequalified for a ~~marihuana~~marijuana business license by ~~MRA~~CRA.

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- (2) ~~During the period from November 1, 2019 to November 1, 2021 an applicant for a marihuana business under the Adult-Use Act, does not hold a valid and unexpired marihuana facilities permit issued by the city and a medical marihuana state operating license.~~
- (32) The applicant did not pay the required application fee at the time of submission of the application.
- (43) The applicant has not provided satisfactory proof that the applicant has or will have lawful possession of the premises proposed for the location of the ~~marihuana~~marijuana business for the period during which the permit will be issued.
- (54) The applicant's proposed ~~marihuana~~marijuana business does not comply with the zoning regulations in article 4 of chapter 42 of this Code.
- (65) The city manager determines that the applicant has not satisfactorily complied with all permit requirements in section 14-250 of this article.
- (76) The applicant was granted a commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction concerning medical ~~marihuana~~marijuana or ~~marihuana~~marijuana that was denied or not renewed, or is currently restricted suspended or revoked.
- (87) The city manager determines that the applicant submitted an application containing false, misleading, or fraudulent information, or who intentionally omitted pertinent information on the application for a ~~marihuana~~marijuana business permit.
- (98) The applicant is delinquent in the payment of any taxes, fees or other charges owed to or collected by the city.
- (b) Notice of denial of an application shall be sent to the applicant in writing by mail or electronic mail to the last known address of the applicant on file with the city. An applicant whose application is denied may appeal denial to the city council in writing stating the basis for the appeal within ten days of receipt of the notice of denial.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-253. Provisional approval.

- (a) Provisional approval will be issued by the city manager to applicants whose applications are accepted as provided in this section. The effective date of the provisional approval will be the date an application is accepted as provided in section 14-250(a)(5).
- (b) Provisional approval does not authorize the applicant to operate a ~~marihuana~~marijuana business without first obtaining a state operating license for the ~~marihuana~~marijuana business, and obtaining all other permits, inspections, and approvals required by this article and all other applicable provisions of this Code. Upon issuance of provisional approval, the city clerk will be authorized to execute an attestation of compliance with city ordinances to ~~MRA~~CRA to accompany an application for a license as required by the Medical Facilities Act or the Adult-Use Act.
- (c) Provisional approval will lapse and be void one year from the date it is issued or the expiration of the applicant's prequalification status for a license from ~~MRA~~CRA, whichever occurs first. The city manager or his or her designee shall notify ~~MRA~~CRA of all persons whose provisional approval has lapsed or become void. Provisional approval may be extended by the city manager upon a showing of good cause, such as a delay in obtaining a state license, or other good cause that is not the fault of the applicant, for an additional period not to exceed six months.
- (d) An applicant who has received provisional approval has a continuing duty to provide the city with the following:

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- (1) Up-to-date contact information and shall notify the city clerk in writing of any changes to its mailing address, phone numbers, electronic mail address or other contact information the applicant provides to the city.
 - (2) A copy of any amendments or changes to the ~~marihuana~~marijuana facilities plan under the Medical Facilities Act submitted in connection with the application for the ~~marihuana~~marijuana business permit for which provisional approval was issued, or a copy of the ~~marihuana~~marijuana establishment plan under the Adult-Use Act submitted in connection with the application for the ~~marihuana~~marijuana business for which provisional approval was issued.
- (e) Provisional approval is exclusive to the person who received the provisional approval or provisional permit. Provisional approval or a provisional permit is a revocable privilege granted by the city, is not a property right, and does not create or vest any right, title, franchise or other property interest. No provisional approval or provisional permit issued under the previous version of this article shall be transferred or assigned. Any attempted transfer or assignment shall be void.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-254. Termination, revocation, suspension, or restriction of provisional approval.

- (a) Provisional approval may be terminated, revoked, suspended or restricted by the city manager in writing for any of the following reasons:
- (1) The applicant is denied a state operating license by ~~MRACRA~~;
 - (2) The ~~marihuana~~marijuana business is substantially different from the, ~~marihuana~~marijuana facilities plan to be submitted in connection with a state license application under the Medical Facilities Act for the ~~marihuana~~marijuana business for which provisional approval was issued, or a copy of the ~~marihuana~~marijuana establishment plan to be submitted in connection with a state license application under the Adult-Use Act for the ~~marihuana~~marijuana business for which provisional approval was issued conceptual plan or other representations;
 - (3) Officers of the city are unable to access the proposed ~~marihuana~~marijuana business for permit inspections or are denied access by the applicant or those acting [on] behalf of the applicant;
 - (4) The applicant fails, refuses, or becomes unable to obtain site plan approval and an occupancy permit issued by the city;
 - (5) Any violation of the Medical Facilities Act and Rules, Adult-Use Act and Rules, an applicable city ordinance, or this article.
- (b) If provisional approval is terminated, revoked, suspended or restricted, the city manager or his or her designee will notify in writing by mail or electronic mail both the applicant, at the last known address on file with the city for notification of the applicant, and ~~MRACRA~~, of the termination, revocation, suspension, or restriction of the provisional approval and the reasons therefore in writing.
- (c) The applicant who has received provisional approval under this article that is terminated, revoked, suspended or restricted may appeal the termination, revocation, suspension or restriction to the city council in writing stating the basis for the appeal within ten days of receipt of the notice of the termination, revocation, suspension or restriction.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-255. ~~Marihuana~~Marijuana business permit.

- (a) ~~Marihuana~~Marijuana business permits will be issued by the city manager. In order to be issued a ~~marihuana~~marijuana business permit, an applicant who has received provisional approval and whose provisional approval has not been revoked as provided in section 14-254 shall:
- (1) Successfully complete the inspection required by subsection 14-255(b) of this section.
 - (2) Submit proof to the city manager of obtaining all permits and approvals required by all applicable ordinances of the city including, but not limited to, an approved site plan and occupancy permit.
 - (3) Submit proof of insurance required by this article in the form of a certificate of insurance evidencing the existence of a valid and effective policy, stating the limits of each policy, the name of the insurer, the effective date and expiration date of each policy, policy number, and the names of additional insureds which shall include the City of Portage, its officials, and employees.
 - (4) An applicant who holds a provisional permit for a secure transporter permit shall additionally show proof of auto insurance, vehicle registration and registration as a commercial motor vehicle as applicable for any transporting vehicles used to transport ~~marihuana~~marijuana product in order to be issued a ~~marihuana~~marijuana business permit by the city manager.
 - (5) The site plan required for issuance of a ~~marihuana~~marijuana business permit shall be consistent with the requirements of section 42-482 A. of this Code. The site plan will be reviewed administratively consistent with section 42-482 B. and in accordance with the standards of section 42-483, except that no review by the planning commission of the site plan will be made. The site plan will be approved consistent with the provisions of section 42-484 except that any appeal of a site plan approval shall be to the city manager who will have the discretion whether to reverse an order of the director.
- (b) Before issuance of a ~~marihuana~~marijuana business permit the city shall conduct an inspection of the proposed ~~marihuana~~marijuana business to verify that the ~~marihuana~~marijuana business is ready to open for business, the premises of the business are constructed and can be operated in accordance with the application submitted, the approved site plan, the requirements of this Code and any other applicable law, rule, or regulation. No ~~marihuana~~marijuana business permit may be issued and no ~~marihuana~~marijuana business may conduct any business or operations until the inspection is completed and it is determined that the ~~marihuana~~marijuana business is ready to open for business, the premises of the ~~marihuana~~marijuana business are constructed and can be operated in accordance with the application, ~~marihuana~~marijuana facilities plan, or the ~~marihuana~~marijuana establishment plan submitted with the application as well as the approved site plan, and the ~~marihuana~~marijuana business is in compliance with the requirements of this Code and any other applicable law, rule, or regulation.
- (c) The ~~marihuana~~marijuana business permit shall be issued only in the name of the applicant.
- (d) Each permit is exclusive to the person who is issued the permit and that person must apply for and receive approval of the city manager pursuant to section 14-258 of this article before a permit is transferred.
- (e) The ~~marihuana~~marijuana business permit and state operating license shall be displayed in a conspicuous public place inside the ~~marihuana~~marijuana business.
- (f) Acceptance of a ~~marihuana~~marijuana business permit under this article shall constitute permission to any officer of the city, within the authority granted him or her by this Code under which such permit was granted, to enter upon and inspect the premises of the ~~marihuana~~marijuana business at all reasonable times.
- (g) A permittee has a continuing duty to provide the city with up-to-date contact information and shall notify the city clerk in writing of any changes to its mailing address, phone numbers, electronic mail address or other contact information the permittee provides to the city.

Sec. 14-256. Renewal of permit.

- (a) A ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit issued under the previous version of this article shall be renewed annually unless revoked as provided by section 14-257.
- (b) Renewal of ~~marihuana~~marijuana business permit shall be made by application to the city clerk and payment of a nonrefundable permit renewal fee set by resolution of city council, but not to exceed \$5,000.00. The application for renewal must be filed before the permit expires at such time as is established by the city manager, but in no event less than 30 days before the due date for annual renewal of the permittee's license for the permittee's ~~marihuana~~marijuana business. The application for renewal shall be upon a form provided by the city clerk and shall contain an update of all information required in the applicant's permit application, be given under oath or affirmation, including an affirmation that all information in the renewal application is up to date and current, and shall be reviewed and approved in the same manner as the permit application. Renewal of permits issued in connection with class C grower stacked licenses will require only a single application form for the original class C grower permit and all stacked license permits issued to the applicant. The renewal application shall indicate that the application is for the renewal of permits issued in connection with class C grower stacked licenses and the permit or permits the applicant is seeking to renew.
- (c) The city clerk shall notify the permittee by mail or electronic mail at the last known address on file with the city for notification of the permittee, advising of the time, and procedure for renewing the permit. Failure of the permittee to receive notice under this subsection does not relieve the permittee of the responsibility for renewing the permit.
- (d) A permit renewal application may be denied by the city manager if the permit renewal application is not received by the city clerk on or before the due date for renewal of the permit established pursuant to section 14-256(b). The city manager shall deny a permit renewal application if any of the following occur:
 - (1) The permit to be renewed has been terminated or revoked.
 - (2) The permit is suspended or restricted.
 - (3) The applicant did not pay the required application fee at the time of submission of the renewal application.
 - (4) At the time of submission of the renewal application the applicant is delinquent in the payment of any taxes, fees or other charges owed to or collected by the city.
 - (5) The city manager determines that the applicant is not in compliance with all qualifications established by section 14-250 of this article, the Medical Facilities Act and rules, or the Adult-Use Act and rules.
 - (6) The applicant failed to correct any deficiencies in the renewal application.
 - (7) The city manager determines that applicant submitted a renewal application containing false, misleading, or fraudulent information, or intentionally omitted pertinent information on the renewal application.
The applicant fails to provide evidence of insurance as required by section 14-250(d)(17).
 - (8) An inspection conducted by the city reveals that the ~~marihuana~~marijuana business to which the renewal application pertains is not in compliance with this article, this Code of ordinances, the Medical Facilities Act and rules, or the Adult-Use Act and rules.
- (e) Notice of denial of a renewal application shall be sent to the applicant in writing by mail or electronic mail to the last known address of the applicant on file with the city for notification of the applicant. An applicant

whose renewal application is denied may appeal denial to the city council in writing stating the basis for the appeal within ten days of receipt of the notice of denial.

- (f) The city manager or his or her designee shall inform ~~MRA~~CRA in writing by mail or electronic mail of all permittees whose permit is renewed, if a permittee fails to renew a permit, or the permittee's renewal application is denied. The city clerk will file an affirmation of renewal with ~~MRA~~CRA for all permits that are renewed.
- (g) For the purposes of a renewal application, a ~~marihuana~~marijuana business shall not be in violation of the spacing requirements from certain protected uses as specified in article 4, chapter 42 of this Code in the event any of those protected uses was located less than the minimum spacing distance from the ~~marihuana~~marijuana business at any time after a permit under this article and a state license to operate the business were issued.
- (h) The city manager may grant relief to any renewal applicant from the provisions of this section upon a showing of good cause.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-257. Revocation, termination or suspension of permit.

- (a) Any ~~marihuana~~marijuana business permit issued under this article, or ~~marihuana~~marijuana facilities permit issued under the previous version of this article, shall automatically terminate and become void if the state license for the permitted use is revoked, terminates or becomes void.
- (b) Any ~~marihuana~~marijuana business permit issued under this article, or ~~marihuana~~marijuana facilities permit issued under the previous version of this article, may be revoked upon the occurrence of any of the following:
 - (1) Any violation of the provisions of this article or, this Code of ordinances. A ~~marihuana~~marijuana business shall not be in violation of the spacing requirements from certain protected uses as specified in article 4, chapter 42 of this Code in the event any of those protected uses was located less than the minimum spacing distance from the ~~marihuana~~marijuana business at any time after a permit under this article and a state license to operate the business were issued.
 - (2) The conduct of business in an unlawful manner or in such a way as to constitute a public nuisance or in a way that negatively impacts the health, safety, or general welfare of surrounding property or city residents.
- (c) A ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit will be suspended for the transfer or attempted transfer of the permit or any interest in such permit without first obtaining approval of the city manager to do so.
- (d) Any ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit shall automatically be suspended if the state operating license for the permitted use is suspended. The terms and conditions of suspension shall correspond to the suspension of the state operating license.
- (e) Any ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit shall automatically be restricted if the state license for the permitted use is restricted. The terms and conditions of the restriction shall correspond to the restriction of the state license.
- (f) If a ~~marihuana~~marijuana business permit, or ~~marihuana~~marijuana facilities permit issued under the previous version of this article, is terminated, revoked, suspended or restricted, the city manager will notify the permittee, at the permittee's last known address on file with the city for notification of the permittee, and ~~MRA~~CRA of the termination, revocation, suspension, or restriction of the permit and the reasons therefore.

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- (g) If a ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit is revoked under this subsection the permittee shall immediately cease operation of its ~~marihuana~~marijuana business.
 - (h) The holder of a ~~marihuana~~marijuana business permit or ~~marihuana~~marijuana facilities permit under this article that is terminated, revoked, suspended or restricted may appeal the termination, revocation, suspension or restriction to the city council within ten days of receipt of the notice of the termination, revocation, suspension or restriction.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-258. Transfer, sale or purchase of permits or licenses.

- (a) No ~~marihuana~~marijuana business permit, or ~~marihuana~~marijuana facilities permit issued under the previous version of this article, may be transferred without making application to, and obtaining approval of, the city manager. Applications for transfer of a permit shall be made on a form provided by the city clerk. The application shall contain the following information at a minimum:
 - (1) The name and address of the ~~marihuana~~marijuana business proposed to be transferred.
 - (2) The name, address, and other contact information for the owner of the ~~marihuana~~marijuana business proposed to be transferred.
 - (3) The name, address, and other contact information for the proposed transferee.
 - (4) A plan detailing any changes or modifications of the ~~marihuana~~marijuana business desired by the transferee, which must be approved by the city consistent with section 14-259(a). No certificate of occupancy will be issued to the transferee until all changes have been completed and approved by the city consistent with all applicable codes.
- (b) Any transferee of a permit issued pursuant to this article must meet all requirements and conditions for the issuance of a permit under this article for the type of ~~marihuana~~marijuana business for which the permit was issued prior to the approval of a transfer. The transfer will be conditioned upon the transferee obtaining a state license for the type of ~~marihuana~~marijuana business the permit was issued for within 90 days of the approval of the transfer.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-259. Changes to ~~marihuana~~marijuana businesses.

- (a) Any change or modification of a ~~marihuana~~marijuana business after it receives a state license, and a permit under this article is governed by the standards and procedures of the Medical Facilities Act and rules, and the Adult-Use Act and rules, and the standards, and standards and procedures of this Code including, but not limited to, standards and procedures relating to zoning, site plans, and, building, plumbing, electrical, mechanical, and fire safety codes. Changes or modifications to a ~~marihuana~~marijuana business may, however, be made at any time, but must be approved by ~~MRA~~CRA and the city before any changes or modifications are made. The permittee must obtain all required city permits before the change or modification is commenced and provide evidence to the city of the approval of ~~MRA~~CRA for any change or modification to a ~~marihuana~~marijuana business.
- (b) Change of location of a ~~marihuana~~marijuana business requires a permit application that includes the same information listed in section 14-250 of this article for a permit application and an application fee set by resolution of city council, but not to exceed \$5,000.00. The proposed new location of the ~~marihuana~~marijuana business, in addition to complying with the provisions of section 14-250, must also comply with the provisions of article 4, chapter 42 regarding zoning. The change of location permit will be

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submitted and approved or denied in the same manner as an application for a ~~marihuana~~marijuana business permit and a permit for the change of location will be issued in the same manner as for a ~~marihuana~~marijuana business permit application. Applications for a change of location may be made at any time.

- (c) Failure to obtain prior approval of a change or modification of a ~~marihuana~~marijuana business from ~~MRACRA~~ and the city or to obtain all necessary permits for the change or modification, and failure to obtain approval of a change of location of a ~~marihuana~~marijuana business are violations of the provisions of this article for which a ~~marihuana~~marijuana business permit may be revoked or suspended pursuant to section 14-257 of this article.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-260. Disclosure of information.

Consistent with MCL 333.27205(4) and MCL 333.27959(7), and to the extent otherwise permitted by law, all information submitted in conjunction with an application for a ~~marihuana~~marijuana business permit, permit renewal required, change or modification, or change of location under this article is exempt from disclosure under the Michigan Freedom of Information Act, MCL 15.231 et seq.

Sec. 14-261. Minimum operational standards for all ~~marihuana~~marijuana businesses.

All ~~marihuana~~marijuana businesses shall at a minimum comply with the following operational standards:

- (1) ~~Marihuana~~Marijuana businesses shall be open for inspection upon request by the building official, the fire division, or law enforcement officials for determination of compliance with all applicable laws and rules, during the stated hours of operation/use and at such other times as anyone is present on the premises. Inspections may include inspection of the business premises, surveillance records, camera recordings, reports, records or other materials required as a condition of a permit under this article or a state operating license. Acceptance of a ~~marihuana~~marijuana business permit or leasing property to a ~~marihuana~~marijuana business constitutes consent to such inspections and the seizure of any surveillance records, camera recordings, reports record or other materials required as a condition of the permit under this article or a state operating license without a search warrant. The person issued a permit, or an employee or agent of the thereof shall not hinder or obstruct a law enforcement officer or employee of the city from conducting inspections pursuant to this section, and shall not refuse, fail, or neglect to cooperate with a law enforcement officer or city employee in the performance of his or her duties in enforcing this article, the Medical Facilities Act and Adult-Use Act, or applicable state administrative rules.
- (2) ~~Marihuana~~Marijuana businesses shall conduct the activities of the ~~marihuana~~marijuana business, including, ~~without limitation,~~ processing, displaying, manufacturing, selling ~~(with the exception of drive through sales),~~ storage of ~~marihuana~~marijuana and ~~marihuana~~marijuana-infused products, and storage of all materials used in connection with the cultivating, growing, processing, displaying, manufacturing, and selling of ~~marihuana~~marijuana and ~~marihuana~~marijuana-infused products indoors in a building and out of public view. ~~- Cultivating and growing marihuanamarijuana may take place outdoors consistent with the Medical Facilities Act, the Adult-Use Act or applicable state administrative rules.~~
- (3) ~~Marihuana~~Marijuana businesses shall install a fire alarm and a burglar alarm system. The fire alarm system shall meet the requirements of this Code for a newly installed system and be monitored by a listed central station. All burglar alarm systems shall be monitored by a company that is staffed 24-hours a day, seven days a week.

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- (4) ~~Marihuana~~Marijuana businesses shall have a video surveillance system that complies with the applicable administrative rules at a minimum, and that makes, retains, and stores surveillance recordings as provided in those rules.
 - (5) Surveillance recordings of ~~marihuana~~marijuana businesses shall be subject to inspection and review by the city upon request. All surveillance recordings shall be kept in a manner that allows the city to view and obtain copies of the recordings immediately upon request.
 - (6) ~~Marihuana~~Marijuana businesses shall utilize sufficient measures and means to prevent smoke, odor, debris, dust, fluids and other substances from exiting the premises of the business at any time. In the event that any smoke, odor, debris, dust, fluids or other substances exit the ~~marihuana~~marijuana business in a detectable amount sufficient to interfere with the reasonable and comfortable use and enjoyment of adjacent property, or that causes damage to property, the permittee for the ~~marihuana~~marijuana business and the owner of the premises shall be jointly and severally liable for such conditions and shall be responsible for immediate, full cleanup and correction of such condition. The permittee shall properly dispose of all such materials, items and other substances in a safe, sanitary, and secure manner in compliance with all federal and state laws and regulations, and this Code.
 - (7) ~~Marihuana~~Marijuana businesses shall install and maintain in operable condition a system to preclude ~~marihuana~~marijuana odors from emanating from the premises of the ~~marihuana~~marijuana business in a detectable amount sufficient to interfere with the reasonable and comfortable use and enjoyment of adjacent property as determined by the objective standards of a reasonable person of normal sensitivity.
 - (8) Access to the ~~marihuana~~marijuana business is restricted to the permittee, employees of the permittee, registered qualifying patients and registered primary caregivers with valid registry cards, if applicable, adults 21 years of age or older, if applicable, ~~MRA~~CRA through its investigators, agents, auditors or the state police, and local law and code enforcement officers.
 - (9) All ~~marihuana~~marijuana businesses must be at a fixed location. Mobile ~~marihuana~~marijuana businesses ~~and drive-through operations~~ are prohibited. Sale or transfer of ~~marihuana~~marijuana products by internet or mail order, consignment, or at wholesale is prohibited. This provision shall not be construed to prohibit sale or transfer of ~~marihuana~~marijuana products by ~~marihuana~~marijuana businesses as otherwise expressly authorized by the Medical Facilities Act or Adult-Use Act, nor to prohibit home delivery of ~~marihuana~~marijuana products as may be permitted by those acts or the rules corresponding to those acts.
 - (10) All ~~marihuana~~marijuana businesses shall comply with all provisions of this Code, state law and administrative rules regulating signs and advertising.
 - (11) The business, operations, marketing and advertising of all ~~marihuana~~marijuana businesses and ~~marihuana~~marijuana product shall comply at all times with applicable state law and regulations, and this Code.
 - (12) ~~Marihuana~~Marijuana businesses shall comply with the building and fire safety provisions of the rules as are applicable to the particular type of ~~marihuana~~marijuana business at all times.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-262. Conflicts, future laws and regulations.

In the event of any conflict between the provisions of this article and the provisions of the Medical Facilities Act and rules, Adult-Use Act and the rules, the conflicting provisions of this article will be preempted and the

provisions of the Medical Facilities Act and rules, or the Adult-Use Act and rules will control. Should the State of Michigan in the future adopt additional or stricter laws or regulations governing the production, processing, transporting, testing, sale and distribution of ~~marihuana~~~~marijuana~~, the additional or stricter laws and regulations shall control the establishment or operation of any ~~marihuana~~~~marijuana~~ business in the city, as well as the issuance, denial, suspension, or revocation of any permit under this article.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-263. Penalty and remedies.

- (a) Any violation of this article is a civil infraction subject to a fine of not more than \$500.00.
- (b) In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of the provisions of this Code, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.
- (c) In addition to the penalties in this section, any violation of this article, the Medical Facilities Act and rules or Adult-Use Act and rules may result in the denial of a permit, or the revocation, suspension, or non-renewal of a permit issued under this article.
- (d) Nothing in this article shall prevent the city from pursuing any other remedy provided by law and equity, including an injunction, in conjunction with or in lieu of prosecuting persons under this section for violation of this article.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-264. Severability.

The various parts, sections and clauses of this article are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-265. Repealer.

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provisions of this article are repealed to the extent of such conflict, and the provisions of this article shall be and remain controlling as to the matters regulated herein.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-266. Effect tie-barred.

This amendment to chapter 14 "Businesses", article 12, "~~Marihuana~~~~Marijuana~~ Businesses" shall only take effect if Chapter 42 section 42-262(B)(16), section 42-280(B)(21), section 42-280(B)(22), section 42-281(B)(7), and section 42-821(B)(8) regarding zones where ~~marihuana~~~~marijuana~~ businesses are allowed are amended.

(Ord. No. 19/20-06 , 5-26-2020)

Sec. 14-267. Savings Clause

Any prosecution which is pending on the effective date of this Ordinance and which arose from a violation of any ordinance repealed by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance repealed by this Ordinance and which was committed prior to the effective date of this Ordinance shall be tried and determined exactly as if the Ordinance had not been repealed.

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, April 6, 2023
7:00 PM Portage
Portage City Hall Council Chambers**

The City of Portage Planning Commission meeting of April 6, 2023, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, Senior City Planner
- Catherine Kaufman, City Attorney

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (no); Adams (yes); Youngs (yes); Kasper (no); and Freiman (yes).

Motion by Commissioner Fries, seconded by Commissioner Pezzoli to excuse Commissioners Baldwin and Kasper. Motion carried 7-0.

APPROVAL OF MINUTES

1. Minutes dated March 16, 2023.

Motion by Commissioner Youngs, seconded by Commissioner Pezzoli to approve the March 16, 2023, as submitted. Motion carried 7-0.

PUBLIC HEARINGS

1. Ordinance Amendment #22/23-9: An Ordinance to amend commercial marihuana development standards within Chapter 42 Article 4.

Eric Feldt presented the City-initiated ordinance amendment consisting of four proposed changes: adding drive-throughs, establishing drive-through standards, prohibiting outdoor commercial grow facilities, and changing the spelling of the term marihuana with marijuana. Mr. Feldt indicated that this amendment was to align with new State marihuana regulation changes, to increase land use development potential of Industrial-zoned property and to be more consistent with the City's Comprehensive Plan. He identified various sections of the zoning code and included a mark up version of the zoning ordinance. Mr. Feldt indicated that, as of the date of the Planning Commission April 6, 2023, meeting, there are ten marihuana retailer/ provisioning center sites and one indoor marihuana grower. He concluded his presentation with staff's recommendation to the Planning Commission: If no additional public comment is requested by the Commission, and the Commission is supportive of the proposed ordinance amendment, staff advises the Planning Commission to recommend Ordinance Amendment #22/23-9 to amend commercial marihuana development standards to City Council be approved.

Various Commissioners discussed marihuana tax monies received by the City of Portage, the number of interested marihuana companies wishing to add drive-through services, and whether the City has a cap on marihuana retailers/ provisioning centers.

Chair Corradini opened the public hearing. No public comments received. Chair Corradini asked for support to close public hearing; Commissioner Freiman supported. Chair Corradini took voice vote of the Commission to close public hearing; unanimous support (7-0) received.

Vice Chair Joshi stated opposition to the ordinance amendment due to not wanting to make marihuana more accessible.

Motion by Commissioner Pezzoli, seconded by Commissioner Freiman to recommend to City Council approval of Ordinance Amendment #22/23-9 to amend commercial marihuana development standard. Motion carried 6-1.

SITE/FINAL PLANS

1. A Final Planned Development Site Plan for a senior housing facility at 8150 Creekside Drive.

Mr. Feldt prefaced the project with a brief background of the approved Tentative Plan which was approved by the Planning Commission and City Council, which had allowed the development to proceed with the filing of the Final Site Plan. Mr. Feldt presented various comparison images between the approved Tentative Plan and Final Plan. He indicated that the developer is proposing four minor changes in the Final Plan: adding an on-site stormwater basin, relocating the deferred parking, minor change in the southern berm, and architectural items. Mr. Feldt explained that those changes are not substantial and are allowed by the zoning code as a project progresses from Tentative Plan to Final Plan design. He identified the various applicable zoning code sections for the overall Planned Development, as well as the Tentative and Final Plan subsections. He indicated that the City's Development Review Team, consisting of various department staff, did not have any pending items or recommended conditions. Mr. Feldt concluded with staff's recommendation that the Planning Commission recommend to City Council the approval of the Final PD Site Plan for StoryPoint South, a senior housing facility, at 8150 Creekside Drive.

Various Commissioners discussed the number of proposed care services, stormwater elements, maintenance of Creekside Drive, water and sanitary sewer utilities, whether there was any history of flood, and parking elements.

Brandon Visconti, applicant's representative with CommonSail, 7927 Nemco Way Brighton, MI 48116, discussed the need for the project and addressed the project's stormwater elements.

Jeff Miller, applicant's representative with Prein & Newhof, 3355 Evergreen NE Grand Rapids, MI 49525, discussed the stormwater elements in detail.

Chair Corradini asked about the parking requirement and how it is impacted by the proposed change in deferred parking. Mr. Feldt stated that the parking requirement approved under the Tentative Plan was 192 spaces, including 25 deferred spaces. The proposed Final Site Plan consists of only 21 deferred spaces, four fewer. Mr. Feldt stated that the new proposed total parking space count of 188 is within the allowable 10% change in the zoning code.

Commission Fries asked about further reducing the parking spaces due to other similar projects. The applicant's representative indicated that the proposed parking meets the needs of the project.

Motion by Commissioner Fries, seconded by Commissioner Adams, to recommend to City Council approval of the Final PD Site Plan for StoryPoint South, a senior housing facility, at 8150 Creekside Drive. Motion carried 7-0.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS/ STAFF

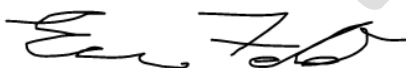
Mr. Feldt provided the following updates:

- The City of Portage Community Development Department Director position is to be combined with the vacant Deputy City Manager position and renamed as Chief Development Officer. The position will be filled by Peter Dame, former City Manager of the City of Grosse Pointe. Mr. Dame's first day with the City of Portage is expected to be April 24, 2023.
- For the Crossroads Mall subarea section of the new Master Plan process update, City staff will be meeting with various Crossroads Mall area stakeholders later in April to gain input on their future needs.
- The Community Development Department is drafting various housing-related zoning code changes recommended during the March Planning Commission workshop. These changes will be presented to the Commission during future meetings.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 7:48 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
Senior City Planner



Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: April 11, 2023

SUBJECT: Ordinance Amendment #22/23-9: An ordinance to amend commercial marihuana development standards within Chapter 42 Article 4.

At the April 6, 2023 meeting, the Planning Commission reviewed and discussed an ordinance amendment to amend commercial marihuana development standards within Chapter 42 Article 4. The City seeks a proposed ordinance amendment that would modify several commercial marihuana development standards consistent with recent changes in the State's Cannabis Regulatory Agency (CRA) and to better position land for future development. The proposed modifications include the following:

1. Drive-through operations are currently prohibited in the City of Portage. Remove this prohibition as consistent with new CRA standards. This would allow only marihuana retailers (adult-use/ recreation), provisioning centers (medical), and microbusiness (grow, process, and sell in a single location) to have a drive-through service.
2. Establish new drive-through queuing standards for the above marihuana uses, as consistent with other City zoning drive-through businesses to best manage proper areas for queuing and general site circulation, parking.
3. Commercial marihuana growing businesses are currently allowed in Portage within the Industrial districts (I-1 & I-2) only. Marihuana can be grown indoors or outdoors. Staff proposes prohibiting outdoor growing in order to better position those valuable industrial properties for higher development opportunities. There are no proposed changes to continuing indoor marihuana growing.
4. Rename 'marihuana' to 'marijuana', consistent with the CRA.

Eric Feldt, Senior City Planner, was present to support the proposed application and explain the ordinance amendment details. There was no public comment on this item at the meeting.

The Planning Commission voted 6:1 to recommend to City Council the approval of the proposed amendment to the commercial marihuana development standards within Chapter 42 Article 4.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION

Dan Corradini
Chairman

Attachments: April 6, 2023 Planning Commission meeting minutes